



Council and La Habra Utility Authority Agenda Report

Meeting Date: October 6, 2014

TO: CHAIRMAN & AGENCY DIRECTORS

FROM: EXECUTIVE DIRECTOR
By: Elias Saykali, Director of Public Works

SUBJECT: STAGE 2 WATER SUPPLY SHORTAGE AMENDMENT

SUMMARY RECOMMENDATION:

Approve and adopt resolutions of the City Council and Utility Authority that would amend City Council Resolution No. 5644 and Utility Authority Resolution No. 2014-2 adopted on August 4, 2014, which declared a Stage 2 water supply shortage condition in the City of La Habra.

DISCUSSION:

On January 17, 2014, Governor Brown issued a drought emergency proclamation following three dry or critically dry years in California.

The Executive Order issued by Governor Brown directed the State Water Resources Control Board to adopt emergency regulations, as it deemed necessary, pursuant to Water Code Section 1058.5 to ensure that urban water suppliers implement conservation measures.

In response, the State Water Board approved an emergency regulation on July 15, 2014, to ensure that water agencies, their customers, and state residents increase water conservation in urban settings or face possible fines or other enforcement. The regulation went into effect on August 1, 2014, and will remain in effect for 270 days, unless extended by the State Water Board due to ongoing drought conditions. The State Water Board anticipates that the water conservation regulation can result in up to a 20 percent reduction in statewide outdoor water use.

To comply with the conservation measures identified in the regulation, on August 4, 2014, the Chairman and Agency Directors adopted Resolution No. 2014-2 and the La Habra City Council adopted Resolution No. 5644. Both resolutions declared a Stage 2 water shortage supply condition in the City of La Habra.

Agenda Item No. III.11

Meeting Date: 10/6/14

Elements of the Stage 2 water supply shortage condition include:

- Water allocations for each property;
- Watering days are limited to two days per week;
- Obligation to fix leaks within forty-eight hours of notification or upon discovery by the owner;
- Limits on filling ornamental lakes or ponds;
- Limits on washing vehicles;
- Limits on filling residential swimming pools and spas;

The City does not currently have the means to calculate or enforce allocations for each property. Staff is working with MWDOC's Water Use Efficiency Manager to establish water allocations or "efficiency targets" for La Habra properties based on the landscaped area for each parcel. Staff is also researching whether or not our current utility billing software has the capacity to demonstrate "efficiency targets" for each property, and the overall expense and timeframe to implement "efficiency targets". A staff report will be submitted after conclusive information has been developed.

Under the current Stage 2 water supply shortage the initial filling of residential swimming pools or outdoor spas with potable water is prohibited. These limits on filling residential swimming pools and spas have raised concerns regarding pools that may have been under construction prior to the implementation of the Stage 2 conservation measures, the City's ability to issue permits for the construction of new pools, and potential safety/public health concerns with unfilled pool as people could potentially fall in unfilled pools or water could accumulate in the bottom of pools allowing for mosquitos to proliferate. Staff recommends removing this specific existing restriction and allow pools and spas to be filled to avoid potentially dangerous unintended consequences.

FISCAL IMPACT / SOURCE OF FUNDING:

There is no impact on the General Fund.

GENERAL PLAN RELEVANCE:

WS2 – Water Conservation Goal

RECOMMENDATION / REQUESTED ACTION:

Approve and adopt resolutions of the City Council and Utility Authority that would amend City Council Resolution No. 5644 and Utility Authority Resolution No. 2014-2 adopted on August 4, 2014, which declared a Stage 2 water supply shortage condition in the City of La Habra as follows:

- a. Approve and Adopt **Resolution No. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5644 DECLARING AND IMPLEMENTING A STAGE 2 WATER SUPPLY SHORTAGE.

- b. Approve and Adopt **Resolution No. _____** ENTITLED: A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LA HABRA UTILITY AUTHORITY AMENDING RESOLUTION NO 2014-2 DECLARING AND IMPLEMENTING A STAGE 2 WATER SUPPLY SHORTAGE.

