

APPENDIX J

Draft WSCP Resolution

RESOLUTION NO. 200__-____

Adopted by the Fresno City Council

_____, 200__

IMPLEMENTING STAGE [1][2][3][4] OF THE CITY OF FRESNO WATER SHORTAGE
CONTINGENCY PLAN

BACKGROUND

The City of Fresno has three water supply sources: (1) Surface water from the Central Valley Project (CVP); (2) surface water from the Fresno Irrigation District (FID); and (3) local groundwater. The CVP supplies are provided to the City per the City's agreement with the United States Bureau of Reclamation (Bureau). FID supplies are provided to the City per the City's agreement with FID. Both surface water supplies are potentially subject to reduced deliveries during dry years. Existing regulations do not directly limit the use or expansion of groundwater pumping activities by the City; however, water quality issues or declining groundwater levels due to drought conditions may potentially limit future groundwater supplies.

Normally, the City's water supplies are adequate to meet the City's water demands. However, because of *[on-going drought conditions statewide][the required shutdown of the City's Water Treatment Plant due to _____][loss of groundwater production capacity due to _____][or describe other event]*, the Fresno City Council has determined that it is necessary to enact additional water conservation measures and water use restrictions, in addition to those already included in the City Municipal Code (Section 6-520 Wastage of Water), in order to reduce water use within the City's water service area.

City staff developed the City's original Water Shortage Contingency Plan in 1993. The original Water Shortage Contingency Plan was adopted by the Fresno City Council in 1994 and submitted to the California Department of Water Resources. The City's Water Shortage

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Contingency Plan was updated in 200___, was included in the City’s Urban Water Management Plan Update, and was adopted by the Fresno City Council on _____, 200___.

The updated Water Shortage Contingency Plan includes four water conservation stages for a reduction in water use of up to 50 percent.

<u>Water Conservation Stage</u>	<u>Water Use Reduction Goal</u>
Stage 1: Minimal Shortage	Up to 10%
Stage 2: Moderate Shortage	10 to 25%
Stage 3: Severe Shortage	25 to 35%
Stage 4: Critical Shortage	35 to 50%

Each water conservation stage includes specific water conservation measures and water use restrictions designed to conserve water. Implementation of the water conservation stages shall be cumulative, meaning that implementation of a higher stage shall also include implementation of all lower stages. For example, if Stage 2 is to be implemented, all of the provisions in Stage 1 shall also be implemented. If Stage 3 is to be implemented, all of the provisions in Stages 1 and 2 shall also be implemented. If Stage 4 is to be implemented, all of the provisions in Stages 1, 2 and 3 shall also be implemented.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. That the foregoing recitals are true and correct.

Section 2. That, based on the *[on-going statewide drought conditions][failure of the Water Treatment Plant][loss of groundwater production capacity]*, the Fresno City Council hereby declares that a water shortage emergency condition prevails within the water service area of the City and that water use within the City must be reduced by *[10, 25, 35, 50]* percent.

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Section 3. The required water use reduction described in Section 2 necessitates implementation of Stage [1, 2, 3, 4] of the City's Water Shortage Contingency Plan. The water conservation measures and water use restrictions for Stage [1, 2, 3, 4] are described below. Implementation of Stage [1, 2, 3, 4] shall be cumulative and shall also include implementation of the provisions of the Stages [1, 2, 3].

Stage 1 includes the following water conservation measures and water use restrictions for a reduction in water use of 10 percent:

1. The City shall initiate a public information/media campaign to:
 - a. Notify all customers of the water shortage and the need to conserve water,
 - b. Mail information to every customer explaining the importance of significant water use reductions,
 - c. Provide practical information to customers on ways to improve water use efficiency, and
 - d. Publicize and expand the toilet retrofit and other efficiency programs.
2. The City shall request customers to voluntarily reduce their water use by 10 percent. Such request shall include information on practical ways for customers to reduce their water use.
3. The City shall increase its water waste patrols to enforce the provisions of Fresno Municipal Code (Section 6-520 Wastage of Water).
4. All of the provisions of Fresno Municipal Code (Section 6-520 Wastage of Water) including, but not limited to, the three day per week outdoor irrigation schedule, no outdoor irrigation allowed on Mondays, and allowable times for outdoor irrigation, shall be enforced.

