

**Agenda Item: ID#17-721 (3-D)**

**Date: 10/12/17**

# FRESNO CITY COUNCIL



## Supplemental Information Packet

**Agenda Related Item(s) – ID#17-721 (3-D)**

### Contents of Supplement: PowerPoint Presentation

#### Item(s)

Actions related to updating water conservation measures and the City's Water Shortage Contingency Plan:

1 Adopt the Negative Declaration prepared for Environmental Assessment No. EA-17-014, dated August 11, 2017;

2. BILL (for introduction) – Amending Fresno Municipal Code Sections 6-501, 6-502, and 6-520 relating to regulations for Urban Water Conservation and Excessive Water Use;

3. \*\*\*RESOLUTION - Amending the City of Fresno Water Shortage Contingency Plan; (Subject to Mayor's Veto)

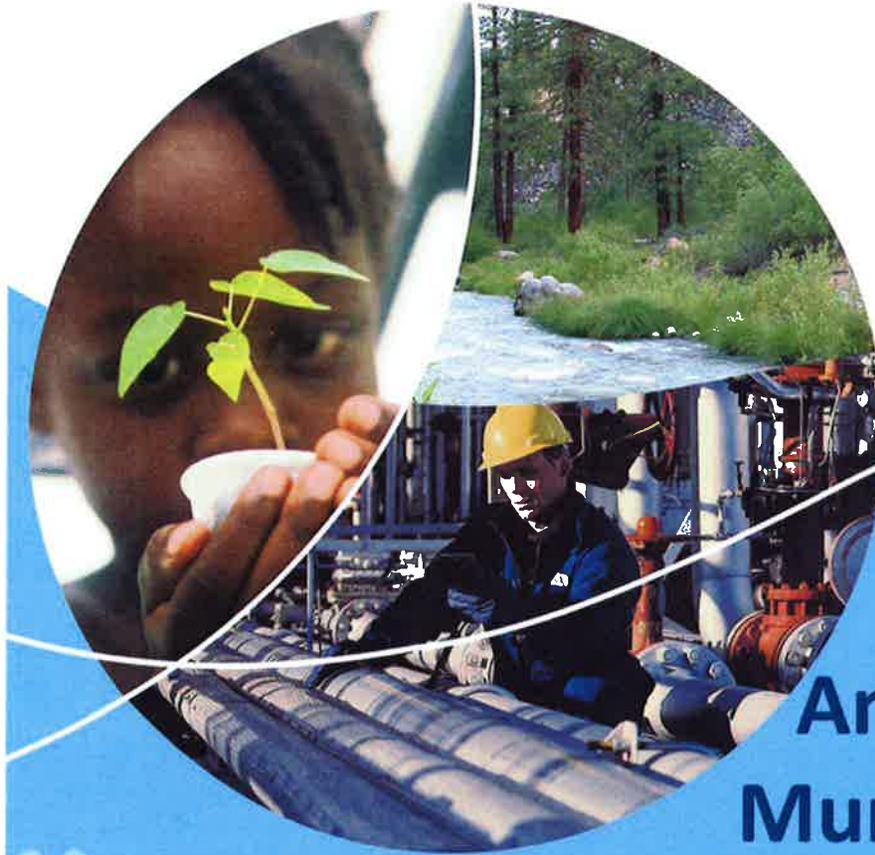
4. \*\*\*RESOLUTION – 534<sup>th</sup> Amendment to the Master Fee Resolution (MFS) No. 80-420 adopting a new schedule of fines associated with Urban Water Conservation and Excessive Water Use in the Conditions of Services Works in the Public Utilities Department Section. (Subject to Mayor's Veto)

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.



