



AMENDED

AGENDA

RIO DELL CITY COUNCIL

SPECIAL MEETING

TUESDAY, JULY 22, 2014 – 6:30 P.M.

CITY COUNCIL CHAMBERS

675 WILDWOOD AVENUE

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

2014/0722.01 – Introduction of new City Manager, Kyle Knopp

E. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

Members of the Public are encouraged to attend and shall have an opportunity to directly address the City Council concerning any item described in this special meeting agenda before or during consideration of that item.

F. SPECIAL MEETING MATTERS

2014/0722.02 – Adopt Resolution No. 1233-2014 establishing penalty for excess water use during declared water shortage emergency
(ACTION)

2014/0722.03 - Adopt Resolution No. 1235-2014 amending Resolution No. 1222-2014 and suspending the implementation of wastewater rates from August 1, 2014 to January 1, 2015 after the Water Shortage Contingency Stage 3 Emergency has passed **(ACTION)**

2014/0722.04 - Suspending disposition of (4) real properties declared surplus and explore feasibility of using well/springs for potable or non-potable uses during water shortage emergency **(ACTION)**

G. ADJOURNMENT



In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

*The next regular meeting will be held on August 5, 2014
at 6:30 p.m. in City Hall Council Chambers*



*675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: cm@riodellcity.com*

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA**

TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Brooke Woodcox, Finance Director

DATE: July 22, 2014

SUBJECT: Excess Water Usage Penalty Schedule

RECOMMENDATION

1. Adopt by Resolution 1233-2014 to establish an excess water usage penalty schedule applicable during a declared water shortage, and
2. Approve the use of the attached Variance Adjustment Request Form to determine the number of permanent residents at the address/account and to take note of any possible exception requests from the water shortage reduction mandate.

BACKGROUND AND DISCUSSION

On July 15, 2014 Council adopted Resolution 1234-2014, which declared a water emergency. At that time staff was developing an emergency water usage schedule with the help of Bartle Wells Associates and Freshwater Environmental Services. Preliminary information was brought to Council, where it was determined that more information and time was needed prior to considering the adoption of an excess water use penalty schedule.

Information from the Cities of Shasta City and Pleasanton was distributed on 7-15-15 as well as a draft proposal prepared by Freshwater Environmental Services, hastily prepared at the time of the meeting. Both Cities are in California and their excess water usage penalty schedules were adopted after the Governor's January 17, 2014 Emergency Declaration.

Staff analyzed the excess water use penalties of the cities and felt that Shasta City's penalties were too soft for our situation and would not be a sufficient incentive widespread compliance with Rio Dell's water reduction usage plan that was submitted to the SWRCB.

Pleasanton's excess water use penalty schedule was based on the number of times that a customer exceeds the basic allowance, with penalties ranging from \$6/unit used in addition to the normal rates, plus \$100 to \$24/ unit and \$750 during a stage 4 declaration the fourth time the basic allowance was exceeded. The administration of their program would generate record keeping requirements that may be difficult for our small staff to manage.

The draft penalty schedule presented by Freshwater Environmental Services was thought to be hard to follow and complicated.

So staff developed a penalty schedule with similar elements to Shasta City and Pleasanton's that we believe will be easier to understand and administer. Furthermore, the City of Rio Dell's Accufund financial consultant was consulted and determined that the schedule below can be developed and implemented 2 weeks after notification.

The recommended excess water usage schedule better fits our situation and the water shortage contingency plan implemented by the Council on July 8, 2014. It charges an additional penalty to users that have exceeded 2 units per person per month and does not require that the number of time a customer exceeds the allowance be tracked. The penalty schedule presented for discussion in summary is as follows and is set forth in greater detail in the attached worksheet:

EXCESS WATER USAGE STRUCTURE	PENALTY	
Water usage allowed-2 units/person/month indoors	--	NO penalty
Water usage 1-2 ccf above allowed	200%	Penalty on amount due
Water usage 2-3 ccf above allowed	300%	Penalty on amount due
Water usage 4-5 ccf above allowed	400%	Penalty on amount due

Resolution 1234-2014 required to adopt the excess water use penalties is being developed and will be circulated at the meeting. The text of the penalty schedule in the Resolution will be the same as set forth in the attached excess water use penalty worksheet.

ATTACHMENT: Excess Water Usage Penalty Schedule Worksheet
Variance Adjustment Request Form

EXCESS WATER RATE SCHEDULE WORKSHEET

CURRENT WATER RATES

Base Rate (includes 1 Unit)	27.03
2-10 Unit Rate	2.44
> 10 Unit Rate	3.76

EXCESS WATER USAGE STRUCTURE

EXCESS WATER USAGE STRUCTURE	PENALTY
Water usage allowed-2 units/person/month indoors	-- NO penalty
Water usage 1-2 ccf above allowed	200% Penalty on amount due
Water usage 2-3 ccf above allowed	300% Penalty on amount due
Water usage 4-5 ccf above allowed	400% Penalty on amount due

EXAMPLES - 4 MEMBER HOUSEHOLD - 8 ccf per month allowed

PENALTY INCREASES FOR EXCESS USE

UNITS USED	BASE RATE (inc. 1 ccf)	CHARGE		REGULAR BILLING	ADJ. FOR OVERUSE	TOTAL BILLING	NORMAL BILLING	PENALTY AMOUNT
		(MAX 9 ccf \$2.44@)	(>10 ccf \$3.76@)					
7	27.03	14.64	-	41.67	-	41.67	41.67	-
9	27.03	21.96	-	48.99	200%	97.98	48.99	48.99
11	27.03	21.96	3.76	52.75	300%	158.25	52.75	105.50
13	27.03	21.96	11.28	60.27	400%	241.08	60.27	180.81

City of Rio Dell

Variance/Adjustment Request Form

The purpose of this form is to determine the permanent members in your household and for adjustment requests to your water allocation. This information is needed in order to avoid having unnecessary fees and penalties applied for over-consumption. If you believe your allocation of 50 gallons of water per person per day needs to be increased based on any of the criteria listed below, please include the necessary information and documentation.

