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Title: *BILL NO. B-27 (Intro. June 26, 2014) (For Adoption) - Adding Article 9 of Chapter 6 of the Fresno Municipal Code relating to the use of recycled water for plumbing and landscape irrigation and referred to as the "Recycled Water Ordinance" and applicable to all council districts as recycled water availability and future related projects develop
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7/17/2014	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

July 17, 2014

FROM: STEPHEN A. HOGG, Assistant Director
Department of Public Utilities - Wastewater Management Division

BY: ROSA LAU-STAGGS, Chief of Wastewater Environmental Services
Department of Public Utilities - Wastewater Management Division

SUBJECT

***BILL NO. B-27 (Intro. June 26, 2014) (For Adoption)** - Adding Article 9 of Chapter 6 of the Fresno Municipal Code relating to the use of recycled water for plumbing and landscape irrigation and referred to as the "Recycled Water Ordinance" and applicable to all council districts as recycled water availability and future related projects develop

RECOMMENDATION

Staff introduces and recommends adoption of the attached Ordinance adding Article 9 of Chapter 6, of the Fresno Municipal Code (FMC) related to the use of recycled water for plumbing and landscape irrigation. This addition to the FMC will be referred to as the Recycled Water Ordinance.

EXECUTIVE SUMMARY

The Department of Public Utilities Wastewater Management Division (WMD) is seeking adoption of

the proposed Article 9 of Chapter 6 also referred as the Recycled Water Ordinance (RWO). The RWO establishes water recycling policy and criteria for its use within the Sphere of Influence. The Ordinance will:

- Establish Administrative Authority
- Establish approved uses of recycled water
- Define areas of potential eligibility for recycled water service
- Specify mandatory and voluntary uses of recycled water
- Require installation of transmission and distribution infrastructure
- Encourage the use of voluntary retrofits for existing users
- Require the City to prepare Rules and Regulations for the use and distribution of recycled water
- Provide enforcement and severability clauses

BACKGROUND

In 2009, the State of California adopted Recycled Water Policy establishing a mandate to increase the use of recycled water in California by 200,000 acre-feet per year by 2020 and by additional 300,000 acre-feet per year by 2030.

To achieve that goal, the City has a Recycled Water Master Plan (Master Plan) that serves as the basis to support decision making processes in the selection of recycled water projects. The Master Plan examines urban reuse, agricultural reuse, groundwater recharge and institutional exchanges of recycled water for potable water.

The Master Plan is needed to facilitate the goals set forth in the City's Urban Water Management Plan (UWMP), which requires the recycling of 25,000 acre-feet of water each year by 2025 to offset potable water use and meet future water demands. The Master Plan includes plan for installation and operation of treatment, storage and distribution infrastructure to serve the proposed project areas with recycled water.

The Recycled Water Ordinance will assist the City in implementing the Recycled Water Program set forth in the Master Plan. The Ordinance will establish water recycling policy and criteria for its use within the current City limits as well as its Sphere of Influence and future land annexations. It will contain provisions addressing various topics related to the implementation of the goals, policies and objectives of the Master Plan.

The Ordinance will delegate the Department of Public Utilities Wastewater Management Division the authority to prepare, adopt and administer rules and regulations related to the implementation of the various provisions of the Recycled Water Program.

The City Attorney's Office has reviewed and approved the proposed ordinance to form. Feedback from future recycled water users, including the Building Industry Association (BIA) was taken into consideration when drafting the applicability and implementation of this ordinance.

ENVIRONMENTAL FINDING

On April 11, 2013, The City Council adopted Resolution 2013-45 which among other actions, certified final environmental impact report (EIR No. 44471) dated June 2011 (State Clearinghouse No. 2010051015) and adopted the Recycled Water Master Plan which included the development and adoption of a Recycled Water Ordinance. This ordinance is part of the Recycled Water Master Plan project.

LOCAL PREFERENCE

Local preference was not considered because this amendment to the Fresno Municipal Code does not include a bid or award of a construction or services contract.

FISCAL IMPACT

There will be no direct fiscal impact to the General Fund or Enterprise Fund on the implementation of the Recycled Water Ordinance. The Ordinance will apply to all Council Districts as recycled water projects develop.

Attachment:

1. Proposed Recycled Water Ordinance