



CITY OF BEVERLY HILLS
PUBLIC WORKS SERVICES DEPARTMENT
MEMORANDUM

TO: PUBLIC WORKS COMMISSION
FROM: Daniel E. Cartagena, Senior Management Analyst *[Signature]*
DATE: September 11, 2014
SUBJECT: DECLARATION AND IMPLEMENTATION OF STAGE "B"
WATER CONSERVATION MEASURES
ATTACHMENT: Resolution

On September 2, 2014, the Beverly Hills City Council adopted a resolution declaring Stage "B" water conservation measure in the City of Beverly Hills. As stated in the resolution, the Assistant Director of Public Works Services shall communicate to residents, visitors and businesses the implementation of:

- Mandatory reduction of ten percent (10%) in potable water use by all customers;
- Restaurants shall service water upon request only;
- All public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals;
- Plumbing and irrigation leaks shall be repaired within seven (7) days notification to the property owner by the City; and
- Water use shall be reduced to 90% of the baseline year determined by the City Manager
- Violation by any person of the Stage B outdoor watering schedule shall constitute an infraction and, upon conviction, shall be punished by a fine not to exceed one hundred dollars (\$100.00). The violation of each element and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

Additionally, the City Council approved the exemption of Tier 1 customers from the ten percent (10%) mandatory reduction.

Further, direction was provided to consider alternative methods of developing baseline water allocations for all accounts; employ the penalty surcharge by means other than by billing period; to work with the City of West Hollywood requesting assistance in enforcing the outdoor watering schedule in conjunction in that City.

The provisions of the resolution shall become effective on October 3, 2014 or upon completion of modification to the City utility billing system to accommodate these conservation measures, whichever is later.

Staff will return to the City Council at a future meeting to respond to the Council's direction, comments and present its final recommendations.

RESOLUTION NO. 14-R-_____

RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS DECLARING AND IMPLEMENTING
STAGE "B" WATER CONSERVATION MEASURES

The City Council of the City of Beverly Hills does resolve as follows:

Section 1. Recently, the Governor has declared a drought in the State of California and the State Water Resources Control Board has enacted emergency water conservation measures. In light of this water emergency and for the reasons set forth in the agenda report presented to the City Council on September 2, 2014, the City Manager has determined that a ten percent (10%) reduction in potable water use is required and that water conservation Stage "B" be declared and implemented by the City Council. Beverly Hills Municipal Code Section 9-4-301 provides that the City Manager or his designee is authorized to implement certain water conservation measures after holding a public hearing before the City Council.

Section 2. On September 2, 2014 the City Council held a duly noticed public hearing to consider the recommendations of the Assistant Director of Public Works Services to implement water conservation Stage "B." After receiving oral and written testimony, including the agenda report, the City Council hereby determines as follows:

(a) Water Conservation Stage "B" is hereby declared throughout the City of Beverly Hills and the City Council hereby directs that the Assistant Director of Public Works Services implement Water Conservation Stage "B" as set forth herein.

(b) The Assistant Director of Public Works Services and/or appropriate City Staff shall hereby communicate to residents, visitors and businesses the following mandatory water conservation measures for implementation: (i) restaurants shall serve water upon request only; (ii) all public restrooms in the city and private bathrooms in hotels shall notify patrons and employees of water conservation goals; (iii) plumbing and irrigation leaks shall be repaired within seven days notification to the property owner by the City; and (iv) water usage shall be reduced to ninety percent (90%) of the baseline year amount as determined by the City Manager; the watering of lawns and other landscape shall occur in accordance to a watering schedule promulgated by the Assistant Director of Public Works Services; and drought emergency water conservation regulations as promulgated by the State Water Resources Control Board. In addition to these elements, the City Council hereby authorizes the City Manager or his designee to implement other mandatory water conservation elements as determined necessary by the City Manager in order to achieve a ten percent (10%) reduction in potable water use.

(c) A water penalty surcharge of up to two (2) times the basic water rate shall be charged for water usage in excess of ninety percent (90%) of the baseline year amount as determined by the City Manager.

(d) Violation by any person of the stage "B" mandatory requirements described in subsection (b) shall constitute an infraction and, upon conviction, shall be punished by a fine not to exceed one hundred dollars (\$100.00). The violation of each element described in subsection (b), and each separate violation thereof, shall be deemed a separate offense, and shall be punished accordingly.

Section 3. The procedure for a water customer to appeal the imposition of the water penalty surcharge will be as outlined in Resolution 09-R-12672 adopted by the City Council on May 13, 2009 will be reinstated.

Section 4. In accordance with Beverly Hills Municipal Code Section 9-4-303.B, the City Council hereby directs the City Clerk to publish this Resolution at least once in a newspaper of general circulation within the city and to post this Resolution in at least three (3) public places and continue to post this Resolution until such time as the restrictions set forth herein are repealed by resolution of the City Council.

Section 5. The provisions of this Resolution shall become effective on October 3, 2014, or upon completion of modification to the City's utility billing system to accommodate these conservation measures, whichever is later.

Section 6. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

Adopted:

LILI BOSSE
Mayor of the City of Beverly Hills,
California

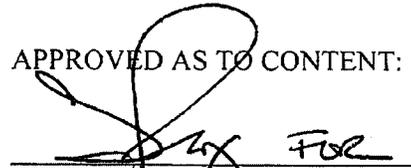
ATTEST:

BYRON POPE
City Clerk

APPROVED AS TO FORM:


LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:


GEORGE CHAVEZ
Director of Public Works Services