ATTACHMENTS:

1. City Council Resolution
2. La Habra Utility Authority Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA
HABRA AMENDING RESOLUTION NO. 5644 DECLARING AND
IMPLEMENTING A STAGE 2 WATER SUPPLY SHORTAGE

WHEREAS, on August 4, 2014, the City Council of the City of La Habra, California adopted Resolution No. 5644 declaring and implementing a State 2 Water Supply Shortage; and

WHEREAS, the City Council desires to amend said Resolution; and

WHEREAS, The City Council of the City of La Habra does hereby resolve as follows:

SECTION I:

WHEREAS, on January 17, 2014, Governor Edmund G. Brown Jr. issued a proclamation declaring a State of Emergency to exist in California due to severe drought conditions. The proclamation calls on all Californians to reduce their water usage by 20 percent; and

WHEREAS, Water Code section 1058.8 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in the furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports; and

WHEREAS, on July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of an Emergency Regulation for Statewide Urban Water Conservation in accordance with applicable State laws and regulations.

WHEREAS, On July 15, 2014, the State Water Board adopted an Emergency Regulation for Statewide Urban Water Conservation, ordering local urban suppliers and municipalities to immediately implement their water shortage contingency plans.

SECTION II:

NOW, THEREFORE, BE IT RESOLVED by the City Council that, to meet mandatory requirements of the State Water Resources Control Board’s Resolution No. 2014-0038, a Stage 2 water supply shortage as defined in the La Habra Municipal Code, Section 13.40.080 shall be declared and implemented. Conservation measures identified in Section 13.40.080, Subsection B.1., “Water Allocations”, and Subsection B.6., “Limits

on Filling Residential Swimming Pools and Spas”, shall be suspended while this resolution remains in effect. Consistent with the State Water Board’s directive, all residential, commercial, and irrigation users are called on to take the necessary steps to immediately and voluntarily reduce water use 20 percent, until such time that the State Water Board determines that either a state of drought no longer exists, or additional actions are needed.

PASSED, APPROVED AND ADOPTED THIS 6th day of October, 2014.

TOM BEAMISH, MAYOR

ATTEST:

TAMARA D. MASON, City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LA HABRA)

I, Tamara D. Mason, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. _____, introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 6th day of October, 2014 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Witness my hand and the official seal of the City of La Habra this _____ day of October, 2014.

TAMARA D. MASON, City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LA
HABRA UTILITY AUTHORITY DECLARING AND IMPLEMENTING
A STAGE 2 WATER SUPPLY SHORTAGE

WHEREAS, on August 4, 2014, the Board of Directors of the La Habra Utility Authority, California adopted Resolution No. 2014-2 declaring and implementing a State 2 Water Supply Shortage; and

WHEREAS, the Board of Directors of the La Habra Utility Authority desires to amend said Resolution; and

WHEREAS, The Board of Directors of the La Habra Utility Authority does hereby resolve as follows:

SECTION I:

WHEREAS, on January 17, 2014, Governor Edmund G. Brown Jr. issued a proclamation declaring a State of Emergency to exist in California due to severe drought conditions. The proclamation calls on all Californians to reduce their water usage by 20 percent; and

WHEREAS, Water Code section 1058.8 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in the furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports; and

WHEREAS, on July 8, 2014, the State Water Board issued public notice that the State Water Board would consider the adoption of an Emergency Regulation for Statewide Urban Water Conservation in accordance with applicable State laws and regulations.

WHEREAS, On July 15, 2014, the State Water Board adopted an Emergency Regulation for Statewide Urban Water Conservation, ordering local urban suppliers and municipalities to immediately implement their water shortage contingency plans.

SECTION II:

NOW, THEREFORE, BE IT RESOLVED by the Board that, to meet mandatory requirements of the State Water Resources Control Board’s Resolution No. 2014-0038, a Stage 2 water supply shortage as defined in the La Habra Municipal Code, Section

13.40.080 shall be declared and implemented. Conservation measures identified in Section 13.40.080, Subsection B.1., "Water Allocations", and Subsection B.6., "Limits on Filling Residential Swimming Pools and Spas", shall be suspended while this resolution remains in effect. Consistent with the State Water Board's directive, all residential, commercial, and irrigation users are called on to take the necessary steps to immediately and voluntarily reduce water use 20 percent, until such time that the State Water Board determines that either a state of drought no longer exists, or additional actions are needed.

PASSED, APPROVED AND ADOPTED THIS 6th day of October, 2014.

TOM BEAMISH, CHAIR

ATTEST:

TAMARA D. MASON, MMC, Secretary

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LA HABRA)

I, Tamara D. Mason, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. _____, introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 6th day of October, 2014 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Witness my hand and the official seal of the City of La Habra this _____ day of October, 2014.

TAMARA D. MASON, City Clerk