Water usage of 50 gallons per person per day has been designated by the State Water Resources Control Board and is designed to provide an adequate amount of water for indoor use. Variances/Adjustments may be approved for qualified reasons and are subject to periodic review by the City of Rio Dell.

NO RETROACTIVE VARIANCES/ADJUSTMENTS WILL BE GRANTED. Adjustments will be effective at the start of the billing period, after the adjustment is approved.

Customer Information
Account Number: _____
Service Address: _____
Name on Account: _____
Email Address: _____
Best day, time and phone number to reach you: _____
Adjustments
<input type="checkbox"/> Household (Documentation such as copies of DMV records, birth records, School records, lease/rental agreements, etc. may be required for households requesting an increase in occupancy of more than 3 permanent residents.) Total number of people permanently residing at the service address: _____
Variances
<input type="checkbox"/> Medical Needs (Indoor) (A doctor's note is required. The note should specify the Information below.) Amount of additional water needed per day: _____ gallons
Variances (continued)
<input type="checkbox"/> Elderly Care / Child Care (Indoor) (A copy of your business license is required) Total number of people: _____
<input type="checkbox"/> Livestock (Outdoor) (Not Commercial) verification letter from your veterinarian is required. (The letter must specify the amount of water needed per day for each animal.) Total number of large animals: _____ Amount of water needed per large animal per day: _____ gallons

Others

There may be rare instances in which an increased allocation on a permanent or temporary basis may be appropriate. If you believe that is the case, please provide the details in the lines below and attach any documentation. Please note that additional documentation may be required. Use separate sheet if necessary.

In most cases, if approved, adjustments / variances will be effective with the start of your next billing period.

I have completed this form and affirm that I am the above account holder and the information contained herein, including attachments, is complete and accurate. I understand that all variances are subject to change and I may be liable for back charges for providing false information. I further understand that the City of Rio Dell may request additional documentation to support my request.

Please mail, fax or deliver the completed and signed form with any required documentation to:

City of Rio Dell
675 Wildwood Ave
Rio Dell, CA 95562

Signature (account holder only)

Date

Office Use Only	
Received Date	Processing Date
	<input type="checkbox"/> Approved <input type="checkbox"/> Declined By: _____
Other Notes:	Reasons for Decline:
System Updated By: _____ Date: _____	System Verified By: _____ Date: _____



Report
Reviewed and Approved

5.1

City Manager

AGENDA ITEM
City Council Meeting

TO: John N. Duckett, Jr. City Manager

FROM: John Jones, Finance & General Services Manager

DATE: February 20, 2014

SUBJECT: Declaration of a water shortage emergency and imposing an excess water usage penalty to recoup supplemental water costs for the City of Shasta Lake.

FILE NO: W-

RECOMMENDATION:

Staff recommends approval of a resolution declaring a Water Shortage Emergency for the City of Shasta Lake that will put into effect chapters 13.12.400 through 13.12.404 (Water-Shortage Emergency) of the City of Shasta Lake Municipal Code, and impose an excess water usage penalty to encourage conservation as well as recoup all or a portion of the cost to supplement the City's water supply.

The penalty will apply to accounts that use more than 1,000 cubic feet of water in a monthly billing cycle and will become effective immediately upon passage of the attached Resolution.

BACKGROUND:

With California facing water shortfalls in the driest year in recorded state history, Governor Brown proclaimed a State of Emergency on January 17th, 2014, and directed state and local officials to take all necessary actions to prepare for these drought conditions.

State agencies, led by the Department of Water Resources, executed a statewide water conservation campaign to make all Californians aware of the drought and encourage personal actions to reduce water usage. This campaign calls on Californians to reduce their water usage by 20%.

As of February 21, 2014, the Bureau of Reclamation announced a water supply allocation cutback of 50 percent for the City of Shasta Lake. This 50 percent cutback is based on the

historical average of the City's last three years of water deliveries, or 2,641 acre feet. However, these numbers are subject to change.

As the water year progresses, changes to hydrology and opportunities to exercise operational flexibility of the water supplies are factors and conditions that will influence future water allocations. Water supply updates will be made as appropriate and posted on the U.S. Department of Reclamation's website at <http://www.usbr.gov/mp/pa/water>.

Based on the information we know so far, the City's Water Supply Ad Hoc Committee met on February 6th, 10th and 25th to discuss how best to deal with the current drought conditions. Several items were discussed including:

- Avoid purchasing supplemental water supplies by mandating water rationing and conservation efforts.
- Require citizens to fallow lawns and other landscaping features.
- Poll water users citywide through direct mail or by utilizing the city's website and then analyze the results.
- Restructure the water rate tiers to encourage water conservation.
- Address long-term drought solutions to streamline emergency purchasing and water management.
- Purchase supplemental water supplies and implement an excess water usage penalty to help offset unforeseen costs.
- Implement the City's water shortage ordinance by resolution and enact certain provisions.

As a result of the ad hoc committee discussions, the following recommendations are as follows:

1. Implement the City's water shortage ordinance by resolution and enact the provisions detailed in the attached resolution.
2. Purchase supplemental water supplies and implement an excess water usage penalty to help offset unforeseen costs.

