

**TO:** Andrew P. Powers, City Manager

**FROM:** Clifford G. Finley, Public Works Director

**DATE:** March 14, 2023

**SUBJECT: Revised Water Shortage Declaration**

**RECOMMENDATION:**

1. Rescind in its entirety Resolution No. 2022-023 declaring a Level 4 Water Supply Shortage.
2. Adopt resolution declaring a Level 3 Water Supply Shortage with minor modifications pursuant to Municipal Code Section 10-2.1106.
3. Issue notice of termination for Agreement No. 13051-2022 with Cobalt Security Services, Inc., effective April 1, 2023.
4. Authorize acceptance of the Metropolitan Water District grant to partially offset the cost of water waste enforcement patrols up to 50 percent of the cost, but not to exceed \$50,000, to A/C #611-8025-437-99-00 (WTMWGT, Revenue From Districts).
5. Find that this action is not a project as defined under the California Environmental Quality Act.

**FINANCIAL IMPACT:**

**Up to \$50,000 increase to Adopted FY 2022-23 Water Fund Revenue Budget.** Fifty percent matching funds up to \$50,000 have been authorized by Metropolitan Water District (MWD) to cover water waste patrol services. Staff time required to prepare this report is included in the Adopted FY 2022-23 Water Fund Budget.

**BACKGROUND:**

On April 26, 2022, the Metropolitan Water District of Southern California (MWD) declared a Water Shortage Emergency Condition and adopted an Emergency Water Conservation Program (EWCP) for service areas that depend on supplies

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from the State Water Project (SWP). On April 27, 2022, Calleguas Municipal Water District (Calleguas) adopted Resolution No. 2042, declaring a Water Shortage Emergency Condition, and adopting an EWCP to reduce non-essential uses of water and preserve available water supplies for the greatest public benefit in their service area.

On May 24, 2022, City Council adopted Resolution No. 2022-023 declaring a Level 4 Water Supply Shortage with minor modifications pursuant to Municipal Code Section 10.2.1112.

On May 25, 2022, MWD issued their Emergency Water Conservation Program Handbook (version 1), and on August 30, 2022, City Council adopted Resolution No. 2022-045 to modify the watering limit duration to 10 minutes consistent with the MWD requirements. On June 10, 2022, emergency regulations were issued by the State of California banning the use of potable water for irrigation of decorative or non-functional grass (turf) at commercial, industrial, and institutional properties.

On July 5, 2022, City Council approved a budget and expenditures for water conservation patrol services, and on June 27, 2022, the City entered into a contract for such services with Cobalt Security Services, Inc. (Cobalt) through December 2022. On October 11, 2022, City Council approved an updated water conservation ordinance and approved an amendment to the agreement with Cobalt to increase funding and extend its term through June 2023.

On January 26, 2023, the California Department of Water Resources (DWR) announced a projected 2023 State Water Project (SWP) allocation increase to 30 percent, up from the five (5) percent initial allocation previously announced on December 1, 2022, which exceeds the SWP allocation that Metropolitan estimates is required in order to suspend the EWCP.

On February 15, 2023, Calleguas passed Resolution No. 2070 (Attachment #1) suspending enforcement of the one-day-per-week watering restriction, moving from a Stage 3 to a Stage 2 water shortage, and recommending that all Calleguas purveyors, which the City is one of, maintain water demand reduction measures consistent with their Water Shortage Contingency Plans (WSCP), without exceeding a two days per week watering.

**DISCUSSION/ANALYSIS:**

Due to the unprecedented statewide drought conditions that severely reduced water supplies through the SWP to southern California, the City enacted a Level 4 water shortage restriction and limited irrigation to one day per week on May 24, 2022, to comply with the requirements of MWD's EWCP.

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Imported water supply conditions and reservoir levels within the SWP have improved considerably in Water Year 2022-2023 given significant precipitation this rainy season, including in January and February 2023. Based on this improvement, DWR increased its allocation to 30 percent, compared to the five (5) percent allocation last year. The final allocation, anticipated in April, may yet be higher. MWD and Calleguas recommend that their member agencies continue to conserve water while moving to a Level within their WSCP consistent with two days per week of irrigation.

The proposed resolution (Attachment #2) would move the City's water service area to Level 3 with the City's WSCP, which allows for two days per week of irrigation from April 1 to October 31. There are provisions for an extra day of irrigation for special cases, including slope stability and functional turf. Up to 60 days of supplemental irrigation is permitted to establish new plants. This allowance is intended to support the establishment of climate-appropriate California native flowers and groundcovers made up predominantly of California native plants, but may not be used for turf, flowers, and annuals. It will also support the completion of required re-plantings under MWD's turf rebate program and the replacement of non-functional turf at commercial, institutional, and industrial establishments.

Currently, the City's designated watering day is either Saturday (odd-numbered addresses) or Sunday (even-numbered addresses). Wednesday will be added as the second irrigation day for all addresses. The other water agencies operating within the City may elect to set different irrigation days to align with their operations.

To supplement the City's own water waste patrols, beginning in June 2022, the City hired Cobalt to conduct patrols within the City's service area. To support this ongoing enforcement effort, Member Agency Administered Program (MAAP) funds were requested from Calleguas to provide a 50 percent match not to exceed \$50,000. The match was approved by MWD on November 21, 2022, as part of their EWCP. Future support is expected to be discontinued with the anticipated termination of the EWCP by MWD on March 14, 2023. It is recommended that City Council terminate the City's agreement with Cobalt at this time and utilize City staff for enforcement as needed.

Public Outreach

Staff continues to educate and alert the public on water conservation and water use restrictions via the dedicated website at [www.toakswater.org](http://www.toakswater.org). In addition, the recommendation to "Plant Now" has been disseminated through full-page ads in the Acorn newspaper and a new webpage within our site. Staff regularly posts information about free classes on drip irrigation and climate-appropriate plants.

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Staff will conduct outreach encouraging businesses with non-functional turf to transform their landscapes while turf rebates are available, and a watering allowance is available to establish new plantings.

**COUNCIL GOAL COMPLIANCE:**

Meets the following City Council goal:

F. Provide and enhance essential infrastructure to ensure that the goals and policies of the Thousand Oaks General Plan are carried out and the City retains its role and reputation as a leader in protecting the environment and preserving limited natural resources.

**PREPARED BY:** Helen Cox, Sustainability Division Manager  
John Brooks, Sr. Analyst

Attachments:

Attachment #1 – Calleguas Resolution No. 2070

Attachment #2 – Resolution for Level 3 Water Supply Shortage