

RESOLUTION NO. 54-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME DECLARING THAT A WATER SHORTAGE CONDITION EXISTS, AND IMPLEMENTING WATER RESTRICTIONS IN COMPLIANCE WITH STATE REGULATIONS

WHEREAS, over the past year, the Governor has taken unprecedented actions to target reduction of water use within the state; and

WHEREAS, On May 5, 2015, the State Water Resources Control Board (SWRCB) adopted emergency regulations requiring an immediate 25 percent reduction in overall potable urban water use statewide in accordance with Gov. Jerry Brown's April 1, 2015 Executive Order; and

WHEREAS, local water agencies are allowed to determine the most cost effective and locally appropriate way to achieve their water use reduction standard; and

WHEREAS, based on per capita water consumption and current level of conservation efforts, a 16 percent water use reduction standard relative to the established base year consumption is set for the City of Burlingame; and

WHEREAS, the SWRCB shows that Burlingame is already conserving approximately 17% of water use compared to the baseline consumption period in 2013.

WHEREAS, a summary of new requirements is as follows:

- The conservation savings for all urban water suppliers (serving more than 3,000 connections) are allocated across eight tiers of increasing levels of residential gallons per capita per day (R-GPCD) water use to reduce water use by 25 percent statewide and will take effect June 1, 2015.
- Smaller water suppliers (serving fewer than 3,000 connections) must either reduce water use by 25 percent, or restrict outdoor irrigation to no more than two days per week. These smaller urban suppliers, that collectively serve less than 10 percent of Californians, must submit a report on December 15, 2015 to demonstrate compliance.
- Commercial, Industrial and Institutional properties that are not served by a water supplier (or are self-supplied, such as by a groundwater well) also must either reduce water use by 25 percent or restrict outdoor irrigation to no more than two days per week. No reporting is required but these properties must maintain documentation of their water use and practices.
- The new prohibitions in the Executive Order apply to all Californians and will take effect immediately upon approval of the regulation by the Office of Administrative Law.

These include:

- Irrigation with potable water of ornamental turf on public street medians; and
- Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development.
- The above requirements are in addition to the existing restrictions that prohibit:
 - Using potable water to wash sidewalks and driveways;
 - Allowing runoff when irrigating with potable water;
 - Using hoses with no automatic shutoff nozzles to wash cars;
 - Using potable water in decorative water features that do not recirculate the water;
 - Irrigating outdoors during and within 48 hours following measurable rainfall; and
 - Restaurants serving water to their customers unless the customer requests it.
- Additionally, hotels and motels must offer their guests the option to not have their linens and towels laundered daily and prominently display this option in each guest room; and

WHEREAS, Stage 3 of City of Burlingame Water Shortage Contingency Plan, adopted as part of the City's 2011 Urban Water Management Plan, contains a majority of the conservation steps contained in the SWRCB regulations; and

WHEREAS, per the requirements of Chapter 15.06 of the Burlingame Municipal Code, and the Water Shortage Contingency Plan, a declaration by the City Council of a "water shortage condition" is required to formally authorize staff to implement some of these measures; and

WHEREAS, to fully comply with State regulations, a portion of Stage 3 of the City's Water Shortage Contingency Plan will need to be implemented; and

WHEREAS, the following components of the Water Shortage Contingency Plan along with State mandated restrictions and prohibitions go beyond what is mandated by the State:

- Water waste, flooding, or runoff into the street or gutters is prohibited;

- Hoses cannot be used to clean hard surface areas, including but not limited to sidewalks, driveways, roofs, and awnings;
- Hoses used for vehicle or building washing must have positive shutoff valves;
- Irrigation with potable water is prohibited between the hours of 7 a.m. and 6 p.m.;
- No irrigation shall be permitted on any day other than Monday and Thursday. It is recognized that providing specific maximum irrigation time limitations for various types of landscaping is difficult, however it is recommended that the maximum timing for irrigating lawns be limited to no more than 15 minutes per station. This provision does not apply to City Parks and facilities. However, the City Parks and facilities shall be managed to reduce the overall water use by 20% compared to the baseline period in 2013. This will allow staff to selectively manage irrigation to maintain high public use facilities and reduce water to other facilities as required. This provision also does not apply to hand-held hose watering of vegetation, if the hose is equipped with a positive water shutoff valve;
- Potable water shall not be used to clean, fill, or maintain levels in outdoor decorative fountains; interior fountains must recirculate water;
- Businesses must post notification of water shortage conditions in restrooms;
- Hotels must post notification of water shortage conditions in rooms;
- City buildings must post notification of water shortage conditions in restrooms and break rooms;
- Broken or defective plumbing, sprinklers, or irrigation systems that permit the escape or leakage of potable water must be repaired within 24 hours of the discovery of the leak or the system shall be turned off until the repairs are made;
- Irrigation with potable water of ornamental turf on public street medians is prohibited;
- Irrigation with potable water outside of newly constructed homes and buildings not in accordance with emergency regulations or other requirements established by the Building Standards Commission and the Department of Housing and Community Development is prohibited;
- Irrigating outdoors during and within 48 hours following measurable rainfall is prohibited; and
- Restaurants serving water to customers unless the customer requests it is prohibited; and

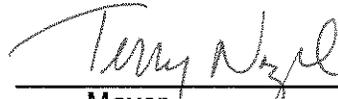
WHEREAS, the State has authorized issuing fines of up to \$500 per violation of these restrictions, and

WHEREAS, the City's Municipal Code Chapter 1 authorizes the issuance of fines, which will be issued incrementally at \$100, \$200 and \$500 in the event of violations continuing after multiple warnings and repeated violation notices.

NOW, THEREFORE, be it RESOLVED, and it is hereby ORDERED, that the City Council of the City of Burlingame hereby declare that a water shortage condition exists in accordance with Section 15.06 of the Burlingame Municipal Code; and

BE IT FURTHER RESOLVED that the City Council hereby adopts water use restrictions consistent with State regulations, the Municipal Code, and components of Stage 3 of the City's Water Shortage Contingency Plan as set forth above; and

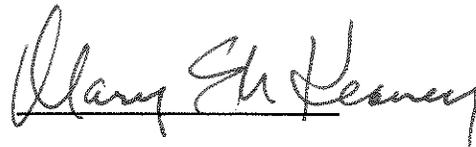
BE IT FURTHER RESOLVED that City staff is authorized to interpret and implement the provisions of this resolution, including enforcement of violations of the restrictions listed here through the provisions of Chapter 1 of the Municipal Code.



Mayor

I, MARY ELLEN KEARNEY, City Clerk of the City of Burlingame, do hereby certify that the foregoing Resolution was introduced at a regular meeting of the City Council held on the 18th day of May, 2015, and was adopted thereafter by the following vote:

AYES: COUNCILMEMBERS: **Brownrigg, Keighran, Nagel, Ortiz, Root**
NOES: COUNCILMEMBERS: **None**
ABSENT: COUNCILMEMBERS: **None**



City Clerk