



**REGULAR MEETING OF THE BOARD OF DIRECTORS
PICO WATER DISTRICT**

4843 S. Church Street
Pico Rivera, California, 90660

5:30 PM Wednesday, June 1, 2022

AGENDA

Pursuant to the provisions of Government Code Section 54953(e), as amended by AB 361, any Board member and any member of the public who desires to participate in the open session items of this meeting may do so by accessing the Zoom link below to join by webcam or teleconference.

Any member of the public wishing to make any comments to the Board may do so through that Zoom link. The meeting Chair will acknowledge such individual(s) at the appropriate time in the meeting prior to making his or her comment. Members of the public wishing to make a comment are asked to state their name for the record and will be provided three (3) minutes to comment, the Board secretary will alert those commenting when they only have 30 seconds remaining. All members of the public will be disconnected from the Zoom link immediately before the Board of Directors adjourns into Closed Session.

Join Zoom Meeting

<https://us06web.zoom.us/j/9521779948?pwd=dGNxcXh3YitEc2NlVVdrUzVvNm4rZz09>

Join by Telephone: +1 669 900 6833

Meeting ID: 952 177 9948 Passcode: **421745**

- 1. ROLL CALL.**
- 2. PLEDGE OF ALLEGIENCE.**

3. INVOCATION.

4. TIME RESERVED FOR PUBLIC COMMENTS.

*Members of the public shall be allowed three minutes to address the Board on any matter on the agenda and/or within the jurisdiction of the District, which is not on the Agenda. All comments should be addressed to the presiding officer of the meeting. Additional public comments shall be allowed when a listed agenda item is being considered, but such comments made at that time must be confined to the subject that is being discussed at the time such comments are made. Members of the public are asked to state their name for the record. Due to all Board Meetings being run as Zoom Meetings all participants will be placed on mute at the start of the meeting and when the meeting is open for public comment the participant will be asked to raise their hand through the button on the video conference screen if participating by video conference or by pressing *9 on their phone if participating by teleconference.*

5. ADOPTION OF AGENDA.

6. APPROVAL OF CONSENT CALENDAR.

(All matters on the Consent Calendar are to be approved on one motion, unless a Board Member requests a separate action on a specific item).

- A. Consider May 18, 2022 Regular Board Meeting Minutes.
- B. Consider Board Attendance to the 2022 Fall ACWA Conference & Exhibition from November 29th thru December 3, 2022 in Indian Wells, California.

7. ACTION/DISCUSSION ITEMS.

- A. Consider District Action to Address State Water Resources Control Board Water Conservation Actions. *Recommended action, to be consider at the Board Meeting.*

8. REPORTS.

- A. General Manager.
- B. Legal Counsel.

9. DIRECTOR'S REQUEST OF FUTURE AGENDA ITEMS.

10. BOARD MEMBER COMMENTS.

A. Report on Meetings Attended/Comments.

11. CLOSED SESSION.

PUBLIC EMPLOYMENT (Government Code Section 54957)

Title: General Manager

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9.

One Case.

12. CLOSED SESSION REPORT.

13. ADJOURNMENT.

AGENDA POSTED ON: May 26, 2022

Next regularly scheduled meeting: June 15, 2022

NOTE: To comply with the Americans with Disabilities Act, if you need special assistance to participate in any Board meeting, please contact the District office at (562) 692-3756 at least 48 hours prior to a Board meeting to inform the District of your needs and to determine if accommodation is feasible.

Materials related to an item on this agenda submitted after distribution of the agenda packet are available for public review at the District office, located at 4843 S. Church Street, Pico Rivera, California.

CONSENT ITEMS

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MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE PICO WATER DISTRICT

A regular meeting of the Board of Directors of the Pico Water District was held in the District's Boardroom located at 4843 South Church Street, Pico Rivera, California, on Wednesday, May 18, 2022 at 5:30 p.m.

The District's Secretary/General Manager, Mr. Mark J. Grajeda proceeded with the roll call of the attending Board members. Present from the beginning of the meeting was Director David Gonzales, Vice President Raymond Rodriguez and President Pete Ramirez. Director Robert Martinez and Director Caballero participated telephonically in adherence with social distancing. Mr. Jim Ciampa, Legal Counsel for the District participated electronically via Zoom.

