

STAFF REPORT



CITY OF OCEANSIDE

DATE: August 6, 2014
TO: Honorable Mayor and City Councilmembers
FROM: Water Utilities Department
SUBJECT: **RESOLUTION DECLARING A DROUGHT LEVEL 2 CONDITIONS**

SYNOPSIS

Staff and the Utilities Commission recommend that the City Council adopt a resolution declaring a Drought Response Level 2 – Drought Alert Condition, as described in the Oceanside City Code Section 37.106. Conservation Levels, limiting lawn watering and landscape irrigation to no more than ten minutes per water station, per day, no more than three days per week, and ceasing operation of ornamental water fountains unless recycled water is used.

BACKGROUND

On July 7, 2008, the City Council adopted an ordinance establishing drought response conservation measures to be implemented in the event of mandatory water reductions imposed by the Metropolitan Water District and the San Diego County Water Authority. After two consecutive dry years and due to continuing drought conditions, on July 15, 2014, the State Water Resources Control Board adopted emergency regulations requiring water suppliers to activate their drought response plans at a level that includes mandatory water use restrictions to prevent water waste. The proposed resolution will effect a change from the current voluntary Level 1 Drought Watch condition to a mandatory Level 2 Drought Alert condition.

A declaration of any drought level must be declared by the San Diego County Water Authority and then adopted by resolution of the City Council. The Water Authority declared a Level 2 Drought Alert on July 24, 2014, with mandatory water-use restrictions that comply with the State's order. If Council adopts the resolution, the Level 2 restrictions would become effective on August 16, 2014.

ANALYSIS

The drought response ordinance establishes four levels of drought response. The proposed initiation of a drought response condition is declared by the San Diego County Water Authority and a resolution at each level is approved by the City Council.

The Level 2 mandatory conservation measures are intended to achieve a targeted water consumption reduction necessary to offset worsening drought conditions and decreasing available supplies. Restrictions under a Level 2 condition include limiting lawn watering and landscape irrigation to no more than ten minutes per water station, per day, no more than three days per week and ceasing operation of ornamental water fountains unless recycled water is used. The move to a Level 2 condition automatically triggers the mandatory compliance with Level 1 measures.

The Water Authority's declaration of a Drought Level 2 condition must be adopted by resolution of the City Council. If Council adopts a Drought Level 2 condition, Oceanside businesses and residents will be subject to the Level 1 and 2 watering restrictions as described in the City Code, Chapter 37, Article V. The restrictions will become effective ten days following adoption on August 16, 2014. The public will be notified of the water use restrictions through newspaper advertisements, utility bill inserts, Oceanside Tide E-News, KOCT, the City of Oceanside's website, Facebook page and twitter feed, and through enhanced education and outreach. The restrictions are listed below:

Level 1 restrictions: (currently in effect)

- Stop washing down paved surfaces, including but not limited to sidewalks, driveways, parking lots, tennis courts, or patios, except when it is necessary to alleviate safety or sanitation hazards.
- Stop water waste resulting from inefficient landscape irrigation, such as runoff, low head drainage, or overspray, etc. Similarly, stop water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
- Irrigate residential and commercial landscape before 10:00 a.m. and after 6:00 p.m. only.
- Use a hand-held hose equipped with a positive shut-off nozzle or bucket to water landscaped areas, including trees and shrubs located on residential and commercial properties that are not irrigated by a landscape irrigation system.
- Irrigate nursery and commercial grower products before 10:00 a.m. and after 6:00 p.m. only. Watering is permitted at any time with a hand-held hose equipped with a positive shut-off nozzle, a bucket, or when a drip/micro-irrigation system/equipment is used. Irrigation of nursery propagation beds is permitted at any time. Watering of livestock is permitted at any time.
- Use re-circulated or recycled water to operate ornamental fountains.
- Wash vehicles using a bucket and a hand-held hose with positive shut-off nozzle, mobile high-pressure/low-volume wash system, or at a commercial site that re-circulates (recycles) water on-site. Avoid washing during hot conditions when additional water is required due to evaporation.

- Serve and refill water in restaurants and other food service establishments only upon request.
- Offer guests in hotels, motels, and other commercial lodging establishments the option of not laundering towels and linens daily.
- Repair all water leaks within five (5) days of notification by the City of Oceanside unless other arrangements are made with the Water Utilities Director.
- Use recycled or non-potable water for construction purposes when available.

Level 2 restrictions: (effective August 16, 2014)

- Limit residential and commercial landscape irrigation to no more than three (3) assigned days per week on a schedule established by the Water Utilities Director and posted by the City of Oceanside. This section shall not apply to commercial growers or nurseries.
- Limit lawn watering and landscape irrigation using sprinklers to no more than ten (10) minutes per water station per assigned day. This provision does not apply to landscape irrigation systems using water-efficient devices, including but not limited to: weather-based controllers, drip/micro/irrigation systems or stream rotor sprinklers.
- Water landscaped areas, including trees and shrubs located on residential and commercial properties, and not irrigated by a landscape irrigation system, by using a bucket, hand-held hose with positive shut-off nozzle, or low-volume non-spray irrigation.
- Repair all leaks within seventy-two (72) hours of notification by the City of Oceanside unless other arrangements are made with the Water Utilities Director.
- Stop operating ornamental fountains or similar decorative water features unless recycled water is used.

