



**CITY OF LOS ALTOS
CITY COUNCIL MEETING
May 26, 2015**

DISCUSSION ITEM

Agenda Item # 8

SUBJECT: Discuss establishment of water conservation measures, and direct staff accordingly

BACKGROUND

California is experiencing unprecedented and continuous drought conditions throughout the state requiring decisions at both state and local levels of government to create water conservation targets, tiers and goals to meet the state-wide 25% conservation standards. In response to Governor Brown's Executive Order, the State Water Resources Control Board and the California Public Utilities Commission adopted water-use restrictions and reduction requirements for all California communities.

California Water Service Company

The City of Los Altos is served by Cal Water Service Company (CWS) as its water retailer, with a water reduction mandate of 32% based on 2013 usage reports for the Los Altos Water District. CWS, with approval from the California Public Utilities Commission, will institute a variety of water-use reductions, enforcement procedures and conservation measures, including Schedule 14.1 Water Budgets and Enforcement Measures beginning June 1, 2015 (Attachment 1). CWS will provide its customers with a "water budget" (Attachment 2) which is the amount of water each billed customer may use each month without incurring higher costs. CWS implementation of the customer water budget program (Attachment 3) will also include: 1) water use restrictions; 2) procedures for water waste violations and enforcement; 3) water banking; 4) water budget appeals process; 5) CWS resources that include residential and commercial rebate programs and water-efficient products and; 6) resources for conservation including water-conserving plants and planting hints and tips. CWS staff is available to assist customers with how to read their water meter, check for leaks and numerous water reduction materials are available on the CWS website at www.calwater.com/conservation.

Santa Clara Valley Water District

Although the City of Los Altos does not receive water supplied directly from the Santa Clara Valley Water District (SCVWD), the District does support and provide to all residents in Santa Clara County a variety of programs on water conservation and residential and commercial rebates in which Los Altos residents can participate. <http://www.valleywater.org/programs/waterconservation.aspx> The *Water Wise House Call* is an excellent example of these free services to all Santa Clara County residents and apartment managers.

City of Los Altos

The City of Los Altos was the first city in Santa Clara County to formally address water conservation measures by adopting Resolution No. 2014-23 in June 2014, setting a target of a 20% reduction and urging citizens to voluntarily reduce water consumption accordingly (Attachment 4). To support the Resolution, the Environmental Commission has addressed the issue of water conservation and invited speakers to present water conservation topics to the Commission, sponsored public events on water innovation and water-efficient landscaping, and researched and analyzed water consumption within the Los Altos Water District. In addition, an ad hoc Water Conservation

Subcommittee was recently appointed to: 1) review and report on water conservation efforts within Santa Clara County; 2) explore model water conservation ordinances and enforcement procedures; 3) gather water consumption data from the City of Los Altos water retailer, CWS; 4) formulate water consumption data to display annual and monthly usage in the City of Los Altos Climate Action Plan Dashboard; 5) provide education and outreach to residents and commercial establishments in Los Altos; 6) utilize resources from SCVWD and; 7) analyze the provisions in the current City of Los Altos Water Conservation Resolution to determine the effectiveness of water reduction efforts. At its meeting on May 11, 2015, the Environmental Commission at its meeting on May 11, 2015 discussed public education and outreach measures for the community on water use reductions and water conservation.

EXISTING POLICY

Resolution No. 2014-23 – Water Conservation Measures

PREVIOUS COUNCIL CONSIDERATION

June 24, 2014 – adoption of Water Conservation Resolution No. 2014-23

DISCUSSION

Measures to achieve needed water use reductions

Currently, the urgent need for water conservation and use reduction is continuing to evolve dramatically at the State and local level. In the Los Altos community, CWS programs for drought response, as mandated by the California Public Utilities Commission (CPUC), effective June 1, 2015, will allocate water budgets to each billed customer that is coupled with a program for enforcement of violations for exceeding the allocated water budget. In addition, both CWS and SCVWD offer a variety of programs for personalized customer assistance, rebates to encourage affordability of water efficient upgrades to the home or yard, and numerous water conservation resources and information. The City of Los Altos is also a CWS-billed customer and is continuing to employ many water reduction measures in a systematic process that will reduce water consumption to comply with the City's CWS allocated water budget.

The June 24, 2014 Council Water Conservation Resolution calling for a 20% reduction in water usage was modeled from the recommended SCVWD Water Conservation Model Ordinance. The Resolution is a voluntary measure that provides citizens with specific guidelines for reductions in water consumption. Adherence to these guidelines will assist citizens to achieve needed water use reductions. In addition, the Environmental Commission has discussed and offers various public education and outreach measures to assist the citizens of Los Altos to understand water consumption in an effort to comply with the water allocation budgets initiated by CWS in conjunction with requirements from the CPUC. Council may wish to consider revising the City's Water Conservation Resolution from the current 20% to a 32% reduction target to conform to the State reduction target for the Los Altos community.

Additional measures the Council may consider would be adoption of a water conservation ordinance that would require enforcement by the City. CWS provided a Draft Water Conservation Ordinance modeled from CWS Section 14.1 and would require City staff to enforce the measures in the CWS draft ordinance (Attachment 5). CWS staff suggests that adoption of its draft ordinance provides alignment of restrictions, shows unity between the parties, creates consistent messages, and adds an

Discuss establishment of water conservation measures, and direct staff accordingly

extra layer of enforcement. The Council can also consider the current City Resolution modeled from the SCVWD Model Ordinance (Attachment 5) to become a City Ordinance. Adoption of any water conservation ordinance would necessitate enforcement measures and require both City staff and financial resources in order to respond to citizen calls and violations as well as to develop an appeals process and provide defense for resulting claims or litigation.

Agencies in Santa Clara County are taking steps based on specific needs of their respective communities. Many cities are their own water retailer for the communities they serve and, therefore, have adopted ordinances to regulate the use of water. Other cities are working with the requirements of their water retailer and implementing measures as needed that may include ordinances with enforcement measures.

Summary

Water conservation initiatives are rapidly evolving at the State and local level. Citizens are assimilating the impact of the various mandates for water conservation that include a water budget allocation from CWS along with a variety of programs to assist them with adjusting to the required water-use restrictions. The current City Water Conservation Resolution is a voluntary measure and provides guidelines for the Los Altos community. The Environmental Commission continues to promote public education and outreach measures along with providing information to the community about water consumption for the Los Altos Water District. The City of Los Altos is continuing with a systematic program to conserve and reduce use of water in its municipal operations and is reducing water consumption in accordance with its CWS water budget allocation.

It is recommended that Council consider:

1. Augmentation of the current measures that are in place such as increasing the current City Water Conservation Resolution reduction targets from 20% to 32% and revising the language to be consistent with CWS draft ordinance restrictions and requirements
2. Review the need and timeliness for new measures
3. Provide direction to the Environmental Commission to emphasize or enhance education and outreach measures to the community
4. Provide other direction to staff

PUBLIC CONTACT

The Environmental Commission held meetings on the topic of water conservation and water use reductions on April 13, 2015 and May 11, 2015

Public meeting held by California Water Service on May 11, 2015 to address the drought, water use restrictions and conservation

Posting of the agenda serves as notice to the general public.

FISCAL/RESOURCE IMPACT

To be determined based upon Council direction.

ENVIRONMENTAL REVIEW

Not applicable

Discuss establishment of water conservation measures, and direct staff accordingly

RECOMMENDATION

Discuss establishment of water conservation measures, and direct staff accordingly

ALTERNATIVES

1. Refer water conservation measures to the Environmental Commission with direction to evaluate options and report back to Council
2. Do not establish any further water conservation measures at this time pending results of the CWS and SCVWD water-use reduction measures and conservation program

Prepared by: J. Logan, Assistant City Manager

ATTACHMENTS:

1. Cal Water Service Company Schedule 14.1 Water Budgets and Enforcement Measures
2. Cal Water Service Company; The drought, water use restrictions, conservation, and you
3. Cal Water Service Company; Water Use Restrictions, Water Budgets, and How Cal Water Can Help
4. City of Los Altos Water Conservation Resolution No. 2014-23
5. Draft ordinances from CWS and SCVWD

Discuss establishment of water conservation measures, and direct staff accordingly

Schedule No. 14.1
WATER SHORTAGE CONTINGENCY PLAN

(N)

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES

Page 1

A. APPLICABILITY

1. This schedule applies to all of California Water Service's regulated ratemaking areas in California, as well as Grand Oaks Water.