Water to supplement the City's Bureau of Reclamation (BOR) water supply is available at \$250 per acre foot from the McConnell Foundation. With the unknown allocation of this year's water supply from the BOR, and a chance of a shortfall, the McConnell Foundation is offering the City a flexible contract that will allow the City to purchase as much as 1,300 AF of water with the option of an unlimited reduction by April 1, 2014. The maximum cost for additional water would be \$325,000.

Due to the price of supplemental water, the City's water cost for FY 13-14 may be substantially more than the projected FY 13-14 budget amount of \$236,000. Since this is an unpredictable emergency condition response, an excess water usage penalty will help offset extra-ordinary cost associated with supplemental water as well as encourage water conservation related to the current drought conditions.

To determine the penalty, staff is referencing the City's Wastewater Master Plan, which defines average daily water usage per single family equivalent at 240 gallons per day. This equates to roughly 1,000 cubic feet of water per month. Based on this number, staff is proposing to utilize our current tiered water rate allowances to base the water usage penalties.

The following options for usage penalties are requested to apply to all residential 5/8" meters:

Option One:

- Consumption Rate of 1-1000 cubic feet, no penalty.
- Consumption Rate of 1001-5000 cubic feet, \$.30 per 100 cubic foot penalty.
- Consumption Rate of 5001 cubic feet or more, \$.50 per 100 cubic foot penalty.

Option Two:

- Consumption Rate of 1-1000 cubic feet, no penalty.
- Consumption Rate of 1001-5000 cubic feet, \$.30 per 100 cubic foot penalty.
- Consumption Rate of 5001 cubic feet or more, \$2.50 per 100 cubic foot penalty.

Option Three:

- One of the above two options with a \$3 penalty per meter per month. This penalty would generate approximately \$132,720 annually.

EXCESS WATER USAGE PENALTY CALCULATION 5/8 METER

When a residential customer with a 5/8" meter uses the following amounts of water during a monthly billing cycle, the customer's consumption charges will be as follows:

Cubic Feet Used	Current Rates	Option One	Option Two
1,500	\$ 19.55	\$ 21.05	\$ 21.05
3,500	\$ 48.15	\$ 55.65	\$ 55.65
6,500	\$ 95.70	\$ 115.20	\$ 145.20

EXCESS WATER USAGE PENALTY – 1" METERS AND ABOVE

Meters 1" and greater will be penalized \$.50 per 100 cubic feet in excess of 1,000 cubic feet.

EXCESS WATER USAGE PENALTY PROJECTED REVENUE

The following table contains estimated recovery costs based on average historical water customer water usage and the amount of achieved conservation efforts:

Conservation	Current Rates	Option One	Option Two
0%	N/A	\$ 381,000	\$ 515,500
10%	N/A	\$ 209,500	\$ 330,750
20%	N/A	\$ 50,000	\$ 146,000

FISCAL IMPACTS: Immediately following the approval of the proposed Resolution

ATTACHMENTS: Resolution declaring a Water Shortage Emergency

DISTRIBUTION: City of Shasta Lake City Council and City of Shasta Lake Files

- F. Use of potable water for sewer system maintenance or fire protection training without prior approval by the city engineer;
- G. Use of potable water to fill or maintain levels in swimming pools, decorative fountains, ponds or evaporative coolers unless a recycling system is used; and

WHEREAS, the City of Shasta Lake desires to encourage water conservation and recoup all or a portion of supplemental water supply costs by utilizing any of the following options:

Option One:

- Consumption Rate of 1-1000 cubic feet, no penalty.
- Consumption Rate of 1001-5000 cubic feet, \$.30 per 100 cubic foot penalty.
- Consumption Rate of 5001 cubic feet or more, \$.50 per 100 cubic foot penalty.

Option Two:

- Consumption Rate of 1-1000 cubic feet, no penalty.
- Consumption Rate of 1001-5000 cubic feet, \$.30 per 100 cubic foot penalty.
- Consumption Rate of 5001 cubic feet or more, \$2.50 per 100 cubic foot penalty.

Option Three:

- One of the above two options with a \$3 penalty per meter per month. This penalty would generate approximately \$132,720 annually.

Note: All excess water usage penalty fees will be prorated.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Shasta Lake City Council hereby declares a Water Shortage Emergency implementing the City of Shasta Lake's Water Shortage Emergency Ordinance Chapter 13.12.400 through 13.12.404 of the City of Shasta Lake Municipal Code, imposing an excess water usage penalty to both encourage water conservation and to recoup all or a portion of supplemental water supply costs, and authorizing the City Manager to enter into a contract with the McConnell Foundation for the purchase of supplemental water supplies.

PASSED, APPROVED, AND ADOPTED this 4th day of March, 2014, by the following vote:

AYES:
NOES:
ABSENT:

PAMELYN ANNE MORGAN, Mayor

ATTEST:

TONI M. COATES, City Clerk, CMC

RESOLUTION CC 14-

A RESOLUTION OF THE CITY OF SHASTA LAKE CITY COUNCIL DECLARING A WATER SHORTAGE EMERGENCY IMPLEMENTING CHAPTER 13.12.400 THROUGH 13.12.404 OF THE CITY OF SHASTA LAKE MUNICIPAL CODE, IMPOSING AN EXCESS WATER USAGE PENALTY TO BOTH ENCOURAGE WATER CONSERVATION AND TO RECOUP ALL OR A PORTION OF SUPPLEMENT WATER SUPPLY COSTS, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE MCCONNELL FOUNDATION FOR THE PURCHASE OF SUPPLEMENTAL WATER SUPPLIES

WHEREAS, the Governor of the State of California has proclaimed a State of Emergency on January 17, 2014 and has called upon state officials to take all necessary actions to prepare for these drought conditions; and