Director Gonzales led everyone in the Pledge of Allegiance.

Director Caballero gave the invocation.

President Ramirez proceeded to the next item on the Agenda, Public Comments. There were none.

President Ramirez proceeded to the adoption of the Agenda. Director Gonzalez made the motion to approve the agenda and Vice President Rodriguez seconded the motion. The General Manager announced the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, approval of Consent Calendar. President Ramirez made the motion to approve and Director Gonzales seconded the motion. The General Manager announced the motion passed by roll call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, consider action to address Possible State Water Resources Control Board Water Conservation Actions. The General Manager discussed Governor Newsom's Executive Order N-7-22 directing the State Water Resources Control Board (SWRCB) to take action by May 25, 2022 with regard to Urban Drought Response Actions. Purveyor's, such as the District, who rely on groundwater are not in as dire a situation as those who rely on imported water. But that is not to say that the District will be immune from declaring a Water Shortage Stage 2 emergency in the near future. The Water Replenishment District (WRD) is formulating a letter to the groundwater purveyor's indicating that they will be able to pump their allowance for this year and next. Currently there is a coalition movement requesting that SWRCB consider a "Stress-Test" approach for urban water suppliers according to their own water supply shortage. After a brief discussion Director Gonzales made

the motion to have the District join in the coalition's movement to send a letter requesting the SWRCB approve a "Stress-Test" approach, President Ramirez seconded the motion. The General Manager announced that the motion passed by roll-call vote, 5 – 0.

President Ramirez proceeded to the next item on the Agenda, General Manager Report. The General Manager stated that District staff have been performing job walks at the Durfee Grade Separation project testing the system, valves, meters and submitting a punch-list of items for Riverside Construction to correct. Henry Barrientos performed a job walk of the backflow devices installed at the project and submitted a punch-list as well. Regarding the memo on Fixed Rate Charges on property tax bills – PWAG will be discussing this matter at their meeting on May 25, 2022.

President Ramirez proceeded to the next item on the Agenda, Legal Counsel Report. Legal Counsel reported there are appropriation hearings this week in Sacramento. The Beverly Blvd. claim against the City of Pico Rivera went out on May 16, 2022 and received by the City Clerk on May 17, 2022 so that matter is in the works. The Whittier Blvd. claim's 45-day limit expires on May 20, 2022.

President Ramirez proceeded to the next item on the Agenda, Informational Items. The General Manager stated that the District is not experiencing significant drops in its water levels.

President Ramirez proceeded to the next item on the Agenda, Director's Request of Future Agenda Items. There were none.

President Ramirez proceeded to the next item on the Agenda, Board Member Comments. There were none.

The Board retreated to Closed Session at 6:08 p.m. regarding two matters:

Public Employment (Government Code Section 54957) Title: General Manager and conference with Legal Counsel – Anticipated Litigation pursuant to paragraph (4) subdivision (d) of Government Code section 54956.9.

The Board reconvened at 6:28 p.m. Legal Counsel reported that closed session was held regarding Public Employment (Government Code Section 54957) Title: General Manager – the Board discussed ongoing recruitment efforts for the new General Manager and interviews will be scheduled for the following week. Regarding anticipated litigation under Government Code section 54956.9 paragraph (4) of subdivision (d) the Board was briefed on the facts and circumstances of that case and no reportable action was taken.

There being no further business to come before the Board, the Board meeting adjourned at 6:29 p.m.

Elpidio Ramirez, President

Attest:

Mark J. Grajeda, Secretary

(Seal)

**ACTION/DISCUSSION
ITEMS**

**REGULAR MEETING OF THE BOARD OF DIRECTORS
PICO WATER DISTRICT
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7. ACTION/DISCUSSION ITEMS.

- A. Consider District Action to Address State Water Resources Control Board Water Conservation Actions. *Recommended action, to be consider at the Board Meeting.*

STAFF REPORT

To: Honorable Board of Directors
From: Mark Grajeda, General Manager
Meeting Date: June 1, 2022
Subject: Action Item 7A – Consider District Action to Address State Water Resources Control Board Water Conservation Actions

Recommendation

To be considered at the Board Meeting.

