



July 23, 2014

TO: LOCSO Board of Directors
FROM: Margaret Falkner, Utility Compliance Technician III
SUBJECT: **Agenda Item 7A – 8/7/2014 Board Meeting**
Public Hearing to Adopt Drought Emergency Water Conservation Measures Pursuant to California Water Code Section 375

MKF

President
Craig V. Baltimore

Vice President
R. Michael Wright

Directors
Leonard A. Moothart
Marshall E. Ochylski
Jon-Erik G. Storm

General Manager
Kathy A. Kivley

Temporary District Accountant
Michael L. Doyel

Fire Chief
Robert Lewin

Battalion Chief
Phill Veneris

DESCRIPTION

Conduct public hearing to adopt LOCSO Resolution 2014-15 incorporating State regulations for drought emergency water conservation measures pursuant to California Water Code section 375.

STAFF RECOMMENDATION

Staff recommends that the Board adopt the following resolution:

Motion: I move that the Board adopt Resolution 2014-15 incorporating State regulations for drought emergency water conservation measures pursuant to Code section 375.

DISCUSSION

California Water Code section 375 authorizes the District to adopt water conservation regulations after a noticed public hearing by resolution.

In response to the ongoing severe drought, on Tuesday, July 15, 2014, the State Water Resources Control Board approved an emergency regulation to ensure water agencies, their customers and state residents increase water conservation in urban settings or face possible fines or other enforcement.

The new conservation regulation is intended to reduce outdoor urban water use. The regulation, adopted by the State Water Board, mandates minimum actions to conserve water supplies both for this year and into 2015. Most Californians use more water outdoors than indoors. In some areas, 50 percent or more of daily water use is for lawns and outdoor landscaping.

The emergency regulation remains in effect for 270 days, unless extended by the State Water Board due to ongoing drought conditions.

The District has many water conservation measures already in place. The resolution will include the following from the State Water Resources Control Board Resolution No. 2014-0038.

1. The use of potable water to irrigate grass, lawns, ground cover, shrubbery, crops, vegetation, trees, etc., shall be limited to a total of 15 minutes during dark hours on Wednesdays and Sundays for even numbered addresses and Tuesdays and Saturdays for odd numbered addresses.

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2. The District must report the amount of water it produces in the preceding calendar month and compare that to the amount it produced in the same calendar month in 2013. These reports must be submitted to the State Water Board by the 15th of each month. Effective October 15th, these reports must also include an estimate of gallons of water per person per day used by its residential customers.

FINANCIAL IMPACT

The financial impact is unknown at this time.

Attachment: Resolution 2014-15

RESOLUTION NO. 2014-15

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE LOS OSOS COMMUNITY SERVICES DISTRICT
ADOPTING EMERGENCY WATER SHORTAGE REGULATIONS IN REGARDS
TO OUTDOOR USE PURSUANT TO WATER CODE §375**

WHEREAS, the Los Osos Community Services District ("District") is a community services district organized under California Law under Govt. Code § 61000 et. seq.; and

WHEREAS, the District has amongst its powers the power to Supply Water for beneficial uses for its residents (Government Code section 61100 (a)); and

WHEREAS, the California State Water Department has issued Emergency Drought Regulations requiring that water districts take specific actions due to severe drought conditions that affect the state; and

WHEREAS, the District as a water purveyor must comply with these regulations before the end of August; and

WHEREAS, the District is promulgating its own water shortage plan, but that plan will not be ready for adoption prior to the end of August.

NOW, THEREFORE, BE IT RESOLVED, DECLARED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE LOS OSOS COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the above findings and recitals are true and correct; and
2. That the Board of Directors hereby adopts the following regulations:
 - a. The use of potable water to irrigate grass, lawns, ground cover, shrubbery, crops, vegetation, trees, etc. and for all outdoor uses shall be limited to a total of 15 minutes during dark hours on Wednesday and Sundays for even numbered addresses; and Tuesday and Saturdays for odd numbered addresses.
3. The Board of Directors directs Staff to comply with regulations when they are promulgated, to provide evidence to the State Water Board in regards to the present water use calculated on a monthly basis and with corresponding numbers from the previous year for the same month. If further ordered by the Court and the State Water Board and effective October 15, 2014, these reports should also include the estimate of gallons of water per person per day used by its residential customers.

On the motion of Director _____, seconded by Director _____,
and on the following roll call vote, to wit:

Ayes: _____
Noes: _____
Absent: _____
Conflicts: _____

The foregoing resolution is hereby passed, approved, and adopted by the Board of Directors of the Los Osos Community Services District this 7th day of August, 2014.

R. Michael Wright
Vice President, Board of Directors
Los Osos Community Services District

ATTEST:

APPROVED AS TO FORM:

Kathy A. Kivley
General Manager and Secretary to the Board

Michael W. Seitz
District Legal Counsel