Our focus will be on education and awareness. If fines are implemented, they follow the administrative code with the first violation being \$100 and repeat offenses gradually increasing.

Restrictions will be in effect until lifted by the State.

FISCAL IMPACT

The proposed adoption of a resolution declaring a Drought Level 2 condition is intended to comply with mandatory statewide regulations to prevent water waste by implementing restrictions on outdoor water use and prohibiting water wasting practices. Failure to implement a water shortage contingency plan at a level that triggers mandatory restrictions on outdoor water use could subject the City to cease and desist orders for violating emergency regulations with fines up to \$10,000 per day per violation, which will

be deposited in account 1711.4196.0021, FF&P-Drought Enforcement Penalties. Revenue losses due to conservation efforts will be offset by a reduction in the amount of water purchased.

COMMISSION OR COMMITTEE REPORT

The Utilities Commission received an update on the drought conditions and declaring a Drought Level 2 at its regularly scheduled meeting on July 15, 2014.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

INSURANCE REQUIREMENTS

Does not apply.

RECOMMENDATIONS

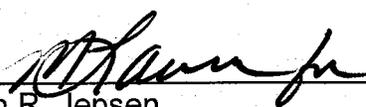
Staff and the Utilities Commission recommend that the City Council adopt a resolution declaring a Drought Response Level 2 – Drought Alert Condition, as described in the Oceanside City Code Section 37.106. Conservation Levels, limiting lawn watering and landscape irrigation to no more than ten minutes per water station, per day, no more than three days per week, and ceasing operation of ornamental water fountains unless recycled water is used.

PREPARED BY:



Teresa Gomez
Senior Management Analyst

SUBMITTED BY:



Steven R. Jepsen
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Cari Dale, Water Utilities Director

James Riley, Financial Services Director

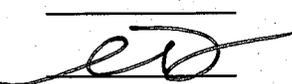




Exhibit A: Resolution

1 RESOLUTION NO. _____
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 OCEANSIDE DECLARING A DROUGHT LEVEL 2 AS DESCRIBED IN
5 THE OCEANSIDE CITY CODE SECTION 37.106. CONSERVATION
6 STAGES

7 WHEREAS, on July 9, 2008, the City Council adopted Ordinance No. 08-OR0439-1
8 related to establishing drought response conservation measures to be implemented in the event
9 of mandatory potable water reductions;

10 WHEREAS, the City Council has determined that mandatory conservation measures
11 applicable to each drought response level must be implemented to achieve the water reduction
12 targets established in the City of Oceanside's Drought Response Conservation Program in the
13 event of mandatory water reductions as determined by the Metropolitan Water District of
14 Southern California and the San Diego County Water Authority, which are the City's external
15 water providers;

16 WHEREAS, effective upon declaration by the San Diego County Water Authority that
17 Drought Response Level 2 reductions are required in order to have sufficient supplies to meet
18 anticipated demands, the Oceanside City Council may adopt a resolution at each level to
19 implement the applicable conservation measures identified in the Oceanside City Code;

20 WHEREAS, A Drought Response Level 2 condition applies when the Water Authority
21 notifies its member agencies that due to cutbacks caused by drought or other reduction in
22 supplies, a mandatory consumer demand reduction of up to 20 percent is required in order to
23 have sufficient supplies available to meet anticipated demands; and

24 WHEREAS, on July 15, 2014, the San Diego County Water Authority declared a Level
25 2 Drought Alert condition.

26 NOW, THEREFORE, the City Council of the City of Oceanside does declare and
27 resolve as follows:

28 SECTION 1. The City of Oceanside is in a Level 2 Drought Alert condition;

1 SECTION 2. The mandatory conservation measures applicable to Drought Response
2 Level 2 conditions, described in City Code Section 37.106 (c) 2, shall take effect on August 16,
3 2014.

4 SECTION 3. The City Clerk of the City of Oceanside is directed to publish this
5 resolution once within five (5) days after its adoption in the San Diego Union Tribune, North
6 County edition, a newspaper of general circulation published in the City of Oceanside.

7 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
8 this _____ day of _____, 2014 by the following vote:

9
10 AYES:

11 NAYS:

12 ABSENT:

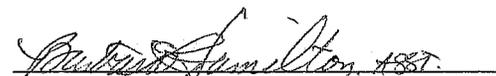
13 ABSTAIN:

14
15 _____
16 MAYOR OF THE CITY OF OCEANSIDE

17 ATTEST:

APPROVED AS TO FORM:

18
19 _____
20 CITY CLERK


21 _____
22 CITY ATTORNEY

23 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE DECLARING
24 A DROUGHT LEVEL 2 AS DESCRIBED IN THE OCEANSIDE CITY CODE SECTION 37.106.
25 CONSERVATION LEVELS
26
27
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