Fiscal Impact

None at this time.

Background

On March 28, 2022, Governor Gavin Newsom signed into law Executive Order N-7-22, which directs the State Water Resources Control Board (State Water Board) to take specific action by May 25, 2022; on May 25, 2022 the State Water Board introduced a draft resolution (Exhibit A) that somewhat outlines direction to all water agencies as to what Governor Newsom is requesting, which is a reduction of water use. It appears that Governor Newsom is asking water agencies to voluntarily implement their respective water shortage contingency plans to reduce water consumption and if he does not see a reduction in water use across the state he will implement mandatory watering restrictions. Should the Board move to implement the District's Water Shortage Contingency Plan Level 2, the District would require that all outdoor watering be limited to 3 days per week, and that all water related leaks are repaired within 72 hours of District notification, as well as continuing to follow all permanent water use restrictions. At the meeting on June 1st, we will again discuss these issues and consider approving a resolution on June 15th to implement a Water Shortage Level 2 for all District customers.

EXHIBIT A

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STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2022-

TO ADOPT AN EMERGENCY REGULATION TO REDUCE WATER DEMAND AND IMPROVE WATER CONSERVATION

WHEREAS:

1. On April 21, May 10, July 8, and October 19, 2021, Governor Newsom issued proclamations that a state of emergency exists statewide due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
2. These proclamations urge Californians to reduce their water use.
3. On March 28, 2022, Governor Newsom signed an Executive Order directing the State Water Resources Control Board (State Water Board or Board) to consider adopting emergency regulations to increase water conservation. The Executive Order includes a request that the Board require urban water suppliers to implement Level 2 of their water shortage contingency plans, establish water shortage response actions for urban water suppliers that have not submitted water shortage contingency plans, taking into consideration model actions that the Department of Water Resources, and establish a ban on the irrigation of non-functional turf by entities in the commercial, industrial, and institutional sectors.
4. Many Californians and urban water suppliers have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought requires additional conservation actions from urban water suppliers, residents, and the commercial, industrial, and institutional sectors.
5. Water conservation is the easiest, most efficient, and most cost-effective way to quickly reduce water demand and extend limited water supplies through this summer and into the next year, providing flexibility for all California communities. Water saved is water available next year, giving water suppliers added flexibility to manage their systems effectively over time. The more water that is conserved now, the less likely it is that a community will experience dire shortages that may require water rationing or other emergency actions.
6. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for irrigation of lawns and outdoor landscaping irrigation. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

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7. The use of potable water to irrigate turf on commercial, industrial, or institutional properties that is not regularly used for human recreational purposes or for civic or community events can be reduced in commercial, industrial, and institutional areas to protect local water resources and enhance water resiliency.
8. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign (SaveOurWater.com), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response.
9. SaveWater.CA.Gov is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Board and relevant local water supplier.
10. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.
11. On March 28, 2022, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions.
12. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter’s priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”
13. On May 13, 2022, the State Water Board issued public notice that it will consider the adoption of the regulation at the Board’s regularly scheduled May 24, 2022 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.
14. The emergency regulation exempts suppliers from enforcing connection moratoria, if their Level 2 demand management actions call for them, because new residential connections are critical to addressing the state’s housing supply shortage. However, the Board recognizes connections for other projects may not be appropriate given the shortage conditions and urges water suppliers to carefully evaluate new development projects for their water use impacts.

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15. Disadvantaged communities may require assistance responding to Level 2 conservation requirements, including irrigation restrictions, temporary changes to rate structures, and prohibited water uses. State shortage contingency plans aimed at increasing water conservation, and state and local agencies should look for opportunities to provide assistance in promoting water conservation. This assistance should include but not be limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries.
16. The Board directs staff to consider the following in pursuing any enforcement of section 996, subdivision (e): before imposing monetary penalties, staff shall provide one or more warnings; monetary penalties must be based on an ability to pay determination, consider allowing a payment plan of at least 12 months, and shall not result in a tax lien; and Board enforcement shall not result in shutoff.
17. The Board encourages entities other than Board staff that consider any enforcement of this regulation to apply these same factors identified in resolved paragraph 16. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain their enforcement discretion in enforcing the regulation, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 996, as appended to this resolution as an emergency regulation that applies to urban water suppliers, as defined by Water Code section 10617.
2. State Water Board staff shall submit the regulation to the Office of Administrative Law (OAL) for final approval.
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes.