WHEREAS, the Governor has further called upon local urban water suppliers and municipalities to implement their local water shortage contingency plans immediately in order to forestall outright restrictions that could become necessary later in the drought season; and

WHEREAS, the City of Shasta Lake desires to implement the City's Water Shortage Emergency Ordinance by implementing Chapter 13.12.400 through 13.12.404 of the City of Shasta Lake Municipal Code; and

WHEREAS, with the declaration of the City of Shasta Lake Water Shortage Emergency implementing Chapter 13.12.400 through 13.12.404 of the Shasta Lake Municipal Code the following water restrictions will apply to all City water customers:

- A. Use of potable water to irrigate turf, ground cover, shrubbery, crops, vegetation, and trees in such a manner that shall not result in runoff for more than five minutes;
- B. Use of potable water to wash sidewalks, walkways, driveways, parking lots, open ground or other hard surfaced areas except where necessary for public health or safety;
- C. Allowing potable water to escape from breaks within the customer's plumbing system for more than twenty-four (24) hours after the customer is notified or discovers the break;
- D. Washing cars, boats, trailers, aircraft, or other vehicles by hose without a shutoff nozzle and bucket, except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment;
- E. Use of potable water for construction, compaction, dust control, street or parking lot sweeping, building wash down where non-potable or recycled water is sufficient;



ADAPTING TO DROUGHT

Frequently Asked Questions

Why do I need to reduce my water use?

Due to extremely low 2013-14 precipitation, the Tri-Valley region has approximately 75% of the area's typical water supply for the year. To help ensure we have enough water supply to make it to the next heavy/normal precipitation season, Pleasanton is requiring a 25% reduction in water use.

What is the 25% reduction in water use compared to?

Your property will be compared to its 2013 water use over the comparable billing period after the first complete water meter read post the May 6th, 2014 City Council 25% reduction mandate.

How can I reduce my water use, I am already a low water user?

Visit www.PleasantonWaterConservation.com for a bulleted list of water-efficiency actions you can compare your household water use to. If you have done everything on this list, you are very likely an extremely efficient water user. City Council has direct City staff to ensure low-volume water users will not be assigned penalties if they are unable to achieve a 25% water reduction. City staff will hand review all potential customers that fall under the potential of being assigned a penalty to ensure those making conservation efforts are not assigned overuse penalties.

How should I program my irrigation controller; it can't do an odd/even schedule?

Simply set your controller to operate a maximum of 2 non-consecutive days per week and you will be in compliance with the watering frequency restriction. The odd/even schedule will not be enforced.

There are more people living in my house this year compared to last year, what happens?

Look for extra ways to improve the water-efficiency profile of our home; such as installing High-Efficiency Toilets and showerheads, as well as outdoor watering improvements to help offset the extra water use. If you are assigned a penalty on your bill and you believe it is unfair, you may seek an adjustment to your bill by filling an application for adjustment after the penalty has been assessed. The Adjustment Request form and process will be posted at www.PleasantonWaterConservation.com.

I recently moved into my house and don't have 2013 water use history, what should I do?

The water use at your property will be compared to the water use that occurred in 2013, regardless of who was responsible for the account at that time. If you are new to the home, call the Water Conservation Hotline at 931-5504 and ask for the water use history during last summer and fall for your new home.

How can I track my water use?

Step 1) Know your 2013 water use: You can obtain this information by logging onto your water account online at <https://cityofpleasanton.epayub.com>, or call our Water Conservation Hotline to request this information, 931-5504. Step 2) Learn how to read your meter: The following link created by other water agencies demonstrates how to read your water meter and use your meter to check for leaks:

http://www.youtube.com/results?search_query=how+to+read+a+water+meter

Step 3) Take the difference between your current water read and your last billed read, and now you have the number of units used so far (to convert this volume to gallons: 1 Unit = 748 gallons).

I noticed a water use violation. How do I report it?

You have 2 options: 1) use the Mobile Citizen App for your smart phone and take a picture of it (downloadable from Apple iTunes Store or Google Play Store), or 2) Call the City's Water Conservation Hotline at 931-5504 to report what you have seen.

I have a pool, what should I do?

Cover it! Pool covers are extremely effective at reducing evaporation. Talk to your local pool store for help.

Thank you for your efforts in adjusting your water use to help our community through this drought. Practicing efficient water use as a way of life is the right thing to do.

SEVERE DROUGHT IN PLEASANTON

25% Mandatory Reduction

WHAT CUSTOMERS SHOULD KNOW:

We need your help to protect our most precious resource! The City requests all customers eliminate water waste as a way of life! Reduce 10% indoor + 40% outdoor = 25% less water consumption.

Water Waste Prohibitions

- Prohibited: Outdoor watering between 9 am - 6 pm (hand-watering & drip irrigation are excluded).
- Prohibited: Outdoor watering that results in any water runoff.
- Prohibited: Hosing down driveways, sidewalks, or other hardscape.
- Prohibited: Allowing water to escape from pipe breaks for more than 8 hours upon notification.
- Prohibited: Outdoor watering during periods of rain.
- Restaurants: Requested to serve water only upon customer request.

Water Use Restrictions

- ALL lawn and landscape irrigation is limited to no more than 2 nonconsecutive days per week.
- No hose washing of hard-surfaced areas.
- Wash cars, trucks, etc., at commercial car wash facilities. These facilities recycle and filter the wash water.
- Use pool covers when pool is not in use; and do not drain/refill swimming pools (exceptions apply).
- Commercial customers: Post water conservation message on bathroom lavatories.
- Potable water may not be used for decorative water features such as fountains.