B. GENERAL INFORMATION

1. All expenses incurred by utility to implement Rule 14.1, and Schedule 14.1, and requirements of the California State Water Resources Control Board ("Water Board") that have not been considered in a General Rate Case or other proceeding shall be accumulated by Cal Water in a separate memorandum account, authorized in Resolution W-4976, for disposition as directed or authorized from time to time by the Commission.
2. All monies collected by Cal Water through waste of water penalties established in this schedule shall be recorded in the appropriate memorandum account and used to offset the expenses described in Section 1 above.
3. All monies collected by Cal Water through drought surcharges, as established by the Mandatory Water Budgets found in Schedule 14.1, shall be recorded in the appropriate Water Revenue Adjustment Mechanism ("WRAM") account and used to offset under-collected revenues.
4. To the extent that any provision in this Schedule is inconsistent with Rule 14.1, the provisions of this Schedule apply.
5. A customer may request installation of a real-time water measurement device on the customer's service line. The cost of the device, including installation and ongoing operating costs, shall be billed to the customer, and nonpayment may result in discontinuance of service.

C. DEFINITIONS

For the purposes of this Schedule, the following terms have the meanings set forth in this section.
(These are the same as in Rule 14.1, unless otherwise specified.)

1. "Commercial nursery" means the use of land, buildings or structures for the growing and/or storing of flowers, fruit trees, ornamental trees, vegetable plants, shrubs, trees and similar vegetation for the purpose of transplanting, for use as stock or grafting, and includes the retail sale or wholesale distribution of such items directly from the premises/lot.
2. "Drip irrigation system" means a non-spray, low-pressure, and low volume irrigation system utilizing emission devices with a precipitation or flow rate measured in gallons per hour (GPH), designed to slowly apply small volumes of water at or near the root zone of plants or other landscaping.
3. "Flow rate" means the rate at which water flows through pipes, valves, and emission devices, measured in gallons per minute (GPM), gallons per hour (GPH), inches per hour (IPH), hundred cubic feet (Ccf), or cubic feet per second (CFS).
4. "Flow-restricting device" means valves, orifices, or other devices that reduce the flow of potable water through a service line, which are capable of passing a minimum of 3 Ccf per person, per month, based upon the U.S. Census calculation of the average number of people in a household in the area.
5. "High-efficiency sprinkler systems" means an irrigation system with emission devices, such as sprinkler heads or nozzles, with a precipitation or flow rate no greater than one IPH.
6. "Irrigation" means the application of potable water by artificial means to landscape.
7. "Irrigation system" means the components of a system meant to apply water to an area for the purpose of irrigation, including, but not limited to, piping, fittings, sprinkler heads or nozzles, drip tubing, valves, and control wiring.

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ATTACHMENT 1

Schedule No. 14.1

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

Page 2

C. DEFINITIONS (Continued)

8. "Landscape" means all of the outdoor planting areas, turf areas, and water features at a particular location.
9. "Measureable rainfall" means any amount of precipitation of more than one-tenth of an inch (0.1").
10. "Micro spray irrigation system" means a low-pressure, low-volume irrigation system utilizing emission devices that spray, mist, sprinkle, or drip with a precipitation or flow rate measured in GPH, designed to slowly apply small volumes of water to a specific area.
11. "Ornamental landscape" means shrubs, bushes, flowers, ground cover, turf, lawns, and grass planted for the purpose of improving the aesthetic appearance of property, but does not include crops or other agricultural products or special landscape areas.
12. "Plumbing fixture" means a receptacle or device that is connected to a water supply system, including, but not limited to, pipes, toilets, urinals, showerheads, faucets, washing machines, water heaters, tubs, and dishwashers.
13. "Potable water" means water supplied by Cal Water which conforms to the federal and state standards for human consumption.
14. "Properly programmed" means a smart irrigation controller that has been programmed according to the manufacturer's instructions and site-specific conditions.
15. "Real-time water measurement device" means a device or system that provides regularly updated electronic information regarding the customer's water use.
16. "Runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape onto other areas.
17. "Smart irrigation controller" means an automatic device used to remotely control valves that operate an irrigation system that has been tested by an American National Standards Institute accredited third-party certifying body or laboratory in accordance with the Environmental Protection Agency's WaterSense program (or an analogous successor program), and certified by such body or laboratory as meeting the performance and efficiency requirements of such program, or the more stringent performance and efficiency requirements of another similar program.
18. "Special landscape area" means an area of the landscape dedicated solely to edible plants and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.
19. "Turf" means a ground cover surface of grass that can be mowed.
20. "Water feature" means a design element where open, artificially supplied water performs an aesthetic or recreation feature, including, but not limited to, ponds, lakes, waterfalls, fountains, and streams.
21. "Water use evaluation" means an evaluation of the efficiency of indoor water-using devices, including, but not limited to, measurement of flow rates for all existing showerheads, faucets, and toilets, inspection for leaks, and providing written recommendations to improve the efficiency of the indoor water-using fixtures and devices and/or an evaluation of the performance of an irrigation system, including, but not limited to, inspection for leaks, reporting of overspray or runoff, and providing written recommendations to improve the performance of the irrigation system.

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

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D. WASTE OF WATER PENALTIES

Each Stage of this Schedule establishes certain restrictions on the use of potable water. Violating the restrictions set forth in a particular Stage while it is in effect is declared a non-essential, wasteful use of potable water. Cal Water is authorized to take the following actions when its personnel verify a customer is using potable water for non-essential, wasteful uses. No person shall have any right or claim in law or in equity, against Cal Water because of, or as a result of, any matter or thing done or threatened to be done pursuant to the restrictions on using potable water for non-essential, wasteful uses.

Note: When a Stage in this Schedule has been activated, Section D in this Schedule supersedes Section D (Enforcement) in Rule 14.1.

1. **FIRST VIOLATION:** Cal Water shall provide the customer with a written notice of violation. In addition, Cal Water is authorized to take the following actions:
 - A. If the customer currently receives service through a metered connection, install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and ongoing operating costs, shall be billed to the customer, and nonpayment may result in discontinuance of service.
 - B. If the customer does not currently receive service through a metered connection, install a water meter on the customer's service line, charge the customer for water use pursuant to Cal Water's metered service tariffs and rules, and install a real-time water measurement device on the customer's service line and provide the customer with access to information from the device. The cost of the device, including installation and ongoing operating costs, shall be billed to the customer, and nonpayment may result in discontinuance of service.
2. **SECOND VIOLATION:** If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the first violation, Cal Water shall provide the customer with a second written notice of violation. In addition to the actions prescribed under the first violation above, Cal Water is authorized to take the following actions:
 - A. Apply the following waste of water penalties, which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs.
 - i. If Stage 1 is in effect, \$25 (Stage 1 is detailed below in Section E).
 - ii. If Stage 2 is in effect, \$50 (Stage 2 is detailed below in Section F).
 - iii. If Stage 3 is in effect, \$100 (Stage 3 is detailed below in Section G).
 - iv. If Stage 4 is in effect, \$200 (Stage 4 is detailed below in Section H).
 - B. At its sole discretion, waive the waste of water penalty if the customer participates in a water use evaluation provided by Cal Water and/or provides documentation to Cal Water proving that a drip irrigation system, micro spray irrigation system, high-efficiency sprinkler system, or properly programmed smart irrigation controller has been installed, after a notice of violation was delivered, and is in use at the customer's service address.

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WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

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D. WASTE OF WATER PENALTIES (Continued)

3. **THIRD VIOLATION:** If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the second violation, Cal Water shall provide the customer with a third written notice of violation. In addition to the actions prescribed under the first and second violations above, Cal Water is authorized to take the following actions:
- A. Apply the following waste of water penalties, which are in addition to any other charges authorized by this Schedule or other Cal Water tariffs.
 - i. If Stage 1 is in effect, \$50 (Stage 1 is detailed below in Section E).
 - ii. If Stage 2 is in effect, \$100 (Stage 2 is detailed below in Section F).
 - iii. If Stage 3 is in effect, \$200 (Stage 3 is detailed below in Section G).
 - iv. If Stage 4 is in effect, \$400 (Stage 4 is detailed below in Section H).
 - B. At its sole discretion, waive the waste of water surcharge if the customer participates in a water use evaluation provided by Cal Water and/or provides documentation to Cal Water proving that a drip irrigation system, micro spray irrigation system, high-efficiency sprinkler system, or properly programmed smart irrigation controller has been installed, after notice of violations have been delivered, and is in use at the customer's service address.
4. **FOURTH VIOLATION:** If Cal Water verifies that the customer has used potable water for non-essential, wasteful uses after having been notified of the third violation, Cal Water shall provide the customer with a fourth written notice of violation. In addition to actions set forth in previous violations prescribed above, Cal Water is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flow restricting device.
5. **EGREGIOUS VIOLATIONS:** Notwithstanding the foregoing framework for penalties, customers who Cal Water has verified are egregiously using potable water for non-essential, wasteful uses are subject to having a flow-restricting device installed on their service line. After providing the customer with one notice of egregious violation, either by direct mail or door hanger, which documents the egregious use of potable water for non-essential, wasteful uses and explains that failure to correct the violation may result in the installation of a flow-restricting device on the customer's service line, Cal Water is authorized to install a flow-restricting device on the customer's service line. Cal Water shall not be held liable for any injuries, damages, and/or consequences arising from the installation of a flow restricting device.
6. **NOTICES OF VIOLATION:**
- A. Unless otherwise specified, written notices of violation provided to customers pursuant to this Schedule shall document the verified violation and alert the customer to the fact that future violations of the restricted uses of potable water may result in a real-time water management device being installed on the customer's service line at the customers expense, waste of water surcharges being applied to the customer's bill, the installation of a flow-restricting device on the customer's service line, or the discontinuation of the customer's service.