# Amendments to Fresno Municipal Code relating to regulations for Urban Water Conservation and Excessive Water Use

*October 12, 2017*

## Requested Council Actions

- Adopt the Negative Declaration prepared for Environmental Assessment No. EA-17-014, dated August 11, 2017;
- BILL (for introduction) – Amending Fresno Municipal Code Sections 6-501, 6-502, and 6-520 relating to regulations for Urban Water Conservation and Excessive Water Use;
- RESOLUTION - Amending the City of Fresno Water Shortage Contingency Plan;
- RESOLUTION – 534<sup>th</sup> Amendment to the Master Fee Resolution (MFS) No. 80-420 adopting a new schedule of fines associated with Urban Water Conservation and Excessive Water Use in the Conditions of Services Works in the Public Utilities Department Section.

## Requested Ordinance Changes

- Adopt definition of Excessive Water Use as required by Water Code §366
- Modify the Water Shortage Contingency Plan to reflect new Outdoor Watering Use Schedule
- Modify Enforcement Penalties for Water Waste Violations
- Select water conservation measures are being established as permanent, year-around, measures to comport with the Governor's *Water Conservation as a California Way of Life* initiative.

## *Excessive Water Use Definition*

- Definition to be added to FMC 6-501 (Definitions) as required by Water Code §366
- The proposed addition of subsection 6-501(tt) to the Fresno Municipal Code is as follows:
  - (tt) “Excessive Water Use” means, for customers in single-family residences or multi-unit housing in which each unit is individually metered or sub-metered, using potable water in excess of 300 gallons per hour during days or hours when outdoor irrigation is prohibited, as recorded by the City during the monthly billing period; as well as, for all water service customers, performing or permitting any action prohibited by Section 6-520 of this Code.

# Water Shortage Contingency Plan Modification

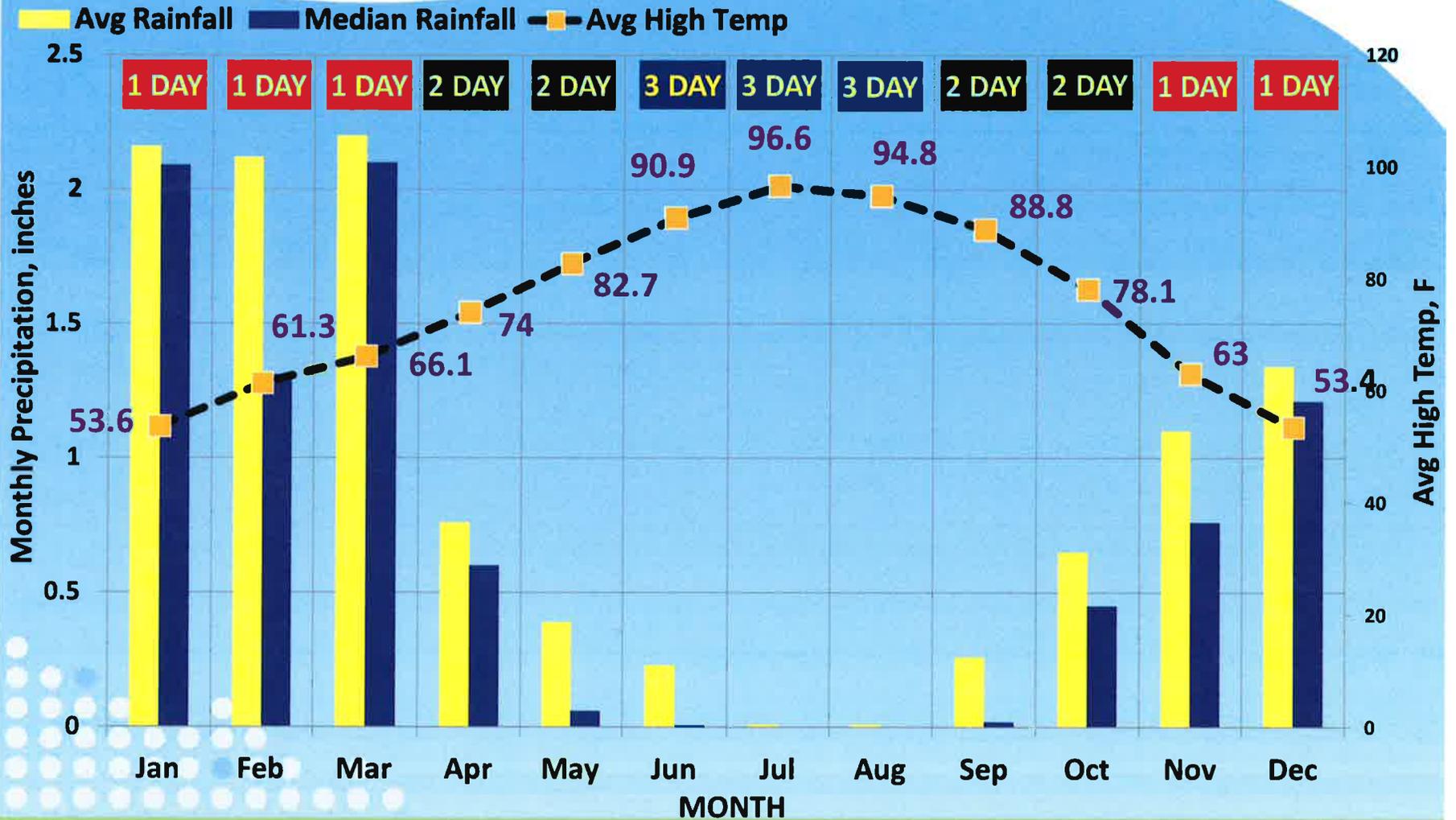
## *New Outdoor Irrigation Schedule (Effective January 1, 2018)*