Penalties for excess water use during Stage 3 Water Shortage: Penalties apply if 25% reduction is not achieved.

Water Use Reduction Goal Exceeded:			
1 time	2 times	3 times	4 or more times
\$4 per unit used in addition to normal rate fees + \$50	\$8 per unit used in addition to normal rate fees + \$100	\$12 per unit used in addition to normal rate fees + \$250	\$16 per unit used in addition to normal rate fees + \$500

Need assistance reducing your water use? Visit PleasantonWaterConservation.com or call 925-931-5504



Chapter 9.30 WATER CONSERVATION PLAN

9.30.010 Declaration of emergency.

A water shortage emergency shall be declared by resolution of the City Council. The City Manager may administratively determine that any water shortage is terminated, and inform the City Council of such determination.

9.30.020 Purpose.

The purpose of this chapter is to provide both voluntary and mandatory water conservation stages to minimize the effect of a shortage of water on the city's customers and, by means of this chapter, to adopt provisions that will significantly reduce the consumption of water over an extended period of time, thereby extending the available water required for the city's customers while reducing the hardship to the greatest extent possible on or to the City and on or to the general public. This chapter is also intended to implement the Urban Water Management Plan's Water Shortage Contingency Planning and Stages of Action.

9.30.030 Application of chapter.

The provisions of this chapter shall apply to all customers, as defined herein, regardless of whether any customer using water shall have a contract for water service with the city. Notwithstanding other municipal code provisions inconsistent with this chapter, the provisions of this chapter shall supersede and prevail for the duration of a City Council declared water shortage.

9.30.040 Definitions.

- A. "City" means the City of Pleasanton.
- B. "City Manager" means the City Manager of the City, or his or her designee.
- C. "Customer" means a person, firm, partnership, association, corporation and all other institutions and businesses receiving water from the water distribution system of the city.
- D. "Director" means the operations services director of the city, or his or her designee.

9.30.050 Creation of classes.

The following types of customers or uses are those which exist in the city's current utility billing system, as follows:

- A. "Single-family residential individually metered" consists of water service to land improved with structures designed to serve as a residence for a single family, including single-family home, townhomes, and condominiums.
- B. "Commercial and Multiple-family" consists of water service to land improved with structures designed to serve commercial (including restaurants), recreational, charitable, educational and cultural uses, as well as residential uses sharing water meters.
- C. "Irrigation" consists of water service which is separately metered and is used exclusively to water turf and other landscaping areas.
- D. "Special Landscape Area" are uses as defined in the California Water Efficient Landscape Ordinance Government Code §§65591 *et. seq.*

9.30.060 Stages for reduction in water use.

- A. The following stages of action for reduction in water use depend on the total amount of water supplied to the city by Zone 7 and the amount of water the city is able to pump out of the groundwater basin from its own wells. These stages are based on the Urban Water Management Plan.

REDUCTIONS IN WATER USE		
Stage	Overall Reduction	Voluntary or Mandatory
1	Up to 20%	Voluntary
2	Up to 20%	Mandatory
3	Up to 35%	Mandatory
4	35% or more	Mandatory

9.30.070 Calculation of customer reduction in water use.

A. When a water shortage is declared with mandatory reductions in water use, the director shall impose the applicable stage of mandatory reduction by calculating customers' average usage for the same billing period from 1 to 4 prior years, as data is available. If sufficient historic usage information is not available, the director may base water use allocations on a combination of the limited historic usage data available, per-capita water use targets, water usage from similar customer types, and other activity-specific water usage data.

B. Usage of water in excess of a customer's mandatory conservation amount is subject to excess use penalties in Section 9.30.100.

9.30.080 Conservation Measures. The following conservation measures are applicable for normal supply, and the declared water shortage stage(s) indicated:

A. Level: Normal Supply. To protect and preserve the community water supply the elimination of wasteful water uses is essential at all times, regardless of water supply level. Pleasanton customers shall observe the following regulations on water use:

1. Use potable water for irrigation of landscape in a manner that does not result in runoff or excessive flooding on patios, driveways, walkways or streets.
2. Schedule regular irrigation of lawn and landscape between the hours of 6:00 p.m. and 9:00 a.m. the following day. Watering is permitted at any hour if a hand-held nozzle or drip irrigation is used. Special landscapes are exempted.
3. Limit the use of water for washing sidewalks, walkways, driveways, patios, or other hard-surfaced areas to prevent excessive runoff or waste.
4. Use water for mobile or machinery washing, preferably from a hose equipped with a shutoff nozzle, in a manner that does not result in excessive runoff or waste.
5. Repair potable water leaks from breaks within the customer's plumbing system within eight hours after customer is notified or discovers the break.
6. Reduce other interior or exterior uses of water to minimize or eliminate excessive runoff or waste.
7. Restaurants are requested to serve water to their customers only when specifically requested.

B. Level: Stage 1 – Up to 20% Voluntary Reduction. There is sufficient uncertainty concerning water supplies for this year or in the next few years that it would be prudent to conserve local water supplies so that these supplies may be used to meet water demands in future years. The following restrictions shall be applicable during a Stage 1 activation of the water shortage contingency plan:

1. All of the normal supply level restrictions, in Section A, above, shall continue to be mandatory during Stage 1.
2. There should be no hose washing of hard-surfaced areas. Use bucket and broom to wash down hard-surfaced areas if necessary for the benefit of public health and safety.

