

RESOLUTION NO. 4412-2021

RESOLUTION OF THE FORT BRAGG CITY COUNCIL RECOMMENDING AND ENCOURAGING VOLUNTARY IMPLEMENTATION OF STAGE 2 WATER CONSERVATION MEASURES

WHEREAS, the City of Fort Bragg has experienced significantly less rainfall over the past two years, placing the City in an extreme drought condition; and

WHEREAS, the water flows from the City's three raw water sources continue on a downward trend; and

WHEREAS, as of June 18, 2021, the Noyo River flow was 3.85 cubic feet per second (csf) and had declined 83% since April 12, 2021 as compared to 1977 for the same time period when flows declined 78%; and

WHEREAS, as of June 24, 2021, the Noyo River flow was nearing 2.57 cubic feet per second; and

WHEREAS, as of June 18, 2021, total stream flow in Waterfall Gulch had declined by 12.5% since April 12, 2021; and

WHEREAS, as of June 18, 2021, total stream flow in Newman Gulch had declined by 8% since April 12, 2021; and

WHEREAS, the high tides during periods of low flow levels on the Noyo River increases salinity content impairing the City's ability to replenish water supply from the Noyo River; and

WHEREAS, the weather forecasts continue to show no significant rainfall in the area in the coming weeks; and

WHEREAS, on April 21, 2021, Governor Newsom declared a state of emergency in Mendocino County due to drought conditions; and

WHEREAS, the City's water supply and ability to replenish its supply have not dropped to the levels established in the Fort Bragg Municipal Code section 14.06.020 which would require that the City declare a water emergency. However, implementing further conservation measures now will reduce future impacts on the City's water supply and water storage levels and potentially avoid a greater level of water emergency; and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. It is in the best interests of the City of Fort Bragg to encourage voluntary compliance with Stage 2 water conservation measures.
2. Waiting to implement water conservation measures until the established triggers set forth in Fort Bragg Municipal Code section 14.06.020 may be too late to avoid or reduce future water shortages.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby recommend and encourage voluntary implementation of water conservation

measures consistent with a Stage 2 Water Warning (Fort Bragg Proposed Ordinance 969-2021) with a goal of reducing citywide water usage by 10-20%, as outlined below:

1. Water will only be used for “beneficial uses” as that term is defined in Subarticle 2 of Article 2 of Chapter 2 of Division 3 of Title 23 of the California Code of Regulations, [14 CCR § 659 et seq]. Beneficial uses include, but are not limited to, domestic use and irrigation use. All wasteful use of water that constitutes water misuse as defined in 23 CCR § 4000(c) is prohibited. Wasteful uses include, but are not limited to, any unreasonable water use or unreasonable method of water use.
 2. During water use, water shall be confined to the customer’s property and shall not be allowed to run off to adjoining property private or public walkways and sidewalks, roadways, parking lots or other structures. Care shall be taken not to water past the point of saturation.
 3. Landscape irrigation, including public and private streetscape landscaping (medians and frontage), shall be limited to a maximum of three days per week, with the exception of drip irrigation, which may be conducted on any day.
 - a. Customers may only irrigate on Tuesdays, Thursdays and Saturdays from 12am to 9am and 6pm to 11:59pm.
 - b. No irrigation is permitted on Mondays, Wednesdays, Fridays, or Sundays.
 4. Free flowing hoses are prohibited for all uses including landscape watering, vehicle and equipment washing, ponds, and evaporative coolers. Automatic shut-off devices shall be installed on any hose or filling apparatus while in use.
 5. All pools, spas and ornamental fountains/ponds shall be equipped with a recirculation pump and shall be constructed to be leak proof. Pool draining and refilling shall be allowed only to the extent required for health, maintenance, or structural considerations, and must otherwise comply with all applicable federal, state and local stormwater management requirements, including but not limited to Chapter 12.14, Drainage Facility Improvements and Drainage Fees.
 6. Residents and business owners shall repair all water leaks as soon as feasibly possible, but no later than 5 days after notification by the City or discovery by the owner.
- B. During a Stage 2 (Water Warning) conservation stage, the following restrictions shall apply:
1. All Stage 1 (basic stage) restrictions shall continue to apply, except to the extent they are replaced by more restrictive requirements imposed by this subsection.
 2. Landscape irrigation, including public and private streetscape landscaping (medians and frontage), shall be limited to a maximum of two days per week, with the exception of drip irrigation, which may be conducted on any day.

- a. Customers may irrigate only on Tuesdays and Saturdays from 12am to 9am and 6pm to 11:59pm.
 - b. No irrigation is permitted on Mondays, Wednesdays, Thursdays, Fridays and Sundays.
3. Water use for the washing of streets, parking lots, driveways, sidewalks, buildings or other hardscape surfaces is prohibited, except as necessary for health, sanitation or fire protection purposes.
 4. Restaurants shall serve water only upon specific request.
 5. Hotels, motels and other commercial lodging establishments shall offer patrons the option to forego the daily laundering of towels, sheets and linens. Each lodging establishment shall prominently display notice of this option in each guestroom using clear and easily understood language.
 6. Residents and business owners shall repair all water leaks as soon as feasibly possible, but no later than 3 days after notification by the City or discovery by the owner.

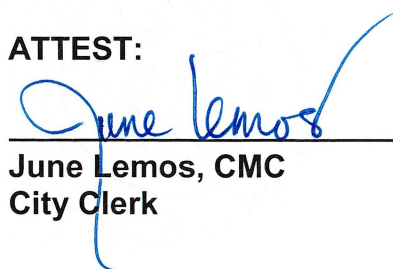
The above and foregoing Resolution was introduced by Councilmember Morsell-Haye, seconded by Councilmember Peters, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 28th day of June, 2021, by the following vote:

AYES: Councilmembers Albin-Smith, Morsell-Haye, Rafanan, Peters and Mayor Norvell.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



BERNIE NORVELL
 Mayor

ATTEST:



June Lemos, CMC
 City Clerk