- **Stage 1 Water Conservation**
  - May through November – 3 days/week
  - December through April – 1 day/week
- **Stage 2 Water Conservation**
  - June, July, August – 3 days/week
  - April, May, September, October – 2 days/week
  - November through March – 1 day/week
- **Stage 3 Water Conservation**
  - May through November – 2 days/week
  - December through April – 1 day/week
- **Stage 4 Water Conservation**
  - May through November – 1 day/week
  - December through April – 0 day/week

Stage 2 will be the recommended Year Around Outdoor Irrigation Schedule

# Recommended Stage 2 Watering Schedule

## Based on Average Monthly High Temps and Rainfall



# Current Water Use Violation Fines

## Current Fresno Municipal Code Section 6-520 (e)

- If a customer has an incident of water waste as observed directly by City staff or as recorded directly by the City's water meter reading system, the customer shall be charged the fee as described herein.
  - 1<sup>st</sup> Incident = \$45 – Fine held in abeyance unless resident has fourth Incident within 24 month period.
  - 2<sup>nd</sup> Incident = \$45 – Fine shall be held in abeyance if resident attends water conservation course, and does not have a Third Incident.
  - 3<sup>rd</sup> Incident = \$45, plus \$45 for Second Incident
  - 4<sup>th</sup> Incident = \$45, plus \$45 for First Incident. Residents subject to shut-off of water service for any incident following 4<sup>th</sup> incident.
- Outdoor Water Exemptions allowed for properties with landscaped areas three acres and larger (schools and parks)

# Modified Water Use Violation Fines

*Effective January 1, 2018*

## Modified Fresno Municipal Code Section 6-520 (e)

- If a customer has an incident of water waste as observed directly by City staff or as recorded directly by the City's water meter reading system in any given month, the customer shall be charged the fee as set forth in the Master Fee Schedule.
  - 1st Incident During Calendar Year = Written Notice of Outdoor Watering Violation.  
*Resident encouraged to correct leaks, irrigation timers, etc. to address water wastage, or be subject to fines.*
  - 2<sup>nd</sup> Incident During Calendar Year = \$50 charge on utility bill
  - 3<sup>rd</sup> Incident During Calendar Year = \$100 charge on utility bill
  - 4<sup>th</sup> Incident, and each incident thereafter, During Calendar Year = \$200 charge on utility bill
- Fine deferrals will no longer be offered, and the sequence of fines will restart at \$50 each calendar year, starting January 1<sup>st</sup>.

# Questions