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4. This regulation shall remain in effect for one year after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions or unless the State Water Board renews the regulation due to continued drought conditions, as described in Water Code section 1058.5.
5. The State Water Board directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulation.
6. The State Water Board directs staff to allow urban water suppliers to include information on efforts to maintain trees through the monthly conservation reporting form that urban water suppliers submit to the Board.
7. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

CERTIFICATION

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 24, 2022.

Jeanine Townsend
Clerk to the Board

EXHIBIT B



The District will manage water supplies prudently to minimize the adverse impacts of water shortages. The District's plan for water usage during periods of shortage is designed to incorporate six standard water shortage levels corresponding to progressive ranges from up to 10, 20, 30, 40, and 50 percent shortages and greater than a 50 percent shortage.

The District's Ordinance No. 62 ("An Ordinance of Pico Water District to Establish Water Use Efficiency Requirements and Water Supply Shortage Levels"), adopted in 2015, previously established four (4) water shortage levels. A copy of Ordinance No. 62 is provided in Appendix J. In accordance with the California Water Code in which urban water suppliers are required to define six standard water shortage level, the District has developed the crosswalk illustrated below that translated the District's previously established shortage levels to the mandated standard shortage levels.

Corresponding Relationships Between Supplier's 2015 Shortage Levels and the 2020 WSCP Mandated Shortage Levels

Established Level	Supply Condition/Shortage	2020 Standard Level	Shortage Level
1	10% - 15%	1	≤ to 10%
2	15% - 25%	2	10 to 20%
3	25% - 35%	3	20 to 30%
4	35% - 50%	4	30 to 40 %
		5	40 to 50 %
		6	> 50 %

Table 8-1 provides a description of the stages of action which may be triggered by a shortage in the District's water supply source, depending on the severity of the shortage and its anticipated duration.



Table 8-1 Water Shortage Contingency Planning Levels

Submittal Table 8-1 Water Shortage Contingency Plan Levels		
Shortage Level	Percent Shortage Range	Shortage Response Actions (Narrative description)
1	Up to 10%	<p>Upon the declaration by the District's Board of Directors of a Level 1 Water Supply Shortage condition, the District will implement the mandatory Level 1 conservation measures identified in this section.</p> <p>1. Limits on Watering Hours: During times of water shortage (as declared by the Board), watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 10:00 a.m. and 4:00 p.m.</p> <p>2. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with five (5) days after written notification by the District unless other arrangements are made with the District.</p>
2	Up to 20%	<p>Upon the declaration by the District's Board of Directors of a Level 2 Water Supply Shortage condition, the District will implement the mandatory Level 2 conservation measures identified in this section.</p> <p>1. Limits on Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three (3) days per week. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than two (2) days per week on a schedule established and posted by the District.</p> <p>2. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with seventy-two (72) hours of notification by the District unless other arrangements are made with the District.</p> <p>3. Other Prohibited Uses. The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.</p>
3	Up to 30%	<p>Upon the declaration by the District's Board of Directors of a Level 3 Water Supply Shortage condition, the District will implement the mandatory Level 3 conservation measures identified in this section.</p> <p>1. Additional Water Conservation Measures. In addition to the prohibited uses of water identified in Water Shortage Level 2, the following water conservation requirements apply during a declared Level 3 Water Supply Shortage.</p> <p>2. Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two (2) days per week on a schedule established and posted by the District. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one (1) days per week on a schedule established and posted by the District.</p> <p>3. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with forty-eight (48) hours of notification by the District unless other arrangements are made with the District.</p> <p>4. Limits on Filling Ornamental Lakes or Ponds. Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life.</p>