Stage 2 includes the following water conservation measures and water use restrictions for a reduction in water use of 25 percent:

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1. All of the provisions of Stage 1 shall be implemented as stated above, unless otherwise modified by these Stage 2 provisions.
2. The City shall intensify its public information campaign to inform the City's water customers of the need for water conservation and the provisions enacted by this Resolution.
3. The City shall further increase its water waste patrols to enforce the provisions of Fresno Municipal Code (Section 6-520 Wastage of Water).
4. Outdoor irrigation shall be limited to two days per week from March 2 to November 30. Locations bearing a street address ending in an odd number shall be permitted to irrigate only on Tuesday and Saturday. Locations bearing a street address ending in an even number shall be permitted to irrigate only on Wednesday or Sunday. There shall be no water irrigation on Mondays, Thursdays, or Fridays. Landscape irrigation shall only be allowed between the hours of *[insert hours—Municipal code already prohibits irrigation between 11:00 am and 7:00 pm and 6:00 am to 8:00 am]. [or allow only irrigation of trees and shrubs, but not turf]*.
5. Outdoor irrigation shall be prohibited from December 1 to March 1.
6. Car washing shall be allowed with the use of a bucket only (a hose equipped with a shut-off nozzle may be used for a quick rinse).

Stage 3 includes the following water conservation measures, water use restrictions and water use allotments for a reduction in water use of 35 percent:

1. All of the provisions of Stages 1 and 2 shall be implemented as stated above, unless otherwise modified by these Stage 3 provisions.
2. The City shall continue its public information campaign to inform the City's water customers of the need for water conservation and the provisions enacted by this Resolution.
3. The City shall intensify its leak detection program.

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4. Outdoor irrigation shall be limited to one day per week using manual application only from March 2 to November 30. Use of automatic sprinkler systems shall be prohibited. Locations bearing a street address ending in an odd number shall be permitted to irrigate only on Saturday. Locations bearing a street address ending in an even number shall be permitted to irrigate only on Sunday. There shall be no water irrigation on Mondays, Tuesdays, Wednesdays, Thursdays, or Fridays. Landscape irrigation shall be prohibited between the hours of *[insert hours—Municipal code already prohibits irrigation between 11:00 am and 7:00 pm and 6:00 am to 8:00 am]. [or allow only irrigation of trees and shrubs, but not turf]*.
5. Outdoor irrigation shall be prohibited from December 1 to March 1.
6. Car washing shall be allowed with the use of a bucket only (a hose equipped with a shut-off nozzle may be used for a quick rinse).
7. The City shall not issue building permits or install meters for new accounts which had not received building permits before the water shortage emergency declaration [or continue to allow building permits, but do not allow new landscaping to be installed].
8. The following water use allotments shall be established:
 - a. Single-family residential customers: 110 percent of average normal wintertime residential per capita water use based on January/February *[insert year]* actual water use.
 - b. Multi-family residential customers: 110 percent of average normal wintertime residential per capita water use based on January/February *[insert year]* actual water use.
 - c. Commercial/institutional customers: 85 percent of average annual usage based on *[insert year]* actual water use.
 - d. Industrial customers: 85 percent of average annual usage based on *[insert year]* actual water use.

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e. Landscape irrigation customers: 50 percent of average annual usage based on *[insert year]* actual water use.

9. Compliance with the water use allotments listed above shall be assessed by the City on a monthly basis. Metered customers found not to be in compliance with the enacted water use allotments shall be subject to penalties in accordance with Section 6-520 of the City Municipal Code.