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D. WASTE OF WATER PENALTIES (Continued)

B. If Cal Water elects to install a flow-restricting device on a customer's service line, the written notice of violation shall also explain that a flow-restricting device has or will be installed on the customer's service line, shall document the steps the customer must take in order for the flow-restricting device to be removed, and shall explain that after the flow-restricting device is removed, it may be reinstalled, without further notice, if the customer is again verified by Cal Water to be using potable water for non-essential, wasteful uses.

7. **FLOW RESTRICTING DEVICE CONDITIONS:** The installation of a flow-restricting device on a customer's service line is subject to the following conditions:

- A. The device shall be capable of providing the premise with a minimum of 3 Ccf per person, per month, based upon the U.S. Census calculation of the average number of people in a household in the area.
- B. The device may only be removed by Cal Water, and only after a minimum three-day period has elapsed.
- C. Any tampering with the device may result in the discontinuation of the customer's water service and the customer being charged for any damage to Cal Water's equipment or facilities and any required service visits.
- D. After the removal of the device, if Cal Water verifies that the customer is using potable water for non-essential, wasteful uses, Cal Water may install another flow-restricting device without prior notice. This device shall remain in place until water supply conditions warrant its removal. If, despite the installation of the device, Cal Water verifies that the customer is using potable water for non-essential and, unauthorized wasteful uses, then Cal Water may discontinue the customer's water service, as provided in its Rule No. 11.

8. **FLOW-RESTRICTING DEVICE REMOVAL CHARGES:** The charge to customers for removal of a flow-restricting device installed pursuant to this Schedule is \$100 during normal business hours, and \$150 for the device to be removed outside of normal business hours.

E. STAGE ONE WATER USE RESTRICTIONS

1. WASTEFUL USES OF WATER

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need, or to comply with a term or condition in a permit issued by a state or federal agency:

A. Outdoor Irrigation Restrictions (Stage 1)

- i. Irrigating ornamental landscapes with potable water is limited to no more than **three (3) days** per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows:

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

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E. STAGE ONE WATER USE RESTRICTIONS (Continued)

1. Customers with even-numbered addresses may irrigate on Saturdays, Tuesdays, and Thursdays.
 2. Customers with odd-numbered addresses may irrigate on Sundays, Wednesdays, and Fridays.
 3. Customers without a street address may irrigate on Saturdays, Tuesdays, and Thursdays.
 4. Notwithstanding the foregoing restrictions, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with foregoing restrictions.
 5. Notwithstanding the foregoing restrictions, when a city, county, or other local public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate that are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other local public agency's restrictions.
- II. Irrigating ornamental landscape with potable water is prohibited during the hours between **8:00 a.m. and 6:00 p.m.**
- III. The foregoing restrictions do **not** apply to:
1. Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation system;
 2. Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, with a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.
- B. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within **five (5) business days** of written notification by Cal Water, unless other arrangements are made with Cal Water.
- C. Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
- i. The application of potable water to landscapes 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;

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

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E. STAGE ONE WATER USE RESTRICTIONS (Continued)

- ii. The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use. (N)
 - iii. The application of potable water to driveways and sidewalks;
 - iv. The use of potable water in a water feature, except where the water is part of a recirculating system;
 - v. The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall (see Definitions);
 - vi. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - vii. Irrigation of ornamental landscape on public street medians with potable water;
 - viii. Irrigation outside of newly constructed homes and buildings with potable water unless the potable water is delivered by a drip irrigation systems and/or micro spray irrigation system.
- D. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- E. Limits on Filling Single-Family Residential Swimming Pools and Spas: Re-filling and initial filling of single-family residential swimming pools or outdoor spas with potable water is prohibited, except to maintain required operating levels of existing pools and spas or as a result of completing structural repairs to the swimming pool or outdoor spa.
- F. Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.
- G. Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

F. STAGE TWO WATER USE RESTRICTIONS

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 2)

Water budgets will be based on a customer's consumption during a historical base period and will include a percentage reduction designed to meet necessary water-use reductions. Cal Water may include provisions such as minimum water budgets for residential metered service to protect the health and safety of customers, and water banking allowing customers additional flexibility with regard to their required reductions.

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

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F. STAGE TWO WATER USE RESTRICTIONS (Continued)

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

See Appendix A: Details on minimum water budgets, as well as the drought surcharges that will be applied for exceeding a water budget, are provided in Appendix A. Cal Water retains the right to increase the surcharges if there are changes to the rates in the future.

Cal Water will establish an appeals process for customers that will allow for requests for increased water budgets.

2. WASTEFUL USES OF WATER (STAGE 2)

Cal Water may continue to impose the restrictions on the wasteful use of water as outlined in Stage One, except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a state or federal agency.

G. STAGE THREE WATER USE RESTRICTIONS

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 3)

Water budgets will be based on a customer's consumption during a historical base period and will include a percentage reduction designed to meet necessary water-use reductions. Cal Water may include provisions such as minimum water budgets to protect the health and safety of customers, and water banking allowing customers additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period.

Cal Water may implement surcharges up to three (3) times those charged in Stage 2.

Cal Water will establish an appeals process for customers that will allow for requests for increased water budgets.

2. WASTEFUL USES OF WATER (STAGE 3)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a state or federal agency. Differences from or additions to previous Stages are underlined. (The following restrictions are the same as those provided in Stage 3 of Rule 14.1.)

a. Outdoor Irrigation Restrictions (Stage 3)

- i. Irrigating ornamental landscapes with potable water is limited to no more than **two (2) days** per week, on a schedule established and posted by Cal Water on its website or otherwise provided to customers by bill message, bill insert, direct mail, or email, or as follows:

1. Customers with even-numbered addresses may irrigate on Saturdays and Tuesdays (previous Stages allowed Thursdays as well).
2. Customers with odd-numbered addresses may irrigate on Sundays and Wednesdays (previous Stages allowed Fridays as well).
3. Customers without a street address may irrigate on Saturdays and Tuesdays (previous Stages allowed Thursdays as well).

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(continued)

(To be inserted by utility)

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(To be inserted by Cal. P.U.C.)

Advice Letter No. 2166

PAUL G. TOWNSLEY

Date Filed _____

Decision No. -

Vice President

Effective _____

Resolution No. _____

Schedule No. 14.1

(N)

WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

Page 9

G. STAGE THREE WATER USE RESTRICTIONS (Continued)

4. Notwithstanding the foregoing restrictions, irrigation of special landscape areas or commercial nurseries may occur as needed, provided that the customer who wishes to irrigate a special landscape area or commercial nursery presents Cal Water with a plan to achieve water use reductions commensurate with those that would be achieved by complying with foregoing restrictions.
5. Notwithstanding the foregoing restrictions, when a city, county, or other local public agency in one of Cal Water's service areas duly adopts restrictions on the number of days or hours of the day that customers may irrigate which are different than those adopted by Cal Water, Cal Water may enforce the city, county, or other local public agency's restrictions.
- ii. Irrigating ornamental landscape with potable water is prohibited during the hours between **8:00 a.m. and 6:00 p.m.**
- iii. The foregoing restrictions do **not** apply to:
 1. Landscape irrigation zones that exclusively use drip irrigation systems and/or micro spray irrigation system;
 2. Irrigating ornamental landscapes with the use of a hand-held bucket or similar container, a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored, or for the express purpose of adjusting or repairing an irrigation system.
- b. **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or other malfunctions in the customer's plumbing fixtures and/or irrigation system must be repaired within **two (2) business days** of written notification by Cal Water, unless other arrangements are made with Cal Water.
- c. **Prohibited Uses of Water:** Customers are prohibited from using potable water for the following actions:
 - i. The application of potable water to landscapes 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 (note: this provision appears under Section E in Rule 14.1);
 - ii. The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use (note: this provision appears under Section E in Rule 14.1).
 - iii. The application of potable water to driveways and sidewalks;
 - iv. The use of potable water in a water feature, except where the water is part of a recirculating system;
 - v. The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall;
 - vi. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
 - vii. Irrigation of ornamental landscape on public street medians with potable water;

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WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

Page 10

G. STAGE THREE WATER USE RESTRICTIONS (Continued)

- viii. Irrigation outside of newly constructed homes and buildings with potable water unless the potable water is delivered by a drip irrigation systems and/or micro spray irrigation system;
- ix. Use of potable water for street cleaning with trucks, except for initial wash-down for construction purposes (if street sweeping is not feasible);
- x. Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses unless no other source of water or other method can be used.
- d. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e. Limits on Filling Residential Swimming Pools and Spas: Re-filling and initial filling of single-family residential swimming pools or outdoor spas with potable water is prohibited (previous Stages allowed certain exceptions).
- f. Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.
- g. Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

H. STAGE FOUR WATER USE RESTRICTIONS

1. MANDATORY WATER BUDGETS AND BANKING (STAGE 4)

Water budgets will be based on a customer's consumption during a historical base period and will include a percentage reduction designed to meet necessary water-use reductions. Cal Water may include provisions such as minimum water budgets to protect the health and safety of customers, and water banking allowing customers additional flexibility with regard to their required reductions.