3. Should not irrigate landscaping on consecutive days or more frequently than 1 day per week October – March, or 2 days per week April – September. Additionally, running irrigation during periods of rain is discouraged.
4. Commercial customers should post water conservation messages on bathroom lavatory mirrors.
5. Swimming pools, spas, fountains, and ponds should be leak proof. Any leak should be repaired in a timely manner after notification by the City, but should not exceed 72 hours.
6. Cover pools when not in use to reduce evaporation.
7. Use of water in non-recirculating decorative ponds, fountains, and other water features is discouraged.
8. Using potable water for construction is discouraged if a feasible alternative source of water for construction exists.

C. Level: Stage 2 – Up to 20% Mandatory Reduction. There are definable events that lead to a reasonable conclusion that in the current and/or upcoming water years, water supplies may not be adequate to meet all customer water demands. The following mandatory restrictions shall be applicable during a Stage 2 activation of the water shortage contingency plan:

1. All of the prohibitions and restrictions set forth during normal supply, as well as the voluntary Stage 1 restrictions, shall all be in effect and shall all be mandatory.
2. Lawn watering and landscape irrigation, including construction meter irrigation, shall be reduced to no more than one day per week October – March, and two days per week April – September on an odd-even schedule; properties with odd street address numbers water on odd days of the month and properties with even street address numbers water on even days of the month (with no watering permitted on the thirty-first day of the month).
3. Washing of autos, trucks, trailers, and other types of mobile equipment may be done at any hour, but no more frequently than once per month with a bucket and a hose equipped with a positive shut-off nozzle for quick rinses. Washing is permitted at a commercial car wash. No wastewater from vehicle washing may enter the storm drain system.
4. Restaurant kitchens shall be equipped with low-flow rinse nozzles.

D. Level: Stage 3 – Up to 35% Mandatory Reduction. There are definable events that lead to a firm conclusion that in the current water year, water supplies will not be adequate to meet customers' water demands. The following mandatory restrictions shall be applicable during a Stage 3 activation of the water shortage contingency plan:

1. All of the prohibitions and restrictions set forth during normal supply, as well as the voluntary Stage 1 restrictions, and the prohibitions and restrictions in Stage 2, shall all be in effect and shall all be mandatory.
2. All water customers, with the exception of commercial nurseries, golf courses, and other water dependent industries shall be limited in the use of all outdoor watering to hand-watering using a hose with a positive shut-off nozzle on Saturday and Sunday only.
3. Potable water use to clean sidewalks, walkways, driveways, parking areas, and other hard-surface areas, is prohibited, with the exception of public health and safety.
4. No person shall empty and refill a swimming pool except to prevent or repair structural damage or to comply with public health regulations.
5. Equip swimming pools with recirculating pump if not already equipped. Swimming pools may only be drained and refilled for health or structural needs.
6. Potable water shall not be used for decorative ponds, basins, lakes, waterways, and fountains.

7. Washing of autos, trucks, trailers, and other types of mobile equipment is permitted only at commercial car wash facilities that recycle all or part of the water.
8. No potable water may be used for compaction or dust control purposes for construction activities.

E. Level: Stage 4 – 35% or more Mandatory Reduction. Earlier stages have been in effect and the reduction goal is not being met, or new definable events require increasing the reduction goal. The following mandatory restrictions shall be applicable during a Stage 4 activation of the water shortage contingency plan:

1. All of the prohibitions and restrictions set forth during normal supply, as well as the voluntary Stage 1 restrictions, and the prohibitions and restrictions in Stages 2 and 3, shall all be in effect and shall all be mandatory.
2. The irrigation of turf or lawn using potable water is prohibited. All water customers, with the exception of commercial nurseries, golf courses, and other water dependent industries, shall be limited in the use of all other non-lawn area watering to hand-watering from a container of less than five-gallon capacity on Saturday and Sunday only.
3. No person shall drain and refill swimming pools and spas. Nor shall new pools be filled.
4. The use of potable water for washing autos, trucks, trailers, other mobile equipment, and the exterior of any building or structure through a hose, including pressure washing, is prohibited.
5. Laundromats are prohibited from using non-efficient washing machines.
6. Public health and safety: These regulations shall not be construed to limit water use which is immediately necessary to protect public health and/or safety.

9.30.090 Emergency shutoff — Nonessential use.

A. It is the purpose of the city to protect the public health, safety and welfare, as well as property of customers within the city. Any time there is evidence that the fire storage water volume is threatened in any reservoir or that low water pressure may occur in any pressure zone, the city may, without notice, temporarily shut off by locking out any water service connection. The city shall restore such service as soon as an adequate water supply is assured. Efforts will be made to contact customers from the billing information on record if it appears that service will be interrupted for more than 24 hours.

B. Emergency public announcements may be made by electronic media, local radio and television whenever a shut off is found to be necessary.

9.30.100 Excess use penalties. Water usage in excess of the amount provided in Section 9.30.070 is subject to the following penalties:

	Exceed 1 time	Exceed 2 times	Exceed 3 times	Exceed 4 or more times
Stage 1 Up to 20% Voluntary	No penalty	No penalty	No penalty	No penalty
Stage 2 Up to 20% Mandatory	\$2.50 per unit used in addition to the normal rate fees charged	\$5 per unit used in addition to the normal rate fees charged + \$25	\$7.50 per unit used in addition to the normal rate fees charged + \$50	\$10 per unit used in addition to the normal rate fees charged + \$100

Stage 3 Up to 35% Mandatory	\$4 per unit used in addition to the normal rate fees charged + \$50	\$8 per unit used in addition to the normal rate fees charged + \$100	\$12 per unit used in addition to the normal rate fees charged + \$250	\$16 per unit used in addition to the normal rate fees charged + \$500
Stage 4 35% or more Mandatory	\$6 per unit used in addition to the normal rate fees charged + \$100	\$12 per unit used in addition to the normal rate fees charged + \$250	\$18 per unit used in addition to the normal rate fees charged + \$500	\$24 per unit used in addition to the normal rate fees charged + \$750

Penalties are in addition to the normal rates and apply to all units in the billing period.

