

# STAFF REPORT



## WATER AND POWER

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**DATE:** September 14, 2021

**TO:** Justin Hess, City Manager

**FROM:** Dawn Roth Lindell, General Manager, Burbank Water and Power  
VIA: Richard Wilson, Assistant General Manager – Water Systems  
BY: Kody Whisman, Civil Engineering Associate – BWP

**SUBJECT:** Adoption of a Resolution Authorizing the Move to Stage II and Conditions to Move to Stage III of the Sustainable Water Use Ordinance

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### **RECOMMENDATION**

Adopt A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK AUTHORIZING THE MOVE TO STAGE II AND CONDITIONS TO MOVE TO STAGE III OF THE SUSTAINABLE WATER USE ORDINANCE (Attachment 1).

### **BACKGROUND**

Burbank’s Sustainable Water Use Ordinance outlines six stages of progressively restrictive water use to reduce citywide water consumption as appropriate for the prevailing conditions. These actions align with the City’s Drought Contingency Plan.

Originally enacted by City Council in 2008, the comprehensive provisions within the Sustainable Water Use Ordinance have demonstrated to be effective in meeting water use reduction goals during recent droughts. City Council approved moving to a modified version of Stage II of the Ordinance in 2009, which resulted in achieving a 25% reduction in baseline use in 2010. During the most recent drought, Stage II was implemented in 2014 followed by Stage III in 2015 enabling Burbank to successfully meet reductions set forth by an executive order from the governor and ultimately conserving one billion gallons of water. The City Council amended the Sustainable Water Use Ordinance in June 2016 and provided that if certain more restrictive amendments were adopted, that the City would return to Stage I. These amendments were adopted in July 2016 and the City moved back to Stage I.

Since then, Burbank and Southern California have done a great job at conserving and lowering water use.

## **DISCUSSION**

### **Recent Events**

California is again in a drought, enduring an extremely dry two-year period with 2021 being the 11<sup>th</sup> driest year to date over the past 127 years. Governor Newsom issued a drought proclamation on July 8, 2021 that declared a drought state of emergency in 50 of California's 58 counties and a statewide executive order that calls for a voluntary 15% cutback in water use from 2020 levels in order to preserve available supplies and protect water reserves.

Currently, Los Angeles County is one of only 8 counties not under a drought state of emergency. Seven of these eight counties (including LA County) are all in the Metropolitan Water District of Southern California (MWD) service area and are reaping the benefits of the investments made by MWD over the years in the planning and building of infrastructure to build dry-year storage. Nonetheless, Southern California, including Burbank, should be part of the statewide movement to address the significant water supply challenges created by the drought and climate change by heeding the governor's call for voluntary 15% reduction in water use. Ultimately, Burbank is reliant on imported water from Northern California and the Colorado River. It is therefore essential to meet the state's water resource challenges as one, and to limit unnecessary consumption and protect our state's river ecosystems and snowpack-reliant supplies. MWD issued a statement on the governor's extended drought proclamation by saying "...this drought demands that we all re-examine and renew our water-saving habits and do everything we can to use this precious resource as wisely as possible."

On August 16, 2021 the historic Colorado River Shortage Declaration was made by the Bureau of Reclamation declaring an official shortage condition due to the lowering of Lake Mead's water level behind Hoover dam to below 1,075 feet. The next day, on August 17, 2021, MWD declared a Water Supply Alert signaling an urgent need throughout the region to do more to reduce water use, and asked water agencies to look within their respective water shortage contingency plans to implement appropriate local actions to achieve conservation through the current drought conditions.

### **Burbank's Efforts**

The City's Drought Contingency Plan is contained within the Urban Water Management Plan that was recently passed by Council. It outlines actions and restrictions that must be taken commensurate with the declared water shortage amount. The governor's call for a 15% reduction in water use would move the City from Stage I into Stage II of the Sustainable Use Ordinance.

Stage I of the Sustainable Water Use Ordinance has been in effect since the last drought and has become the new normal in Burbank. Stage I allows landscape watering for no more than 15 minutes per station three days each week (Tuesdays, Thursdays, and Saturdays) year-round. Attended hand-watering is allowed any day of the week. See Attachment 2 for a complete description of the restrictions for each stage. By activating

Stage II, all existing Stage I restrictions remain in place, plus the additional restrictions summarized below:

- Watering of outdoor landscaped areas during the months of November through March is limited to fifteen (15) minutes per station, one (1) day per week (Saturday).
- The filling or refilling of an artificial or ornamental body of water that does not use recycled water is prohibited.