In addition to the normal rate paid for the unit of water, a drought surcharge will be charged to a customer for each unit of water used over the established water budget for the billing period. For Stage 4, Cal Water may implement surcharges up to three (3) times those charged in Stage 2. Cal Water may require customer consumption reductions of up to 50%.

Cal Water will establish an appeals process for customers that will allow for requests for increased water budgets.

2. WASTEFUL USES OF WATER (STAGE 4)

The following restrictions may be imposed by Cal Water, except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a state or federal agency. Differences from or additions to previous Stages are underlined. (The following restrictions are the same as those provided in Stage 4 of Rule 14.1.)

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TITLE

Effective _____

Resolution No. _____

Schedule No. 14.1

(N)

WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

Page 11

G. STAGE FOUR WATER USE RESTRICTIONS (Continued)

- A. Irrigating ornamental landscape with potable water is prohibited, except when a hand-held bucket or a similar container, or a continuously monitored hose which is fitted with an automatic shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use or monitored is used to maintain vegetation, including trees and shrubs.
- B. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the customer's plumbing fixtures or irrigation system must be repaired within **one (1) business day** of written notification by Cal Water, unless other arrangements are made with Cal Water.
- C. Prohibited Uses of Water: Customers are prohibited from using potable water for the following actions:
- i. The application of potable water to landscapes 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;
 - ii. The use of a hose that dispenses potable water to wash vehicles, including cars, trucks, buses, boats, aircraft, and trailers, whether motorized or not, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
 - iii. The application of potable water to driveways and sidewalks;
 - iv. The use of potable water in a water feature, except where the water is part of a recirculating system;
 - v. The application of potable water to outdoor landscapes during and within forty-eight (48) hours after measurable rainfall;
 - vi. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased;
Note that items previously identified as (ix) and (x) in Stage 3 have been eliminated.
 - vii. Use of potable water for street cleaning with trucks (previous Stage allowed certain exceptions);
 - viii. Use of potable water for construction purposes, such as consolidation of backfill, dust control, or other uses (previous Stage allowed certain exceptions).
- d. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guest room using clear and easily understood language.
- e. Limits on Filling Residential Swimming Pools and Spas: Re-filling and initial filling of single-family residential swimming pools or outdoor spas with potable water is prohibited.
- f. Limits on Filling Ornamental Lakes or Ponds: Filling or re-filling ornamental lakes or ponds with potable water is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the implementation of any staged mandatory restrictions of water use as described in this Schedule.
- g. Other duly adopted restrictions on the use of potable water as prescribed from time to time by the Commission or other authorized government agencies are incorporated herein by reference.

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(continued)

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Schedule No. 14.1

(N)

WATER SHORTAGE CONTINGENCY PLAN

WITH STAGED MANDATORY REDUCTIONS AND DROUGHT SURCHARGES (continued)

Page 12

APPENDIX A

Stage 2 – Drought Surcharges for Exceeding Water Budget, and Minimum Water Budgets					
District	Tariff Area	Drought Surcharge Non-LIRA Customers (a)	Drought Surcharge LIRA Customers (b)	Minimum Water Budget (Ccf) (c)	Rate Support Fund (RSF) Areas
Antelope Valley	Fremont Valley & Lake Hughes	\$4.5200	\$2.2600	5	RSF Area
	Lancaster	\$7.1180	\$3.5590	5	
	Leona Valley	\$4.5200	\$2.2600	5	RSF Area
Bakersfield		\$4.1868	\$2.0934	7	
Bayshore	Mid-Peninsula	\$10.0000	\$5.0000	6	
	South San Francisco	\$5.6492	\$2.8246	6	
Bear Gulch		\$10.0000	\$5.0000	6	
Chico		\$3.1314	\$1.5657	6	
Dixon		\$7.9402	\$3.9701	7	
Dominguez		\$6.9934	\$3.4967	7	
East Los Angeles		\$3.7605	\$1.8803	9	
Grand Oaks		\$2.1236	\$1.0618	5	
Hermosa Redondo		\$9.1586	\$4.5793	5	
Kern River Valley		\$4.5200	\$2.2600	4	RSF Area
King City		\$6.7536	\$3.3768	9	
Livermore		\$7.6194	\$3.8097	6	
Los Altos		\$8.1608	\$4.0804	6	
Marysville		\$5.1470	\$2.5735	6	
Oroville		\$6.1840	\$3.0920	6	
Palos Verdes		\$9.5358	\$4.7679	6	
Redwood Valley		\$4.5200	\$2.2600	4	RSF Area
Salinas		\$5.7776	\$2.8888	7	
Selma		\$3.0122	\$1.5061	8	
Stockton		\$5.5506	\$2.7753	7	
Visalia		\$2.9796	\$1.4898	7	
Westlake		\$9.2378	\$4.6189	6	
Willows		\$4.1356	\$2.0678	6	

- (a) - The Drought Surcharge is equal to two (2) times the highest residential tier rate with a \$10.00 maximum EXCEPT for:
The Drought Surcharge in Rate Support Fund (RSF) areas is equal to \$4.52.
The Drought Surcharge for districts with a 10% or less water reduction requirement is equal to the highest residential tier rate.
- (b) - The Drought Surcharge for LIRA customers is 50% of the Drought Surcharge for Non-LIRA customers.
- (c) - The Minimum Water Budget is set at 55 gpcd (gallons per capita per day) multiplied by the people per household for the area in the U.S. Census.

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(To be inserted by utility)

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NAME:
Vice President
TITLE

Effective

Resolution No.

How Cal Water can help:

Cal Water has a range of residential and commercial programs available to help our customers reduce their water use.

These include:

Residential

- High-efficiency toilet rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Water use efficiency evaluation program
- Turf replacement rebate (available June 1)
- High-efficiency toilet delivery program (available summer 2015)
- Home water use reports (available summer/fall 2015)

Commercial

- High-efficiency toilet rebate
- High-efficiency urinal rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Rotating nozzle rebate
- Spray body with integrated pressure regulation and check valve rebate
- Turf replacement rebate (available June 1)

ATTACHMENT 2

More information on all of these programs can be found at www.calwater.com/conservation

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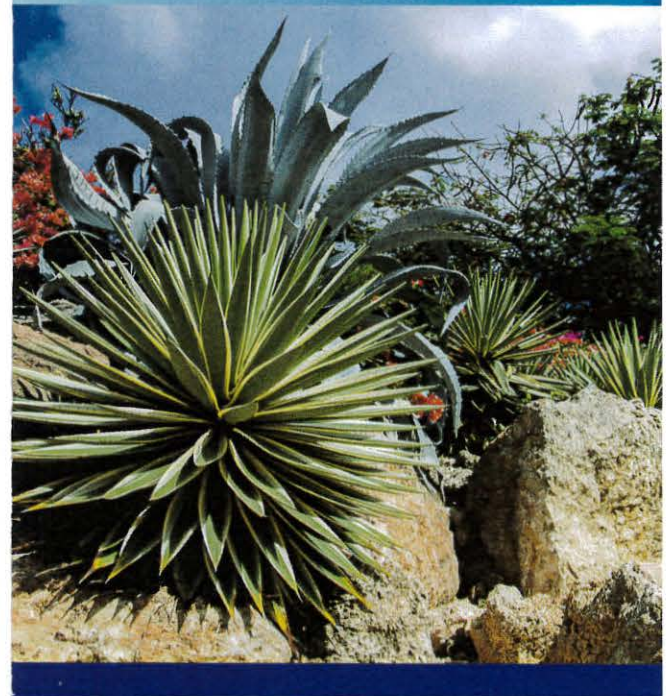
City of Los Altos
1 N San Antonio Rd
Los Altos, CA 94022-3000



Quality. Service. Value.

The drought, water use restrictions, conservation, and you.

Join Cal Water at a Community Meeting to Learn How Regulations Affect Los Altos Customers



DATE: Monday, May 11, 2015
TIME: 6 p.m.
LOCATION: Covington School
201 Covington Rd.
Los Altos, CA 94024

Dear California Water Service (Cal Water) customer:

Governor Brown has ordered a mandatory 25% reduction in urban water use statewide as we face this historic drought. In response to the governor's order, the State Water Resources Control Board set water-use reduction requirements for each community based upon average per capita water usage.