Stage 4 includes the following water conservation measures, water use restrictions and water use allotments for a reduction in water use of 50 percent:

1. All of the provisions of Stages 1, 2 and 3 shall be implemented as stated above, unless otherwise modified by these Stage 4 provisions.
2. The City shall continue its public information campaign to inform the City's water customers of the need for water conservation and the provisions enacted by this Resolution.
3. Outdoor irrigation of shall be prohibited.
4. No restaurant, hotel, café, cafeteria or other public place where food is sold, served, or offered for sale, shall serve drinking water to any customer unless expressly requested.
5. The use of potable water to clean, fill or maintain decorative fountains, lakes or ponds unless such water is reclaimed shall be prohibited.
6. The use of potable water for construction, compaction, dust control, street or parking lot sweeping, building wash down where non-potable or recycled water is sufficient shall be prohibited.
7. The use of potable water for sewer system maintenance or fire protection training without prior approval by the City Manager shall be prohibited.

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8. The use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground or other hard surfaced areas except where necessary for public health or safety shall be prohibited.
9. Allowing potable water to escape from breaks within the customer's plumbing system for more than twenty-four (24) hours after the customer is notified or discovers the break shall be prohibited.
10. Washing cars, boats, trailers, aircraft, or other vehicles except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment shall be prohibited.
11. Covers for swimming pools shall be required when not in use.
12. The use of outdoor misters shall be prohibited.
13. The following water use allotments shall be established:
 - a. Single-family residential customers: 95 percent of average normal wintertime residential per capita water use based on January/February *[insert year]* actual water use.
 - b. Multi-family residential customers: 95 percent of average normal wintertime residential per capita water use based on January/February *[insert year]* actual water use.
 - c. Commercial/institutional customers: 65 percent of average annual usage based on *[insert year]* actual water use.
 - d. Industrial customers: 75 percent of average annual usage based on *[insert year]* actual water use.
 - e. Landscape irrigation customers: 0 percent of average annual usage based on *[insert year]* actual water use.
14. Compliance with the water use allotments listed above shall be assessed by the City on a monthly basis. Metered customers found not to be in

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compliance with the enacted water use allotments shall be subject to penalties in accordance with Section 6-520 of the City Municipal Code.

Section 4. Implementation of Stage *[3, 4]* *[or continuation of Stage 1 or 2 or higher stages for more than two consecutive years]* of the City's Water Shortage Contingency Plan will include a water rate increase of *[____]* percent over water rates in place at the time of approval of this resolution. Said water rate increase will apply to all water customers, both flat rate and metered, and shall remain in effect until modified or revoked by the City.

Section 5. Notices required to be given pursuant to the provisions of this Resolution shall be in writing and may be combined with water service bills, or other written communications, and shall be delivered personally, or by posting with the United States Postal Service, and addressed to the last known address shown on the City's billing records for the user to whom given, or to the owner of the premises to which water service of such user pertains, shown on the last equalized assessment role of the Fresno County Assessor.

Section 6. That the City Manager is hereby authorized and empowered to delegate his or her authority hereunder to such assistants, deputies, officers, employees, or agents of the City as he or she shall designate, and to establish such rules, regulations, and procedures, and to prepare or furnish such forms, as he or she deems necessary or appropriate to carry out the provisions of this Resolution.

Section 7. In the event any person shall violate any of the provisions of this Resolution, the violations and penalties set forth in the Fresno Municipal Code Section 6-520 Wastage of Water shall apply. Appeals of a notice of violation shall be in accordance Fresno Municipal Code.

Section 8. In the event that any provision of this Resolution conflicts with any provision of any other ordinance, resolution, regulation, rule, order, or permit of this City, the

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provisions of this Resolution shall govern and control over the provisions in conflict therewith.

Section 9. The Fresno City Council declares this Resolution to be necessary as an emergency measure for the immediate preservation of public peace, health or safety for the reasons set forth in Section 2. This Resolution shall be effective upon its adoption, and shall remain effective until the conditions described in Section 2 are resolved, under which case this Resolution shall be rescinded, or until conditions described in Section 2 worsen, thus requiring additional action by the City Council, under which case a subsequent Resolution will be considered for adoption.

Adopted by the City of Fresno City Council on _____, 200__ by the following vote:

Ayes: _____

Noes: _____

Abstain: _____

Absent: _____

Mayor

Attest:

City Clerk