Penalties may be added to water bill or billed separately, at the discretion of the director.

Additional penalties for multiple times exceeding water use amount are for the number of times within the prior 12 months.

9.30.110 Prohibition of certain water uses.

During the time this chapter is in effect:

- A. It is unlawful for any customer to use water obtained from the water system of the City of Pleasanton through fraud, including misrepresentation made to obtain a particular allocation.
- B. It is unlawful for any customer to waste water. As used herein, the term “waste” means:
 - 1. Use of potable water between 9:00 a.m. and 6:00 p.m. to irrigate grass, lawns, ground-cover, shrubbery, crops, vegetation, and trees or the use of potable water in such a manner as to result in runoff for more than five minutes;
 - 2. Use of water to irrigate outdoor landscaping when it is raining.
 - 3. Use of potable water to wash down sidewalks, walkways, driveways, parking lots, open ground or other hard surface areas by the direct application of water thereto;
 - 4. Allowing potable water to escape from breaks within the customer’s plumbing system for more than eight hours after the customer is notified or discovers the break;
 - 5. Use of potable water for any purpose in excess of the customer’s allowed usage as provided in Section 9.30.070.

9.30.120 Adjustments.

- A. Any customer who believes that the application of the provisions of this chapter results in unfair treatment or causes undue hardship may seek an adjustment in the customer’s allocation.
- B. Such customer shall request the adjustment in writing and shall state with specificity the reasons why the adjustment is warranted, and provide any applicable supporting documentation.
- C. The director and shall consider all requests and make a written decision within thirty (30) days of receiving all information supporting the adjustment request. In making a decision, the director shall give particular consideration to the following:
 - 1. The reduction would cause conditions threatening to health, sanitation, fire protection or safety of the customer, the customer’s dependents or the general public.
 - 2. The reduction would cause unfair economic hardship including, but not limited to, loss of employment, loss of production, or loss of jobs or be unfair or result in the unnecessary loss of a business.
 - 3. Medical requirements of the customer.
 - 4. Household size of the residential customer.
- D. The director's decision may be appealed in writing to the city manager for reconsideration on the written record. The city manager shall review written material submitted by the

customer, written information from the director, and shall issue a decision within thirty (30) days of receipt of the complete written materials. The city manager's decision as to the request shall be final.

9.30.130 Notification to customers.

After the city council adopts a water shortage contingency plan stage, customers will be notified by publication in the newspaper and/or by mail. The failure of any customer to receive actual notice shall not invalidate any action taken by the city council as to a particular customer nor reduce the amount of the penalties provided herein.

9.30.140 Calculation of allowable water use for new customers.

Where the current customer has no billing history, or only a partial billing history, the director shall determine the customer's allocation, based upon the allocation for similar customers.

9.30.150 Severability.

If any provision of this chapter is held to be unconstitutional, it is the intent of the city council that such portion of such chapter be severable from the remainder and that the remainder be given full force and effect.

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**Draft for Rio Dell
7-15-14**

The following options assume 3.5 persons per residence (actual 2.45, 2010 US Census) with a targeted use of 50 Gallons Per Capita Day (GPCD). The following options for usage penalties are requested to apply to all residential 5/8" meters:

Option One:

- Consumption Rate of 1-7.9 units (ccf) (50 GPCD), no penalty.
- Consumption Rate of 8-11.9 units (ccf) (50-75 GPCD), \$0.61 per 1 ccf penalty.
- Consumption Rate of 12-15.9 units (ccf) (75-100 GPCD), \$1.22-1.84 per 1 ccf penalty.
- Consumption Rate of 16 units (ccf) or more (>100 GPCD), \$3.67 per 1 ccf penalty.

Units	Penalty
0-8 Units	None
8-11.9 units	25% volume Rate
12-15.9 units	50% Volume Rate
>16 units	100% volume Rate

	Units Used	Current Bill	Proposed Fine	Proposed Bill and Fine
Example 1	7	\$39.23	\$ -	\$39.23
Example 2	10	\$46.55	\$4.88	\$51.43
Example 3	13	\$67.40	\$20.19	\$87.59
Example 4	16	\$78.41	\$51.38	\$129.79

Option Two:

- Consumption Rate of 1-.7.9 units (ccf) (50 GPCD), no penalty.
- Consumption Rate of 8-11.5 units (ccf) (50-75 GPCD), \$0.61 per 1 ccf penalty.
- Consumption Rate of 12-15.9 units (ccf) (75-100 GPCD), \$1.22-1.84 per 1 ccf penalty.
- Consumption Rate of 16 units (ccf) or more (>100 GPCD), \$7.35 per 1 ccf penalty.

Units	Penalty
0-8 Units	None
8-11.9 units	25% volume Rate
12-15.9 units	50% Volume Rate
>16 units	200% volume Rate

				Total Volume	Current		Proposed
Units Used	Base Rate	2-10 ccf	<10 ccf	Charge	Total Bill	Penalty	Bill
7	27.03	\$ 14.64	0	\$14.64	\$41.67	0	\$ 41.67
10	27.03	\$21.96	0	\$21.96	\$48.99	5.49	\$ 54.48
13	27.03	\$33.03	\$ 11.01	\$44.04	\$71.07	22	\$ 93.09
16	27.03	\$ 33.03	\$22.02	\$55.05	\$82.08	110	\$ 192.18

Option Three:

Combination of Option 1 or 2 and warning for the first offense and fine of \$250 for the second offense and \$500 for the third and subsequent offense per RDMC section 13.05.440 et. seq.