If approved in May, the draft regulations set by the Board and adopted by the California Public Utilities Commission will require both residential and non-residential water users in Cal Water's Los Altos District to reduce their water use by 32% from their usage during July through September in 2013.

This reduction must be achieved by the end of February 2016. The good news is, you get credit for any water savings you achieved in 2014. So depending on your individual conservation efforts in 2014, you may need to achieve a lesser reduction. And Cal Water is here to help you achieve mandated reductions.

Please read on to learn more.

The State Water Resources Control Board has prohibited the following uses of water:

- **Applying water to outdoor landscapes** that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures
- **Using a hose to wash motor vehicles** unless the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use
- **Applying water to driveways and sidewalks**
- **Using water in a fountain or other decorative water feature**, except where the water is part of a recirculating system
- **Applying water to outdoor landscapes** during and within 48 hours after measurable rainfall
- **Serving drinking water other than upon request** in eating or drinking establishments, including but not limited to restaurants, hotels, cafés, cafeterias, bars, or other public places where food or drink are served and/or purchased

Violation of any of these prohibited or restricted water uses may be subject to enforcement measures, including a fine of up to \$100 for each day the violation occurs, installation of flow restrictors, or discontinuance of water service.

Hotel, motel, and restaurant operators can email conservation@calwater.com for assistance obtaining table tents or signage.

For questions about these prohibited uses of water and other water use restrictions, customers can visit www.calwater.com or contact their local Cal Water Customer Center at (650) 917-0152.

Other water use restrictions:

- In order to achieve mandated water use reductions landscape irrigation will be limited to no more than three days per week. We will provide more information and the schedule to customers in the coming week. Please be sure to observe any ordinances also set by your local government.
- Operators of hotels and motels are required to provide guests with the option of choosing not to have towels and linens laundered daily and to prominently display notice of this option in each guest room using clearly understood language.
- Once notified of a water leak that may exist on their property, customers must fix any leak that is within the customer's control.

Waste of water in Cal Water service areas can be reported online at:

www.calwater.com/conservation/water-waste-report

DATE: May 11, 2015 **TIME:** 6 p.m. **LOCATION:** Covington School (201 Covington Rd., Los Altos, CA 94024)

Refreshments will be provided.

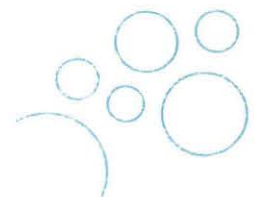
Water budgets:

Pursuant to the Board and Commission's newly adopted drought regulations, Cal Water has filed **Schedule 14.1: Water Budgets and Enforcement Measures** with the Commission, which regulates our operations. As part of Schedule 14.1, beginning in June 2015, all Cal Water customers will be given a "water budget," which is the amount of water they may use each month without incurring higher costs.

This water budget will be based on the units of water (Ccf's) each individual customer used in 2013. Because the Los Altos District would be required to reduce water use by 32%, each customer's budget would be 32% of the amount they used in that month in 2013. The amount of water budgeted for each customer will appear on his or her monthly water bill for the following month. Customers' water use history to 2013 will also be available online at www.calwater.com beginning in June.

Important details about customers' water budgets:

- The water budget applies to both residential and non-residential Cal Water customers.
- A drought surcharge will be applied to each Ccf used above a customer's allotted budget that month. The surcharge will typically be twice the per-unit charge in this district's highest quantity rate tier, up to \$10 per Ccf.
- For customers on the Low-Income Rate Assistance (LIRA) program, the drought surcharge is half the regular drought surcharge rate.
- Customers will be able to bank unused units of water from their monthly water budget for use in a future month. Should a customer exceed his or her monthly budget, any banked units of water will be applied to the overage.
- A minimum water budget of 6 Ccf has been established for single-family, residential customers. That means these customers' water budgets will not be below this threshold regardless of 2013 water use.
- If specified criteria are met, a customer can file an appeal to have his or her water budget increased. Reasons appeals may be considered include: water use necessary for health and safety, business or economic needs, and significant long-term savings already achieved. Appeal procedures will be available at www.calwater.com by June 1.





Water Use Restrictions, Water Budgets, and How Cal Water Can Help

How State mandates affect Cal Water customers

In response to Governor Brown's executive order mandating a 25% reduction in urban water use state-wide, the State Water Resources Control Board and California Public Utilities Commission have adopted water-use restrictions and reduction requirements for all communities in California. To meet these requirements, Cal Water filed "Schedule 14.1: Water Shortage Contingency Plan," which provides for water waste penalties, water budgets, and enforcement measures.

Water Use Restrictions

- Do not apply water to outdoor landscapes that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- Do not use a hose to wash motor vehicles unless fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use.
- Do not apply water to driveways and sidewalks.

- Do not use water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- Do not apply water to outdoor landscapes during and within 48 hours after measurable rainfall.
- Observe outdoor day-of-week and hour restrictions in place by Cal Water or your local government.
- Do not fill or refill single-family, residential swimming pools or spas, except to maintain required operating levels or after structural repairs.
- Do not fill or refill ornamental lakes or ponds except to sustain existing aquatic life.
- Once notified of a water leak that may exist on your property, fix any leak within your control within five business days.

Water Waste Violations

We have requested activation of Stage 2 of Schedule 14.1, which includes the following procedures:

- **First reported violation** – Written notice of violation plus authority to install real-time water measurement device on customer's meter, at the customer's expense
- **Second reported violation** – After verification, second written notice plus option to assess \$50 surcharge; surcharge could be

waived upon customer completing water use evaluation or proof of subsequently installing high-efficiency irrigation system

- **Third reported violation** – After verification, third written notice plus option to assess \$100 surcharge; surcharge could be waived upon customer completing water use evaluation or proof of subsequently installing high-efficiency irrigation system
- **Fourth reported violation** – Written notice plus authorization to install flow-restrictor on customer's service line
- **Subsequent violations** – Authorization to discontinue water service
- **Egregious violations** – Written notice plus authorization to install flow-restrictor if violation is not corrected

Water Budgets

Pursuant to the Board and Commission's drought regulations, Cal Water was required to file Schedule 14.1, which provides for water budgets and enforcement measures, with the Commission, which regulates our operations.

- All customers, both residential and non-residential, will be given an individualized water budget, which is the amount of water they may use each month without incurring higher costs.

(more on back)

AT-A-GLANCE:

Water Use Restrictions, Water Budgets, and How Cal Water Can Help

- A water budget will be based on the units of water (Ccfs) that individual customer used in 2013.
- Customers will be required to reduce their usage by the same percentage Cal Water is required to reduce by in that district.
- The amount of water budgeted for each customer for the following month will appear on the water bill beginning with their first full June bill.
- Customers' water budgets plus water use history to 2013 will also be available online at www.calwater.com beginning June 1.
- A drought surcharge will be applied to each Ccf used above a customer's allotted budget that month. The surcharge will be twice the per-unit charge in the district's highest quantity rate tier, up to \$10 per Ccf.
- For customers on the Low-Income Rate Assistance program, the drought surcharge is half of the regular surcharge rate.
- A minimum water budget is established for single-family, residential customers. That means these customers' budgets will not be below this threshold, regardless of 2013 water use.

Water Banking

- Customers will be able to bank unused units of water from their monthly water budget for use in future months.
- Should a customer exceed his or her monthly budget, any banked units of water will be applied to the overage prior to any surcharges being assessed.
- Banked units are available for future months only.

Water Budget Appeals

- If specified criteria are met, a customer can file an appeal to have his or her monthly water budget increased.
- Reasons appeals would be considered include: water use necessary for health and safety, business or economic needs, and significant long-term savings already achieved.
- Appeal procedures will be available at www.calwater.com and mailed to customers by June 1.

Cal Water Resources

Cal Water offers a variety of conservation rebates, programs, and tools to help customers reduce their water use. Visit www.calwater.com/conservation for more information about the following resources:

Residential:

- High-efficiency toilet rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Free sprinkler nozzles
- Water use efficiency evaluation program
- Turf replacement rebate (*available June 1*)
- High-efficiency toilet delivery program (*available summer 2015*)
- Home water use reports (*available summer/fall 2015*)
- Conservation kits
- Fact sheets, other educational resources

Commercial:

- High-efficiency toilet rebate
- High-efficiency urinal rebate
- High-efficiency clothes washer rebate
- Smart Irrigation Controller rebate
- Rotating nozzle rebate
- Spray body with integrated pressure regulation and check valve rebate
- Free sprinkler nozzles
- Turf replacement rebate (*available June 1*)



Quality. Service. Value.



Knowing Water Use Restrictions, How to Read Your Meter, and How to Check for Leaks

Undetected and ignored leaks can result in the loss of thousands of gallons of water per year.