4	Up to 40%	<p>Upon the declaration of a Level 4 Water Supply Shortage condition, the District will implement the mandatory Level 4 conservation measures identified in this section.</p> <ol style="list-style-type: none"> 1. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited 2. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with twenty-four (24) hours of notification by the District. 3. No New Potable Water Service 4. The District, in its sole discretion, may discontinue service to consumers who willfully violate provisions.
5	Up to 50%	<p>A Level 5 condition exists when the District's Board of Directors declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to ensure sufficient supplies will be available to meet anticipated demands. Upon the declaration of a Level 5 Water Supply Shortage condition, the District will implement the mandatory conservation measures identified in Water Shortage Level 4.</p>
6	>50%	<p>A Level 6 condition exists when the District's Board of Directors declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to ensure sufficient supplies will be available to meet anticipated demands. Upon the declaration of a Level 6 Water Supply Shortage condition, the District will implement the mandatory conservation measures identified in Water Shortage Level 4.</p>
<p>NOTES:</p>		

8.4 SHORTAGE RESPONSE ACTIONS

CWC 10632.

(a)(4) Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:

(A) Locally appropriate supply augmentation actions.

(B) Locally appropriate demand reduction actions to adequately respond to shortages.

(C) Locally appropriate operational changes.

(D) Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.

(E) For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.



8.4.1 DEMAND REDUCTION

A full listing of the restrictions/prohibitions associated with each shortage level is provided below.

Water Shortage Level 1

A Level 1 Water Supply Shortage exists when the District through its Board of Directors determines, that due to drought, a water supply shortage or a threatened water shortage exists and customer use reductions are necessary to comply with state requirements and to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the District's Board of Directors of a Level 1 Water Supply Shortage condition, the District will implement the mandatory Level 1 conservation measures identified in this section.

- A. Additional Water Conservation Measures. In addition to the existing prohibited uses of water identified in Water Use Efficiency Requirements & Prohibition Against Waste in District Ordinance No. 62, the following water conservation requirements apply during a declared Level 1 Water Supply Shortage.
- B. Limits on Watering Hours: During times of water shortage (as declared by the Board), watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 10:00 a.m. and 4:00 p.m. Pacific Standard Time or Pacific Daylight Time, as applicable, on any day, except for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
- C. Obligation to Fix Leaks, Breaks or Malfunctions: All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with five (5) days after written notification by the District unless other arrangements are made with the District.



Water Shortage Level 2

A Level 2 Water Supply Shortage exists when the District through its Board of Directors determines, that due to drought, a water supply shortage or a threatened water shortage exists and customer use reductions are necessary to comply with state requirements and to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the District's Board of Directors of a Level 2 Water Supply Shortage condition, the District will implement the mandatory Level 2 conservation measures identified in this section.

- A. Additional Water Conservation Measures. In addition to the prohibited uses of water identified in Water Use Efficiency Requirements & Prohibition Against Waste in District Ordinance No. 62, and Water Shortage Level 1, the following water conservation requirements apply during a declared Level 2 Water Supply Shortage.
- B. Limits on Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three (3) days per week. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than two (2) days per week on a schedule established and posted by the District. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hours. This provision also does not apply to watering or irrigating for very short periods of time for express purpose of adjusting or repairing an irrigation system.
- C. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with seventy-two (72) hours of notification by the District unless other arrangements are made with the District.
- D. Other Prohibited Uses. The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.



Water Shortage Level 3

A Level 3 Water Supply Shortage exists when the District through its Board of Directors determines, that due to drought, a water supply shortage or a threatened water shortage exists and customer use reductions are necessary to comply with state requirements and to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the District's Board of Directors of a Level 3 Water Supply Shortage condition, the District will implement the mandatory Level 3 conservation measures identified in this section.

- A. Additional Water Conservation Measures. In addition to the prohibited uses of water identified in Water Use Efficiency Requirements & Prohibition Against Waste in District Ordinance No. 62 and Water Shortage Levels 1 and 2, the following water conservation requirements apply during a declared Level 3 Water Supply Shortage.
- B. Watering Days: Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two (2) days per week on a schedule established and posted by the District. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one (1) days per week on a schedule established and posted by the District. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hours. This provision also does not apply to watering or irrigating for very short periods of time for express purpose of adjusting or repairing an irrigation system.
- C. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with forty-eight (48) hours of notification by the District unless other arrangements are made with the District.



