

## Legislation Text

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**File #:** ROGC 21-778, **Version:** 1

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Water Shortage Declaration. (Mayor, Jimenez, Peralez, Carrasco, Davis)

Direct the City Manager to:

1. Pursuant to San Jose Municipal Code Section 15.10.300, et seq, declare by resolution a state of water shortage at the 15% level, requiring the imposition of restrictions, including the use of water for outdoor landscape irrigation to no more than two days a week, and any other restrictions deemed appropriate by the City Manager to simplify and make uniform any conflicting restrictions imposed by Valley Water District and the three water retailers that operate in San Jose.
  - a. Return to Council with a specific watering schedule that will facilitate ease of compliance, and where necessary, enforcement-for example, prohibiting landscape watering on Tuesdays, Wednesdays, and Thursdays.
  - b. Decline to cite or fine anyone for a first violation, reserving sanctions for repeat offenders who have received multiple notifications of violations, as deemed appropriate by Staff.
  - c. Return to Council with an outreach strategy, such as a proposed deployment of Resilience Corps members, including multilingual outreach--using the additional funding allocated through the state budget to California's largest 13 cities-who can notify residents about:
    1. the City's restrictions,
    2. turf replacement and greywater rebates and other incentives,
    3. free water-saving devices and services available through water retailers and Valley Water District,
    4. free water-wise surveys,
    5. how to reset devices for landscape irrigation;
    6. and inform residents with door-drop hangers or flyers about their noncompliance and provide information to City Staff.
  - d. Return to Council to discuss alternatives for imposing more restrictive rules during the winter when watering is less necessary for landscape--i.e., restrictions of 1 or even 0 days per week-to better buttress our water supply for an uncertain 2022.
  - e. Among other rules the City Manager should consider for a recommendation, where any nonuniformity exists among various water retailers and wholesalers, to include restrictions on:
    1. the use of potable water for filling or refilling decorative fountains and ponds more than one foot deep;
    2. washing vehicles, except at commercial businesses using recycled water;
    3. hosing down buildings, sidewalks, driveways, patios, tennis courts, or other hard surfaces, except to protect health and safety.
    4. Restaurants serving water only upon request, and hotels notifying guests they can choose not to have towels and sheets washed every day.
  - f. Allow the mandate to expire in October 2022, if not revoked or extended by Council.
2. Send a Council resolution urging the Federal Energy Regulatory Commission's Division of Dam Safety and Inspections with a temporary variance from the Anderson Reservoir drawdown level allowing a maximum reservoir elevation of 544 feet, allowing for additional storage of up to 20,000 acre-feet, through November 2022, to enable Valley Water to better manage water supplies.
3. Direct staff to revise the City's existing Water Efficient Landscape Ordinance (WELO) to require only planting drought-tolerant landscapes in new developments, effectively ending the planting of new lawns in the city of San Jose. This should not impede ongoing efforts to "green" areas of San

Jose that have suffered from a historic lack of natural investment - prioritizing planting drought tolerant plants and increasing overall tree canopy to blunt urban heat island impacts.

4. Conduct and report on an internal review of City departments to ensure that every department has exceeded our goals of 15% reduction in potable water consumption.