

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO AMEND THE WATER
SHORTAGE CONTINGENCY PLAN

WHEREAS, the City adopted its current Water Shortage Contingency Plan (“WSCP”) on June 23, 2016, as part of the City’s 2015 Urban Water Management Plan (“UWMP”); and

WHEREAS, the Urban Water Management Planning Act requires the City to describe its water conservation measures within its WSCP; and

WHEREAS, in response to water conservation mandates from the State of California the City of Fresno (“City”) has prepared proposed amendments to the WSCP to update water conservation requirements and watering restrictions in different water conservation stages in the City of Fresno.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City hereby adopts the amended Water Shortage Contingency Plan, as attached in Tables 1-3 of Exhibit A herein.

* * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, CMC, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____, 2017.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Amanda B Freeman Date
Deputy

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

Attachment:
Exhibit A – Amended Water Shortage Contingency Plan, Tables 1-3

ABF:cm [75145cm/abf]

EXHIBIT A

Table 1: Stages of Water Shortage Contingency Plan (WSCP)

Stage	Percent Supply Reduction	Water Supply Condition
1	10%	<p>Stage 1 of the Water Shortage Contingency Plan may be triggered by any of the following conditions:</p> <ul style="list-style-type: none"> • In the second of two consecutive years, the volume of surface water available to the City through USBR and FID is projected to be less than the long-term average and the reduction in supply, averaged over the consecutive years, is equal to 10% or greater, or • Groundwater contamination conditions exists (DDW required the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 10% loss in water production capacity, or • Localized groundwater cones of depression develop exceeding historic low water levels and, to avoid possible litigation with responsible parties of point source contaminant plumes, the City must shut down existing wells that result in a 10% loss in groundwater production capacity, or • A combination of the above mentioned circumstances or a disaster reduced the City's overall water supply or production capabilities by 10% or more. • After having been in a Stage 2 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries; or the original trigger for a previous higher stage classification has been rectified to a point that is consistent with the above conditions for this stage.
2	10 - 25%	<p>Stage 2 of the Water Shortage Contingency Plan may be triggered by any of the following conditions:</p> <ul style="list-style-type: none"> • In the third of three consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the three consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 25% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 25% of the long-term average, or • One-year change in average groundwater level in 30 key City wells exceeds 3 feet or two-year change in average groundwater level in 30 key City wells exceeds 6 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 25% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 25% or more. • After having been in a Stage 3 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries on the Friant-Kern system; or the original trigger for a previous higher stage classification has been rectified to a point consistent with the above conditions for this stage.

Stage	Percent Supply Reduction	Water Supply Condition
3	25 to 35%	<p>Stage 3 of the Water Shortage Contingency Plan may be triggered by any of the following conditions:</p> <ul style="list-style-type: none"> • In the fourth of four consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the four consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 35% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 35% of the long-term average, or • One-year change in average groundwater level in 30 key City wells exceeds 5 feet or two-year change in average groundwater level in 30 key City wells exceeds 10 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 35% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 35% or more. • After having been in a Stage 4 classification, the following water year results in a declaration by the jurisdictional authority in determining entitlements for the respective surface water supply of normal or above normal water deliveries on the Friant-Kern system; or the original trigger for a previous higher stage classification has been rectified to a point that is consistent with the above conditions for this stage.
4	35 - 50%	<p>Stage 4 of the Water Shortage Contingency Plan may be triggered by any of the following conditions:</p> <ul style="list-style-type: none"> • In the fifth of five consecutive years, the projected volume of surface water available to the City through USBR or FID is less than the long term average and the reduction in supply, averaged over the five consecutive years equals 10% or greater, or • The volume of surface water available to the City through FID is reduced by 50% of the long-term average, or • The volume of surface water available to the City through USBR is reduced by 50% of the long-term average, or • One-year change in average groundwater level in 30 key wells exceeds 7.5 feet or two-year change in average groundwater level in 30 key City wells exceeds 12 feet and exceeds historic low groundwater levels, or • Groundwater contamination condition exists (DDW requires the City to shut down wells) or a large-scale infrastructure failure occurs that results in a 50% loss in water production capacity, or • A combination of the above mentioned circumstances or disaster reduces the City's overall water supply or production capabilities by 50% or more.

