



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: JUNE 28, 2016**  
**FROM: PUBLIC UTILITIES DEPARTMENT** **WARDS: ALL**

**SUBJECT: PROPOSED RESOLUTION TO DECLARE STAGE 1 OF THE WATER CONSERVATION PROGRAM INDICATING NORMAL WATER SUPPLY CONDITIONS FOR RIVERSIDE PUBLIC UTILITIES AND PROPOSED URGENCY ORDINANCE UPDATING CHAPTER 14.22 OF THE RIVERSIDE MUNICIPAL CODE TO ADDRESS THE STATE WATER RESOURCES CONTROL BOARD EXTENDED EMERGENCY DROUGHT REGULATIONS**

## **ISSUES:**

The issue for City Council consideration is to adopt the proposed resolution declaring Stage One of the Water Conservation Ordinance, indicating normal water supply conditions, in light of the City's self-certification to the State Water Resources Control Board of a conservation standard of zero for Riverside Public Utilities; and adopt the proposed urgency ordinance updating Chapter 14.22 of the Riverside Municipal Code to address the State Water Resources Control Board extended emergency drought regulations.

## **RECOMMENDATIONS:**

That the City Council:

1. Adopt the attached Resolution declaring Stage One of the Water Conservation Ordinance indicating normal water supply conditions for City of Riverside and repealing Resolution No. 22983; and
2. Adopt an urgency Ordinance, effective immediately, amending Riverside Municipal Code, Water Conservation, Chapter 14.22, to address the State Water Resources Control Board extended emergency drought regulations.

## **BOARD OF PUBLIC UTILITIES ACTION:**

On June 27, 2016, the Riverside Public Utilities Board will hear this item for consideration to recommend to City Council to adopt the proposed Resolution declaring Stage 1 of the Water Conservation Ordinance, indicating normal water supply conditions, in anticipation of the State Water Resources Control Board issuing a conservation standard of zero for RPU; and, to adopt the proposed Ordinance to address the State Water Board's extended emergency drought regulations.

If the Board approves to forward this to City Council, we respectfully request the City Council consider the item at the June 28, 2016, City Council Meeting.

**BACKGROUND:**

On May 9, 2016, Governor Brown issued Executive Order B-37-16 which called for extending the emergency regulations through January 2017 and authorizing the State Water Resources Control Board (SWRCB) to make further changes based upon lessons learned from the drought response to date. The SWRCB revised the mandatory emergency water conservation regulations effective May 31, 2016. The revised regulations allow water supply agencies to review their own supply and demand under drought conditions, and to certify that they have adequate supply to adopt a conservation standard equal to any projected shortfall. Based on Riverside's water supplies exceeding projected water demands for the next three years, assuming extended drought conditions, the City Council self-certified to a zero conservation standard on June 7, 2016.

The adopted zero conservation standard only applies to the extraordinary conservation requirements of the state and does not reduce Riverside's need to conserve water to comply with State Senate bill SBX7-7 (2009). In addition, conservation is the centerpiece of Riverside's water supply plan. With an ongoing drought, it is appropriate to remain within a drought stage at this time. For these reasons, it is recommended that Water Conservation Stage 1 be declared.

Declaring Water Conservation Stage One eliminates mandatory outdoor watering restrictions and encourages customers to use water efficiently at their home and/or business, which includes watering vegetation only between the hours of 6:00 pm and 10:00 am. The use of recycled water, gray water, drip irrigation or micro-spray irrigation is exempt from this recommendation.

Concurrently, Riverside Municipal Code (RMC) Chapter 14.22 is proposed to be modified to reflect changes to state regulations. To better coordinate with the current conservation language added in the SWRCB's extended emergency drought regulations, and to prevent the waste and unreasonable use of water and to promote water conservation, Section 14.22.010, *Unreasonable Uses of Water* of the RMC Chapter 14.22, is proposed to be amended to mirror the unreasonable uses of water set forth in state law (California Code of Regulations, Title 23, Section 864).

This revision to the City's Water Conservation ordinance also reflects staff's efforts to eliminate unnecessary duplication, standardize language between sections, and to exempt recreational "splash pads" as an unreasonable uses of water. The result is more direct, consistent, and user friendly.

To address unreasonable uses of water, Section 14.22.010 is proposed to be modified to include:

- (1) The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- (2) The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

- (3) The application of potable water to driveways and sidewalks;
- (4) The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
- (5) The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
- (6) The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
- (7) The irrigation with potable water of ornamental turf on public street medians; and;
- (8) The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- (9) To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

The prohibitions on unreasonable use are effective at all times, even without drought conditions or when no stage of the Water Conservation Ordinance is in effect. The other sections of Chapter 14.22 were modified to improve clarity and consistency. In particular, gray water use, recycled water use, drip irrigation and micro-spray irrigation are generally exempt from irrigation curtailment.

#### **FISCAL IMPACT:**

Upon declaring Stage 1 of the Water Conservation Urgency Ordinance, it is anticipated that water use and associated water revenue will increase. The amount of the increase will depend on many factors including customer behavior response, permanent reduction in water use due to turf removal and native plant landscaping and other conservation tools implemented during the drought as well as weather patterns. Staff will provide periodic updates to apprise the Board of Public Utilities and City Council on actual experience as compared to budget.

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Certified as to  
availability of funds: Scott G. Miller, Interim Finance Director/Treasurer  
Approved by: John A. Russo, City Manager  
Approved as to form: Gary G. Geuss, City Attorney

#### **Attachments:**

- 1. Resolution Invoking Stage 1
- 2. Urgency Ordinance Modifying 14.22.010 of the RMC
- 3. Presentation