

Agenda Report Reviewed by:
City Manager: 

**CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM**

Meeting Date: July 20, 2021
To: Honorable Mayor and City Councilmembers
From: Public Works Superintendent, Dante Del Prete
Water Committee (Mayor Glass; Vice Mayor Gurney and City Administration)
Subject: Discussion of Consideration of Adoption of Resolution to Amend Stage 2-Mandatory Compliance-Water Alert of Water Conservation Measures for Commercial and Industrial Water customers
Recommendation: Staff recommends the Sebastopol City Council adopt the Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance Water Alert Conservation Measures to include Conservation Measures for Commercial and Industrial Water customers
Funding: Currently Budgeted: _____ Yes _____ No X N/A

Account Code/Costs authorized in City Approved Budget (if applicable) **AK** (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

The item is to request Council adopt a Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance – Water Alert Conservation Measures to include Conservation measures for Commercial and Industrial Water customers in response to the drought emergency in the region.

BACKGROUND:

On May 4, 2021, the City Council adopted Resolution Number 6346-2021 implementing Water Waste Prohibitions and Water Conservation Measures: Stage 1 - Voluntary Conservation in response to the Governor’s proclamation stating a regional drought emergency for the Russian River watershed in Sonoma and Mendocino counties, where reservoirs are at record lows following two critically dry years and accelerated action may be needed to protect public health, safety and the environment as issued on April 21, 2021.

At the July 6, 2021 City Council meeting, the Council adopted a Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance – Water Alert Conservation Measures. During Council discussion at the July 6, 2021 meeting, Council expressed their desire to include additional language to address commercial and industrial water conservation measures directly.

Due to precipitation variability, changing climate, and the unknown duration of current drought conditions staff is recommending that the City Manager recommend additional language be added to the Stage 2 restrictions that addresses commercial and industrial water use restrictions.

DISCUSSION:

City of Sebastopol established a City water shortage contingency plan in 2014 by Ordinance 1070 which contains Water Conservation Stages to achieve responsible management of City's water resources. In this ordinance, the City has various stages that the City and Council can enact.

On July 6, 2021, the City Council adopted a resolution implementing Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance – Water Alert Conservation Measures

The City of Sebastopol Stage 2 Mandatory Compliance Water Alert of the Water Conservation Stages as found in Municipal Code 13.06.070. overall system-wide reduction of 25 percent, the following activities shall be prohibited:

1. Nonessential uses of water, including the following:
 - a. Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.
 - b. Refilling or initial filling of a swimming pool.
 - c. Noncommercial washing of privately owned motor vehicles, trailers, and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used to rinse the vehicle.
 - d. Any use of water from a fire hydrant except for fighting fires or essential construction needs.

2. **The City Council shall have the authority to prohibit other activities and water uses upon the recommendation of the City Manager that such additional measures are necessary to achieve an overall system-wide reduction of 25 percent in water usage.**

As identified in Item #2 of the Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance – Water Alert Conservation Measures City Council shall have the authority to prohibit other activities and water uses upon the recommendation of the City Manager.

Staff is recommending that the City Manager recommend the additional language be added to the Stage 2 restrictions that addresses commercial and industrial water use restrictions as stated below.

City of Sebastopol Water Restrictions for Commercial and Industrial water customers

- Restaurants may only serve water upon request.
- Restaurants must optimize the use of commercial dish washers and wash full racks only.
- Hotel and lodging establishments must message about the drought, including laundering of linens only upon request.
- Pressure washing (except for public health and safety) is prohibited unless a variance is obtained from the City of Sebastopol Public Works Department.
- Water waste due to breaks, leaks, or excess use is prohibited. This includes leaking faucets, toilets, and appliances, as well as broken irrigation pipes, leaking irrigation valves, and broken sprinkler heads, and runoff from properties due to overwatering or misdirected sprinklers.

GOALS:

This action supports the following City Council Goals and General Plan Actions:

Council Goal 1.3.2 – To continue to inform and educate the community on water conservation efforts.

Action CSF 3d: Regularly review and update the City's water conservation strategy to be consistent with current best management practices for water conservation, considering measures recommended by the State Department of Water Resources, and the California Urban Water Conservation Council.

Action COS 5g: Continue to initiate and support a range of educational and public outreach programs to inform residents, agriculture, businesses and other groundwater users of best management practices in the areas of efficient water use, water conservation, and increasing groundwater recharge. Continue to make these resources available to the public through the City's website.