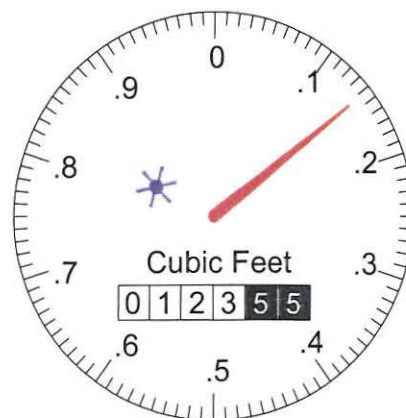
Water Use Restrictions

- Do not apply water to outdoor landscapes that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures
- Do not use a hose to wash motor vehicles unless the hose is fitted with a shut-off nozzle or device that causes it to cease dispensing water immediately when not in use
- Do not apply water to driveways, and sidewalks
- Do not use water in a fountain or other decorative water feature, except where the water is part of a recirculating system
- Do not apply water to outdoor landscapes during and within 48 hours after measurable rainfall
- Observe outdoor day-of-week and hour restrictions in place by California Water Service or your local government.
- Do not fill or refill single-family, residential swimming pools or spas, except to maintain required operating levels or after structural repairs
- Do not fill or refill ornamental lakes or ponds except to sustain existing aquatic life

- Once notified of a water leak that may exist on your property, fix any leak that is within your control within five business days.

How to Read Your Meter

You can monitor your water usage by reading your meter, which is usually located near the curb in front of your home under a concrete lid. To read a straight-reading meter like the one depicted below, simply read the first four numbers from left to right. Disregard the last two digits (pictured below in black or colored red on your meter). For this meter, the read would be 123. Subtract your last reading from this reading to determine your use in cubic feet. To convert the usage to gallons, multiply by 748.



Meter indicating 123 Ccf.
Leak indicator is shown in blue.

Checking for Leaks

While you're carefully watching your water usage, it is important to make sure that water is not slipping away due to undetected leaks in your system. To check for household leaks, turn off the water inside and outside your home. Observe the leak indicator (depicted to the left in blue); if it moves, there is water pushing through the meter, indicating a leak.

To Locate a Leak, Try:

- Looking for wet spots that could indicate a leak in the pipe between the meter and the home or the sprinkler system.
- Dropping a dye tablet in the toilet tank. (Don't flush.) If colored water appears in the bowl, the toilet leaks.
- Checking all faucets for drips. A faucet that drips just five times per minute can waste more than 200 gallons of water per year.

**Use water wisely.
It's essential.**

Learn more at calwater.com



Quality. Service. Value.


Residential Rebates for Water-Efficient Products

Product Category	Product Qualifications	Rebate
High-efficiency toilet rebate (Non-Premium Models)	EPA WaterSense Labeled. See qualified product list for qualified models	Up to \$50
High-efficiency toilet rebate (MaP Premium Models)	MaP Premium Models. See qualified product list for qualified models	Up to \$100
Residential High-Efficiency Clothes Washer	CEE Tier 3. See qualified product list for qualified models	Up to \$150
Smart Irrigation Controller	SWAT-tested or EPA WaterSense-labeled. See qualified product list for qualified models	Up to \$125

Customer Eligibility

- Devices must be installed at a site served by California Water Service (Cal Water).
- The Cal Water account number must be for the location the device(s) are installed.
- Conservation programs are not currently available to those served by the City of Commerce or City of Montebello water systems. If the top of your bill includes the words "City of Commerce Water System" or "City of Montebello Water System," you are not currently eligible.

Contact Cal Water at conservation@calwater.com if you have any questions.

 Please consider the environment and recycle this paper.

Rebate Details

- Rebates will only be paid for the purchase price of the device(s). This does not include tax, shipping, or installation.
- This offer only applies to qualified devices purchased and installed from January 1, 2015, through December 31, 2015, or until rebate program funds are depleted, whichever comes first.
- Customer cannot apply for the same rebate under multiple rebate programs.
- Rebate will only be issued after product installation.
- Pre-qualification is required if total rebate amount is \$5,000 or more. Please contact Cal Water at conservation@calwater.com to begin the pre-qualification process. Do not proceed with purchase and/or installation prior to receiving pre-qualification.
- Cal Water reserves the right to verify customer eligibility, proof of purchase, and installation. If access to verify is denied, rebate will be voided.
- Applicant must submit a copy of the sales receipt with the application.
- Please allow 6-8 weeks for remittance of your rebate check.
- Incomplete applications cannot be processed.
- Offer is void where prohibited or restricted by law.

Please visit www.calwater.com/rebates for lists of qualified devices, full program details, and to receive the program application.

Mail completed application to:

Cal Water Rebate Program, 2632 W. 237th Street, Torrance, CA 90505

Use water wisely. It's essential.
Learn more at calwater.com.



Conservation Gardening

It's always been wise to conserve water in your home and garden. But California is in a drought, so conservation is no longer just a good idea — it's essential.

People who live in urban areas can use more than half of their water outdoors so that is a great place to start reducing your use. By adopting these conservation tips you can save water in your garden without sacrificing the quality of your landscaping.

Water-Conserving Plants

- Plants that are adapted to our climate are called "Mediterranean-zone" plants. These include plants that are native to California, as well as those that originated in southern Europe, South America, and other "Mediterranean" climates. These plants don't need much water in the summer, and have thrived in water-scarce conditions for thousands of years.
- While exploring the possibilities for your garden, be sure to check with your local nursery for suggestions regarding what plants are best suited to your area. Or, utilize our plant list at www.calwater.com/conservation/low-water-drought-resistant-plants.

Planting Hints

- Limit the amount of area devoted to your lawn. Lawns need great quantities of water.
- Wait until fall or winter to install a new garden. New plantings require more water than established growth.
- Keep low-water plants away from "thirsty" plants. Mediterranean-zone plants can suffer if they are over-watered as you care for their neighbors.

- Keep shade plants in the shade. This will help prevent them from drying out.
- Place higher-water-use plants at the bottom of slopes, where they will benefit from plants being watered above.

Watering Tips

- Be sure to observe outdoor day-of-week and hour watering restrictions in place in your city.
- Put a layer of mulch around trees and plants to reduce evaporation and keep the soil cool. Organic mulch also improves the soil and prevents weeds.
- Invest in a weather-based irrigation controller—or a smart controller. These devices will automatically adjust the watering time and frequency based on soil moisture, rain, wind, and evaporation rates. Rebates are available on select Smart Irrigation Controllers to qualified California Water Service (Cal Water) customers.

Further Resources

For more information on water-wise gardening and suggestions for other ways to save water around your home, please visit the Cal Water web site at

www.calwater.com/conservation



Quality. Service. Value.



Conservation at Home: Don't Send Money Down the Drain.

In light of the continuing drought conditions, California Water Service (Cal Water) is asking our customers to increase your conservation efforts and reduce your water use.

To help customers, here are a number of ways you can reduce your use, both indoors and out. By following these tips, you could reduce your water usage, and that's good for you and for our community!

Do you have a water-friendly house inside...?

Are your appliances water hogs? Standard toilets, dish washers, and washing machines are some of the most common culprits of in-home water waste. Consider buying high-efficiency models to save thousands of gallons of water per year.

Do you let the water run while getting ready?

Turning off the water while brushing your teeth, shaving, and washing your hair will save up to 15 gallons of water per day. You can also install water-saving faucet aerators or high-efficiency showerheads to further reduce your water use.

Do you wash your dishes by hand?

If so, fill one basin with wash water and the other with rinse water instead of letting the water run. Also, soak pots and pans while you scrape them clean.

Do you have a leaky faucet?

A little drip may not seem like much, but a faucet that drips just five times per minute may be wasting more than 200 gallons of water per year.

... And outside, how water-wise is your garden?

By using plants that are native to your area, you may be able to reduce your outdoor water use by 30-60 gallons each time you water.

Have you checked your sprinkler system lately?

A sprinkler system can waste water if sprinkler heads are broken, automatic timers are not adjusted for rain, or hidden leaks are not detected. Also, sprinklers that end up hitting the sidewalks or house waste even more water and violate water use regulations.

Do you use mulch?

Include mulch around shrubs and plants to help reduce evaporation, limit weed growth, moderate soil temperature, and prevent erosion. Organic mulch also improves the soil and prevents weeds. This could save up to 20-30 gallons each time you water (per 1,000 sq. ft).

Cal Water Can Help

Conservation kits (including high-efficiency showerheads, shut-off hose nozzles, leak detection dye tablets, and more) can be requested at your local Cal Water Customer Center and through the Cal Water web site.

Rebates on qualified purchases of high-efficiency toilets and washing machines as well as other programs may be available in your area. For more information, visit www.calwater.com/conservation or contact your local Cal Water Customer Center.

Use water wisely. It's essential.
Learn more at calwater.com.