Mayor and City Council:

Resolution No. 1233-2014 was not available at the time the packets were copied and will be provided to you via email on Sunday or Monday.



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July 22, 2014

TO: Rio Dell City Council
FROM:  Jim Stretch, City Manager
SUBJECT: Suspending of Wastewater Equity Adjustment Implementation Date

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt Resolution 1235-2014, suspending the implementation date for the Wastewater Rate Resolution 1222-2014 from August 1 to January 1, 2015 after the Water Shortage Contingency- Stage 3 emergency has passed and is rescinded by the City Council.

BACKGROUND AND DISCUSSION

On June 17, 2014 the Rio Dell City Council adopted Resolution 1222-2014 to establish new wastewater rates based 70% on fixed costs and 30% on volume. The effective date for the new rates was set for August 1, 2014. However, due to the recent curtailment of the City water rights by the State Water Resources Control Board for our diversion from the Eel River, water usage in the City is targeted to be reduced as much as 50%, and that reduction may cause some residents, probably a minority, to overpay based on volume.

Accordingly, it is recommended that the City Council adopt the attached Resolution 1235-2014, changing the effective date of Resolution 1222-2014 from August 1 to January 1, 2015.

RESOLUTION NO. 1235-2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING RESOLUTION NO. 1222-2014 SUSPENDING THE IMPLEMENTATION
DATE FOR THE WASTEWATER RATES FROM AUGUST 1, 2014 TO JANUARY 1, 2015
AFTER THE WATER SHORTAGE CONTINGENCY STAGE 3 EMERGENCY HAS
PASSED AND IS RESCINDED BY THE CITY COUNCIL**

WHEREAS, the City of Rio Dell is authorized by the California Constitution and the California Code to charge fees to cover expenses for the services it provides; and

WHEREAS, the City Council of the City of Rio Dell did adopt Ordinance No. 207 that allows for sewer rates and charges to be modified by resolution of the City Council to provide for future changes; and

WHEREAS, the City Council of the City of Rio Dell has held public meetings pursuant to Proposition 218 to discuss the need for an increase in wastewater rates and charges; and

WHEREAS, the City Council did on June 17, 2014 adopt Resolution No. 1222-2014 establishing fixed wastewater rates and charges for residential, commercial and institutional customers , replacing wastewater rates previously set by Ordinance or Resolution to include a fixed minimum charge in addition to volume rates based on winter water consumption; and

WHEREAS, on January 17, 2014 the Governor of the State of California proclaimed a State of Water Emergency and called upon all state officials to take all necessary actions to prepare for drought conditions; and

WHEREAS, on July 2, 2014 the City of Rio Dell received from the State Water Resources Control Board a notice withdrawing immediately the City's water right to divert water from the Eel River, Rio Dell's only source of water for the community until further notice; and

WHEREAS, on July 9, 2014 the City of Rio Dell did file with the State Water Resources Control Board the "Human Health and Safety Claims Form" implementing Serious Water Shortage Stage 3 of the City's Contingency Plan, prohibiting all outside water use and curtaining personal indoor water use to not more than 50 gallons of water per day per resident; and

WHEREAS, wastewater rates established under Resolution No. 1222-2014 are set at 70% fixed and 30% volume; and

WHEREAS, serious water reduction measures have been placed on the residents of the City of Rio Dell prohibiting normal water usage which will likely result in reductions of up to 50% of the normal 3 month winter average, causing some residents to overpay based on estimated volume.

NOW, THEREFORE BE IT RESOLVED that Resolution 1222-2014 is hereby amended to suspend implementation of the new wastewater rates and charges as established until January 1, 2015, or until such time the State Water Resources Control Board notifies the City that its right to divert water from the Eel River is restored and the Rio Dell City Council rescinds the emergency declaration.

PASSED AND ADOPTED this 22nd day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Resolution No. 1235-2015 adopted by the City Council of the City of Rio Dell on July 22, 2014.

Karen Dunham, City Clerk

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Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*



July 22, 2014

TO: Rio Dell City Council
FROM:  Jim Sretch, City Manager
SUBJECT: Suspending Surplus Property Disposition

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Direct the City Manager to suspend all work on processing (4) Water Fund real property parcels (205-041-014, 052-061-057, 205-111-026 & 205-111-027) declared surplus by the Council on September 17, 2013 and February 18, 2014, until otherwise directed by the City Council, and
2. Direct the City Manager/Public Works Director to utilize the services of the City Engineer, water well specialist and others as may be required to review each of the water wells or springs on the 4 parcels and report to the Council on the feasibility of using the wells/springs for potable and/or non-potable uses, including a cost estimate to place each of them into service for the community; and
3. When the Council determines that any of the properties cannot be economically or feasibly reconstituted for a public water purpose, direct the City Manager to proceed with placing the property for sale so that the proceeds can be made available to the Water Fund for system improvements.

BACKGROUND AND DISCUSSION

On July 15, 2014 the Rio Dell City Council asked the City Manager to return to the City Council with information concerning the Council's prior action to surplus (4) Water Fund properties and offer them for sale publically to the highest bidder. The Council asked for a review of their prior actions to determine whether any of the (4) parcels, which in the past have had water producing capabilities, could be of service to the community today, given the June 30, 2014 notice from the State water Resources Control Board (SWRCB) to cease the diversion of water from the Eel River.

The directive from the Council to suspend any work on moving the properties to a public sale is all that is needed; however, you will need updated information as to whether each well/spring can be pressed back in to service at this time to ease the mandated water curtailment notice from SWRCB. The feasibility and cost to make any of the wells/springs serviceable again will of course be of importance to the City Council's decision, and that is included in the recommendation.