Policy COS 9-9: Promote water conservation among water users.

Action COS 9m: Continue to monitor local water conservation efforts and periodically review and revise the range of local programs and resources available to reduce water consumption.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

While these water conservation measures will anticipate reductions in water consumption that will lead to reductions in revenue; these direct fiscal impact from this item is unknown at this time. Public Works will monitor the potential direct impact to the Enterprise Fund and will report back at mid-year when more data is available.

RECOMMENDATION:

Staff recommends the Sebastopol City Council adopt the Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance Water Alert Conservation Measures to include Conservation Measures for Commercial and Industrial Water customers and rescinding Resolution Number 646-2021.

Attachments:

Amended Water Conservation Stage 2 – Mandatory Compliance Resolution

RESOLUTION NO. _____

**Resolution of the City Council
Amending Water Waste Prohibitions
Conservation Stage 2 Mandatory Compliance – Water Alert**

WHEREAS, On April 21, 2021, Governor Gavin Newsome issued a Proclamation declaring a State of Emergency to exist in California due to severe drought conditions and calling on Californians to reduce their water usage; and.

WHEREAS, the City of Sebastopol municipal code requires that the water resources available to the City be put to the maximum beneficial use to the extent to which they are capable, to promote water conservation and the efficient use of potable water furnished by the City, by eliminating intentional or unintentional water waste when a reasonable alternative solution is available, and by prohibiting use of equipment which is wasteful; and

WHEREAS, the City of Sebastopol established a City water shortage contingency plan in 2014 by Ordinance 1070 which contains Water Conservation Stages to achieve responsible management of City's water resources; and

WHEREAS, the length and severity of climate and drought conditions are uncertain, and water resources are limited; the City of Sebastopol wants to proactively prevent future water shortages; and

WHEREAS, the City Council shall have the authority to prohibit other activities and water uses upon the recommendation of the City Manager; and

WHEREAS, by recommendation of the City Manager additional Water Restrictions for Commercial and Industrial water customers as identified will be implemented during Stage 2 Mandatory Compliance- Water Alert.

NOW THEREFORE, BE IT RESOLVED, THAT:

The City of Sebastopol enter *Stage 2 Mandatory Compliance- Water Alert* as found in Municipal Code 13.06.070. To achieve an overall system-wide reduction goal of 25 percent. The following activities shall be prohibited:

1. Nonessential uses of water, including the following:
 - a. Limit outdoor irrigation of ornamental landscapes or turf with potable water by the persons it serves to no more than two days per week.
 - b. Refilling or initial filling of a swimming pool.
 - c. Noncommercial washing of privately owned motor vehicles, trailers, and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used to rinse the vehicle.
 - d. Any use of water from a fire hydrant except for fighting fires or essential construction needs.

2. The City Council shall have the authority to prohibit other activities and water uses upon the recommendation of the City Manager that such additional measures are necessary to achieve an overall system-wide reduction of 25 percent in water usage.

BE IT FUTHER RESOLVED THAT the City Council require additional conservation measures:

Sebastopol Water Restrictions for Commercial and Industrial water customers

- Restaurants may only serve water upon request.
- Restaurants must optimize the use of commercial dish washers and wash full racks only.
- Hotel and lodging establishments must message about the drought, including laundering of linens only upon request.
- Pressure washing (except for public health and safety) is prohibited unless a variance is obtained from the City of Sebastopol Public Works Department.
- Water waste due to breaks, leaks, or excess use is prohibited. This includes leaking faucets, toilets, and appliances, as well as broken irrigation pipes, leaking irrigation valves, and broken sprinkler heads, and runoff from properties due to overwatering or misdirected sprinklers.

BE IT FURTHER RESOLVED that Resolution Number 6346-2021 has been rescinded and replaced by approval of this Resolution.

IN COUNCIL DULY PASSED, APPROVED, and ADOPTED this 20th day of July, 2021.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

AYES:

NOES:

ABSENT:

ABTAIN:

APPROVED: _____

Una Glass
Mayor, City of Sebastopol

ATTEST: _____

Mary Gourley, MMC, Assistant City Manager/City Clerk

APPROVED AS TO FORM: _____

Larry McLaughlin, City Attorney