DATE: June 24, 2014

AGENDA ITEM # 10

TO: City Council

FROM: Jim Gustafson, Public Works Director

SUBJECT: Water Conservation Measures

RECOMMENDATION:

Adopt Resolution 2014-23, approving water conservation measures

SUMMARY:

Estimated Fiscal Impact:

Amount: None

Budgeted: Not applicable

Public Hearing Notice: Not applicable

Previous Council Consideration: June 23, 2009

CEQA Status: Categorically Exempt – Section 15308 Actions by Regulatory Agencies for Protection of the Environment

Attachments:

1. Resolution 2014-23
2. California Water Service letter dated May 9, 2014 w/o enclosures

BACKGROUND

At the April 9, 2014 Santa Clara Valley Water District (SCVWD) Board meeting, the Board requested that a water conservation ordinance adopted by the City of Morgan Hill be provided to other Santa Clara County cities for consideration. This action supported the Governor's Declaration of a State of Emergency of January 17, 2014 that included, among other actions, a request for Californians to reduce water use by 20% to help reduce competing demands for scarce water resources during the severe drought condition now occurring in California. SCVWD staff also requested that municipalities that are not water suppliers to their communities coordinate their actions with water retailers to ensure consistency. In Los Altos, California Water Service (Cal Water) is the water retailer serving the greater Los Altos community. Cal Water normally purchases a significant portion of water it delivers to retail customers from SCVWD.

Similar conservation action was requested by the SCVWD in 2009 in response to a water shortage existing at that time. At SCVWD's request, on June 23, 2009, Council adopted Resolution 2009-22 to establish water conservation measures in Los Altos targeting a 15% water use reduction compared to 2004 water use. A 20% reduction target has now been established by both the State and SCVWD compared to 2013 water use.

Santa Clara Valley Water District May 1, 2014 Update:

Severe drought conditions continue throughout California. With very little local watershed runoff, many of the District's 10 reservoirs are at less than 40% of their 20-year average storage. Many creeks and recharge ponds are drying as a result of the lack of surface water available. Anderson Reservoir is currently being filled with imported water to ensure adequate treatment plant supplies this summer and is expected to reach the maximum storage limit on May 5, 2014. Both the federal Central Valley Project and State Water Project continue to face regulatory and water quality challenges due to limited Central Valley runoff, and this will continue to affect imported water deliveries to the County in coming months. On February 25, 2014, the Board passed a resolution calling for retail water agencies, municipalities, and the county to implement mandatory measures as needed to reach a 20% water use reduction target in 2014. Achieving the 20% target will avoid groundwater dropping to the "Severe" range and ensure adequate reserves for 2015.

DISCUSSION

Cal Water submitted an application to the California Public Utilities Commission to apply Rule 14.1 of its Urban Water Conservation Plan to respond to the drought declaration. In a letter provided by Cal Water dated May 9, 2014, the City was advised that Cal Water had obtained CPUC approval of a Rule 14.1 tariff that includes mandatory conservation measures that prohibit the following:

- Use of water that results in runoff to gutters or streets
- Washing of vehicles without use of shut-off nozzle
- Use of water for washing hard-surfaced areas such as driveways and sidewalks
- Use of water for filling decorative lakes or ponds
- Use of water for decorative fountains unless it utilizes a recirculation system
- Use of water for the filling of swimming pools

The above measures have been incorporated into the proposed resolution.

Cal Water does not believe that mandatory rationing is necessary to achieve a 20% reduction in water use and does not have current plans to implement mandatory rationing unless the water supply situation worsens.

The proposed Resolution for Water Conservation Measures (Attachment 1) specifies six recommendations for the residential, business and water user communities to achieve water conservation in accordance with the 20% annual water reduction mandate. The recommendations in the Resolution are modeled on provisions in the *Morgan Hill Model Water Conservation Ordinance* promulgated by the Santa Clara Valley Water District, and are intended to be supportive of Cal Water's efforts to encourage water conservation in Los Altos. The recommendations are not intended to usurp Cal Water's legal responsibilities as the water retailer serving Los Altos.

The Resolution recommendations are intended to be practical and specific and to provide the Los Altos community clear guidelines on achieving water consumption reductions and thereby, promote good water conservation habits that will help in achieving the 20% water reduction mandate.

These recommendations are voluntary at this time. If voluntary efforts by water users do not achieve the necessary results, the City of Los Altos and Cal Water may need to adopt more stringent water conservation measures. Council may also choose to direct other water conservation measures be listed in the resolution, or may choose to not adopt a Resolution.

FISCAL IMPACT

None

PUBLIC CONTACT

Posting of the meeting agenda serves as notice to the general public.

RESOLUTION NO. 2014-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
TO ADOPT WATER CONSERVATION MEASURES**

WHEREAS, the State of California is currently under drought conditions as a result of the State's water supply shortage and outlook for water consumption, and

WHEREAS, the Governor of the State of California declared a drought emergency on January 27, 2014 and asked Californians for a 20% reduction in water consumption; and

WHEREAS, on February 25, 2014, the Santa Clara Valley Water District Board of Directors declared a 20% water use reduction target and has reduced wholesale water supplies to retailers accordingly for the remainder of 2014; and

WHEREAS, the Santa Clara Valley Water District subcommittee proposed and distributed a Model Water Conservation Ordinance to local agencies to provide guidelines and to encourage local efforts for reduction of water usage; and

WHEREAS, historical evidence indicates that the State of California has experienced prolonged periods of drought in recent years; and

WHEREAS, it is not known how long the drought will last; and

WHEREAS, measures are needed to encourage and promote water conservation efforts as ongoing practices now and in future years; and

WHEREAS, the long-term health, safety, and prosperity of the community depends upon having a reliable supply of potable water, and

WHEREAS, the City of Los Altos Environmental Commission heard input from community groups and the public that encouraged communication and outreach education efforts; and

WHEREAS, the City of Los Altos endeavors to work in partnership with the local water retailer, California Water Service, to implement water conservation measures; and

WHEREAS, the City of Los Altos recommends practical methods for water reduction and measurable conservation goals for water users to achieve in comparison with 2013 water usage data from Cal Water, the local water retailer, thus avoiding confusion to the consumer and to speak in one voice with the local retainer and the Santa Clara Valley Water District; and

WHEREAS, the City of Los Altos has taken steps to reduce internal City water consumption by 20% and implement communication and outreach education efforts to the community; and

WHEREAS, if voluntary efforts by water users are not achieving the necessary results, the City of Los Altos and Cal Water may need to adopt more stringent water conservation measures.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Altos hereby encourages the Los Altos community to reduce water consumption by 20% a year based on 2013 water usage data once it becomes available to customers by Cal Water.

BE IT FURTHER RESOLVED, that the City Council of the City of Los Altos hereby recommends that City of Los Altos residents, businesses, and water users adopt the following voluntary water conservation measures:

1. Recommendations for Lawn, Landscape, Vegetated Watering Time Restrictions – watering or irrigating of lawn, landscape and/or other vegetated area with potable water is discouraged between the hours of 9:00 a.m. and 5:00 p.m. The purpose of time restrictions is to avoid watering during the heat and high evaporation conditions of the day. During the months of June – October, users are encouraged to provide only minimal water to sustain plant growth without water run-off and to avoid over-watering and achieve the 20% water usage reduction. During the months of November through May, watering or irrigating of lawn, landscape or other vegetated area with potable water is to be minimal as needed excluding the hours of 9:00 a.m. to 5:00 p.m. and irrigation is to be reduced or discontinued in cool and wet weather conditions. Use of mulch on planting beds is encouraged to avoid rapid evaporation and to prolong water availability to the plants.

The time restriction provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.

Water use for filling decorative ponds or lakes is prohibited. Water use for filling decorative fountains is prohibited unless the fountain uses a recirculation system.

2. Recommendations for Obligation to Fix Leaks, Breaks or Malfunctions – all leaks, breaks or other malfunctions in the water user's plumbing or distribution system must be repaired within seventy-two (72) hours of notification by the City or when discovered by the user.

3. Recommendations for No Washing of Hard or Paved Surfaces – washing down hard or paved surfaces, including but not limited to sidewalks, walkways, driveways, parking areas, tennis courts, patios or alleys, is prohibited except when required to alleviate safety or

sanitary hazards, and then only by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off device, a low volume, high-pressure cleaning machine equipped to either recycle water used or uses minimum water that avoids runoff, or a low volume high-pressure water broom.

4. Recommendations to Avoid Excess Water Usage – avoid use of continually running water sources such as a hose without a shut off nozzle. When using a hose, a shut-off nozzle shall be used at all times to avoid unintended water flow and prevent runoff. Avoid use of running water sources to wash or clean a vehicle except by use of a hand-held bucket or similar container or a hand-held hose equipped with a positive self-closing water shut-off nozzle or device. Refrain from overfilling swimming pools and ponds and keep water at a minimum operational level.