We are in a new era that reinforces the need for Southern Californians to use less water. Stage II water use restrictions may be in place for several years until conditions improve.

Burbank’s per capita water use (i.e., gallons per capita per day, or GPCD) is reported monthly to the State Water Resources Control Board (State Board). Beginning in November 2021, BWP will compare each month of water used with the corresponding GPCD goal from 2020 to determine if we are meeting the governor’s water use reduction goal (see table below).

<b>2020</b>	<b>2020 GPCD</b>	<b>Goal GPCD (15% reduction from 2020)</b>
January	124.73	106.02
February	125.67	106.82
March	103.79	88.22
April	111.86	95.08
May	140.57	119.48
June	148.94	126.60
July	157.20	133.62
August	162.45	138.08
September	158.92	135.09
October	153.47	130.45
November	136.01	115.60
December	132.22	112.39

BWP and the State Board will monitor water usage. Beginning in November 2021, if we do not meet the water reduction goal for three consecutive months, then, from that month forward, BWP will enact Stage III. In such case, all conservation measures applicable to Stage I and II shall remain in effect along with the following additional measures summarized below:

- During the months of April through October do not water outdoor landscaped areas more than fifteen (15) minutes per station and no more than two (2) days per week. Areas watered with low volume irrigation systems that require additional spray time are exempt from the 15-minute time restriction of this requirement but must comply

with the limit of two days per week watering requirement. The two allowable irrigation days are Tuesdays and Saturdays. Irrigation will not be allowed any day outside of Tuesday or Saturday.

- Do not use outdoor evaporative cooling devices (for example, misters).
- The prohibition on watering outdoor landscaped areas between the hours of 9:00 a.m. to 6:00 p.m. or during daylight hours from November through March, extends to include attended hand-watering.
- Cover all swimming pools, wading pools, or spas when not in use with acceptable protection designed to decrease water evaporation.

BWP's Customer Service and Marketing team will coordinate our messages with MWD's media campaign to ensure that we provide impactful communication on the drought that delivers results. We will continue to provide water savings tips, education and outreach through social media and BWP's Currents magazine and we will develop an enforcement plan that includes water waste notifications and fines.

The Municipal Code allows for enforcement of, and citations for the violation of, the Sustainable Water Use Ordinance. Consistent with past practices, BWP will respond to reports of water waste, first through multiple water waste notices, and then with fines that will progressively increase with repeated violations. The fines will be used to support conservation efforts. BWP is in the process of developing an enforcement plan and we will present it to Council for approval in the near future.

It is important to note that the ordinance does not apply to uses of water necessary to protect public health and safety, nor the use of recycled water.

### **FISCAL IMPACT**

These conservation actions will have a negative financial impact by reducing water revenues. Though water cost will be lower, it will not offset the reduced revenues. Therefore, BWP is in the process of developing a drought charge to be implemented during temporary periods of mandatory conservation and will be proposed in a separate and forthcoming action.

Such drought charges are not uncommon. On August 10, 2021 the City of Glendale enacted a drought charge along with their move to increase water use restrictions. As stated in their resolution, the purpose of the drought charge is to recover the portion of fixed expenses, which is covered in the variable rate in order to maintain their financial stability and continue to maintain their infrastructure.

BWP's conservation actions are expected to reduce water sales by 15%. If a single-family home reduces its consumption by 15%, it will more than offset the estimated 7% drought surcharge.

### **CONCLUSION**

The Burbank community has done a commendable job conserving and wisely using our precious water resources. In response to worsening drought conditions, and the recent

years' climate volatility, implementation of the provisions of the Sustainable Water Use Ordinance, as described herein, is a necessary and responsible course of action.

**ATTACHMENTS**

Attachment 1 – Resolution Authorizing the Move to Stage II and Conditions to Move to Stage III of the Sustainable Water Use Ordinance

Attachment 2 – Sustainable Water Use Ordinance

Attachment 3 – Governor's Proclamation and Executive Order

Attachment 4 – MWD Statement on Drought Proclamation

Attachment 5 – MWD Statement on Colorado Shortage

Attachment 6 – MWD Water Supply Alert

Correspondences