Table 2: Restrictions and Prohibitions on End Uses

(#)	Stage	Restrictions and Prohibitions	Additional Explanation or Reference	Penalty, Charge or Other Enforcement
a	1-4	Landscape - Limit landscape irrigation to specific times	<u>Stage 1:</u> May through November – 3 days/wk; December through April – 1 day/wk <u>Stage 2:</u> June, July, August – 3 days/wk; April, May, September, October – 2 days/wk; November through March – 1 day/wk <u>Stage 3:</u> May through November – 2 days/wk; December through April – 1 day/wk <u>Stage 4:</u> May through November – 1 day/wk; December through April – no landscape irrigation	Yes See Table 3
b	1-3	Other	Prohibit car washing except with a bucket only (a hose equipped with a shut off nozzle may be used for a quick rinse)	Yes See Table 3
c	1-4	Other - Prohibit use of potable water for washing hard surfaces	Prohibit 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	Yes See Table 3
d	1-4	Landscape - Prohibit certain types of landscape irrigation	Prohibit irrigating outdoor landscapes with potable water during and within 48 hours after measurable rainfall	Yes See Table 3
e	1-4	Landscape - Prohibit certain types of landscape irrigation	Prohibit irrigating except by use of a hose held in the person's hand or a sprinkling device	Yes See Table 3
f	1-4	Landscape - Prohibit certain types of landscape irrigation	Prohibit using potable water to irrigate or water outdoor landscaping 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	Yes See Table 3
g	1-4	Landscape - Prohibit certain types of landscape irrigation	Prohibit irrigation of ornamental turf on public street medians with potable water	Yes See Table 3
h	4	Other	Prohibit car washing	Yes See Table 3

i	1-4	Other - Restaurants may only serve water upon request	No restaurant, hotel, café, cafeteria, or other public place where food is sold is served or offered for sale, shall serve drinking water to any customer unless expressly requested	Yes See Table 3
j	1-4	Landscape - Prohibit certain types of landscape irrigation	Irrigate landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards	Yes See Table 3
k	1-4	Water Features - Restrict water use for decorative water features, such as fountains	Prohibit use of potable water to clean, fill or maintain decorative fountains, lakes, or ponds unless such water is reclaimed	Yes See Table 3
l	4	Other - Prohibit use of potable water for construction and dust control	Prohibit 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	Yes See Table 3
m	1-4	Other – Prohibit automatic linen service in hotels and motels.	Prohibit automatically changing towels and linens in hotels and motels daily. Operators of hotels and motels shall provide guests the option of choosing not to have towels and linens laundered daily.	Yes See Table 3
n	4	Other	Prohibit use of potable water for sewer system maintenance or fire protection training without prior approval by the City Manager	No
o	4	Other - Customers must repair leaks, breaks, and malfunctions in a	Prohibit 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	Yes See Table 3
p	4	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	Prohibit washings cars, boats, trailers, aircraft, or other vehicles except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment	Yes See Table 3
q	1-4	Swimming Pools – Prohibit draining swimming pools more than once every three years.	Prohibit draining swimming pools more than once every three years, except as necessary to complete structural repairs or to comply with public health standards, as determined by the County Health Officer	Yes See Table 3

r	1-4	Swimming Pools – Limit filling to the hours of 9:00 a.m. to 6:00 p.m. on permitted watering days.	Prohibit filling swimming pools other than between the hours of 9:00 a.m. and 6:00 p.m. on permitted watering days. Newly constructed or refurbished swimming pools may be filled by a standard hose up to ¾" during other hours to avoid damage to tile and plaster.	Yes See Table 3
s	4	Pools and Spas - Require covers for pools and spas	Require covers for swimming pools when not in use	No
t	4	Other	Prohibit Use of Outdoor Misters	No

Table 3: Penalties for Incidents of Water Waste

Incident Month	Incident Fine	Enforcement Schedule
1	\$0	The first month of water waste incidents recorded for a customer during the calendar year, the City shall issue a Notice of Water Waste to the customer for the incident observed directly by City staff or as recorded directly by the City's water meter reading system.
2	\$50	The second month of water waste incidents recorded for a customer during the calendar year, the City shall assess a fine of \$50 to the customer, and the fine shall be applied to the customer's monthly utility bill.
3	\$100	The third month of water waste incidents recorded for a customer during the calendar year, the City shall assess a fine of \$100 to the customer, and the fine shall be applied to the customer's monthly utility bill.
4	\$200	The fourth month of water waste incidents recorded for a customer during the calendar year, the City shall assess a fine of \$200 to the customer, and the fine shall be applied to the customer's monthly utility bill.
5 -12	\$200	For the fifth month of water waste incidents recorded during the calendar year, and every month thereafter for the remainder of the calendar year during which an incident of water waste is recorded, the City shall assess a fine of \$200 to the customer, and the fine shall be applied to the customer's monthly utility bill.
After 6	N/A	If a customer has more than six consecutive months of documented water waste incidents, the water service to the customer may be terminated unless in the opinion of the Director such termination would result in an unreasonable risk to the health and safety of persons. If water service is terminated for excessive violations of the water waste provisions as defined herein, the water service may only be restored upon execution of an agreement with the customer to adhere to the conditions of service described in this section.