5. Recommendations to Encourage Water Conservation in the Business Community – use table signs stating that drinking water is served upon request only in eating or drinking establishments. Commercial lodging establishments are encouraged to provide guests the option to decline daily linen service. Avoid installation of Single Pass Cooling Systems in buildings requesting new water service; avoid installation of non-re-circulating water systems in commercial car wash and laundry systems. Restaurants are encouraged to use water conserving dish wash spray valves; use of recirculating water in non-drinking water fountains and decorative water features is encouraged for business and residential users.

6. Recommendation that Parties Review and Comply with the City of Los Altos Water Efficient Landscape Regulations – regulations are available at City Hall.

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution passed and adopted by the City Council of the City of Los Altos at a meeting thereof on the ____day of____, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Megan Satterlee, MAYOR

Attest:

Jon Maginot, CMC, CITY CLERK



CALIFORNIA WATER SERVICE COMPANY
1720 NORTH FIRST STREET • SAN JOSE, CA 95112
E-MAIL: CONSERVATION@CALWATER.COM

CONSERVATION DEPARTMENT

May 9, 2014

Mr. Jim Gustafson
Public Works Director, City of Los Altos
One North San Antonio Road
Los Altos, CA 94022

Dear Mr. Gustafson:

I am writing to provide you with a brief update on the various ways California Water Service Company (Cal Water) is responding to the current drought. As I am sure you know, Governor Brown declared a drought emergency in January. Given continued drought conditions, the Governor issued an executive order in April that asks all Californians to step up their efforts to conserve water.

Cal Water is well-prepared not only to address the drought, but also to respond to the Governor's call for additional water conservation. Following the directive of the California Public Utilities Commission (CPUC), the independent state agency that regulates Cal Water, we added a new rule (Rule 14.1) to our tariff in order to achieve a 20-percent reduction in water use. Rule 14.1 establishes a number of prohibited uses of water (outlined in Section A), including:

- Use of water that results in runoff to gutters or streets
- Washing of vehicles without use of a shut-off nozzle
- Use of water for washing hard-surfaced areas such as driveways and sidewalks
- Use of water for filling decorative lakes or ponds
- Use of water for decorative fountains unless it utilizes a recirculation system
- Use of water for the filling of swimming pools

Although we do not currently anticipate the need, Rule 14.1 also establishes the procedures for implementing mandatory rationing in the event that the water supply situation worsens. I have enclosed a copy of the complete Rule 14.1 for your reference.

This new rule builds upon our industry-leading water conservation program. Our program is focused on educating our customers about the importance of water conservation and providing them with tools to easily manage their water use. Our conservation efforts support both our short- and long-term water supply planning. Because these robust efforts are ongoing, they lessen the extent to which we have to ramp-up our programs and outreach during droughts.

We are committed to ensuring that our customers receive timely information about the drought and the numerous water conservation programs we offer. To that end, we will once again be reaching out to our customers through multiple outlets such as bill inserts, press releases, social media updates, radio advertising, and public service announcements.

ATTACHMENT 2

Our comprehensive, district-specific Conservation Master Plan (CMP) guides conservation program development and investment, while identifying innovative cost-effective programs to incorporate in our water-efficiency efforts. The CMP for the Los Altos District is available on our web site at www.calwater.com. It can be reviewed by navigating to "Conservation" and selecting "Urban Water Management Plans." The complete CMP is included as Appendix G.

In addition to the CMP, you may be interested in our Annual Water Conservation Report, which provides an overview of the Los Altos District's urban water demand and water-use reduction targets. In addition, a summary of 2013 conservation activities is included. As detailed in the report,

- The calculated 2015 and 2020 targets are 217 gallons per capita per day (GPCD) and 193 GPCD, respectively;
- Demand was 232 GPCD in 2013;
- Programs implemented in 2013 saved approximately 21,000,000 gallons of water and are expected to save 229,000,000 gallons over their lifetime;
- Programs implemented in 2011, 2012, and 2013 have already saved approximately 52,000,000 gallons of water and are expected to save about 345,000,000 gallons over their lifetime.

I have enclosed a copy of the report for your reference. You can also review this report, and those for the past several years, by visiting our website and navigating to "Conservation" and selecting "Conservation Reports."

We are monitoring water supplies and their impact to the Los Altos District closely to ensure we can continue to meet customers' demand. We look forward to continuing our conservation programs and are committed to supporting our customers' conservation efforts as part of our plan to provide a reliable water supply for today and tomorrow.

If you have any questions about the drought or our water conservation programs, please do not hesitate to get in touch with Ron Richardson, Cal Water's District Manager, at (650) 917-0920.

Sincerely,



Ken Jenkins
Conservation Manager

Enclosures

ORDINANCE NO. NS-640

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SANTA CLARA AMENDING CHAPTER VII OF DIVISION B13 OF THE
COUNTY OF SANTA CLARA ORDINANCE CODE RELATING TO WATER
CONSERVATION AND PROHIBITED USES**

Summary

This Ordinance amends in its entirety Chapter VII of Division B13 of the County of Santa Clara Ordinance Code to establish prohibited activities to promote water conservation in unincorporated Santa Clara County.

**THE BOARD OF SUPERVISORS OF SANTA CLARA COUNTY,
CALIFORNIA ORDAINS AS FOLLOWS:**

SECTION 1. Chapter VII of Division B13 of the County of Santa Clara Ordinance Code is rescinded in its entirety and a new Chapter VII of Division B13 is hereby added to the County of Santa Clara Ordinance Code to read as follows:

Sec. B13-101. - Prohibited Activities in Promotion of Water Conservation.

Except where necessary to address an immediate health or safety need or to comply with a term or condition in a permit issued by a county, state, or federal agency, the following acts are prohibited:

- (a) The application of water to outdoor landscapes 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.
- (b) The use of a hose to wash a motor vehicle, bus, boat, trailer, or other vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.

Ordinance No. NS-640
Relating to Prohibited
Activities in Water Conservation

- (c) The application of water to driveways, sidewalks, patios, parking lots, or other paved areas.
- (d) The use of water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
- (e) The failure to fix outdoor water leaks due to broken or defective plumbing, sprinkler, watering, or irrigation systems within seven days of notification by the County.
- (f) The application of water to outdoor landscapes during the daylight hours of 9:00 a.m. to 6:00 p.m., except by use of a hand-held bucket or similar container, hose fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use, or very low-flow drip-type irrigation systems when no emitter produces more than two gallons of water per hour.

The use of water from a recycled water, gray water, or rainwater utilization system is exempt from the provisions of this section.

Sec. B13-102. - Public Nuisance

Any violation of Sec. B3-101 is hereby declared a public nuisance and may be abated pursuant to Chapter III of Division A1 of this Code.

Sec. B13-103. - Enforcement

The following officials are authorized to enforce the provisions of this chapter and to issue citations thereof:

- (a) The Director of the Department of Planning and Development or his or her designee;
- (b) The Zoning Investigators;
- (c) The Building Official; and

- (d) The Code Enforcement Manager.

There shall be no civil liability on the part of, and no cause of action shall arise against, any person acting pursuant to this section and within the scope of his or her authority.

Sec. B13-104. - Penalties

- (a) In addition to any other penalty authorized by law, each violation of Section B3-101 shall be subject to Division A37.
- (b) In lieu of the administrative fines specified in section A37-4(B), any person violating or causing or permitting to be violated any provision of Section B3-101 shall be subject to the following administrative fines:
 - 1. First Violation: The County of Santa Clara will issue a written warning and deliver a copy of this ordinance by mail to the owner of the property for the first violation.
 - 2. Second Violation: A second violation within any consecutive twelve (12) months period is punishable by a fine of one hundred dollars (\$100).
 - 3. Third Violation: A third violation within any consecutive twelve (12) months period is punishable by a fine of two hundred dollars (\$200).
 - 4. Subsequent Violations: Any subsequent violation within any consecutive twelve (12) months period is punishable by a fine of five hundred dollars (\$500).
- (c) A person is guilty of a separate offense or violation for each and every day or portion thereof during which he or she commits, continues, or permits a violation of this chapter.

Sec. B13-104.1. - Remedies

Remedies in this division are cumulative and do not supersede or limit any and all other remedies, civil, criminal or administrative.

SECTION 2. This ordinance and the various parts thereof are hereby declared to be severable. Should any section of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof, other than the section so declared to be unconstitutional or invalid.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California on _____ by the following vote:

AYES:

NOES

ABSENT:

ABSTAIN:

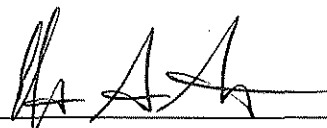
DAVE CORTESE, President
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President of the Board of Supervisors.

ATTEST:

LYNN REGADANZ
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:

 1/15/2015

ELIZABETH G. PIANCA
Deputy County Counsel

Ordinance No. NS-640
Relating to Prohibited
Activities in Water Conservation