- D. Limits on Filling Ornamental Lakes or Ponds. Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to the declaration of a supply shortage level under this ordinance.
- E. Limits on Filling Residential Swimming Pools & Spas: Re-filling of water constituting more than one foot of depth, and initial filling of, residential swimming pools or outdoor spas with potable water is prohibited.
- F. Other Prohibited Uses. The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.
- G. Mandatory Percentage Use Reductions. During a Level 3 Water Supply Shortage condition, all customers will be required to reduce water consumption by a percentage determined by the District's Board of Directors.

Water Shortage Level 4

- A. A Level 4 condition exists when the District's Board of Directors declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to ensure sufficient supplies will be available to meet anticipated demands. Upon the declaration of a Level 4 Water Supply Shortage condition, the District will implement the mandatory Level 4 conservation measures identified in this section.
- B. Additional Conservation Measures. In addition to the prohibited uses of water identified in District Ordinance No. 62, the following water conservation requirements apply during a declared Level 4 Water Supply Shortage.
- C. No Watering or Irrigating. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction shall not apply to the following categories of use unless the District's Board of Directors has determined that recycled water is available and may be lawfully applied to the use:



1. Maintenance of vegetation, including trees and shrubs, that are watered using a handheld bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or a very low-flow drip type irrigation system when no emitter produces more than two (2) gallons of water per hour subject to the hour restrictions in Shortage Level 1;
 2. Maintenance of existing landscape necessary for fire protection;
 3. Maintenance of existing landscape for soil erosion control;
 4. Maintenance of landscape within active public parks and playing fields, day care center, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week.
 5. Public works projects and actively irrigated environmental mitigation projects.
- D. **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with twenty-four (24) hours of notification by the District unless other arrangements are made with the District.
- E. **No New Potable Water Service.** Upon declaration of a Level 4 Water Supply Shortage condition, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:
1. A valid, unexpired building permit has already been issued for the project;
or
 2. The project is necessary to protect the public's health, safety and welfare;
or
 3. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.



4. This provision does not preclude the resetting or turn-on of meters to provide continuation of water service of the restoration of service that has been interrupted for a period of one year or less.
- F. Discontinue Service: The District, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.
- G. Other Prohibited Uses. The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.

Water Shortage Level 5

- A. A Level 5 condition exists when the District's Board of Directors declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to ensure sufficient supplies will be available to meet anticipated demands. Upon the declaration of a Level 5 Water Supply Shortage condition, the District will implement the mandatory Level 5 conservation measures identified in this section.
- B. Additional Conservation Measures. In addition to the prohibited uses of water identified in District Ordinance No. 62, the following water conservation requirements apply during a declared Level 5 Water Supply Shortage.
- C. No Watering or Irrigating. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction shall not apply to the following categories of use unless the District's Board of Directors has determined that recycled water is available and may be lawfully applied to the use:
 1. Maintenance of vegetation, including trees and shrubs, that are watered using a handheld bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or a very low-flow drip type irrigation system when no emitter produces more than two (2) gallons of water per hour subject to the hour restrictions in Shortage Level 1;
 2. Maintenance of existing landscape necessary for fire protection;
 3. Maintenance of existing landscape for soil erosion control;



4. Maintenance of landscape within active public parks and playing fields, day care center, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week.
 5. Public works projects and actively irrigated environmental mitigation projects.
- D. **Obligation to Fix Leaks, Breaks or Malfunctions.** All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired with twenty-four (24) hours of notification by the District unless other arrangements are made with the District.
- E. **No New Potable Water Service.** Upon declaration of a Level 5 Water Supply Shortage condition, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:
1. A valid, unexpired building permit has already been issued for the project;
or
 2. The project is necessary to protect the public's health, safety and welfare;
or
 3. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.
 4. This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.
- F. **Discontinue Service:** The District, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.
- G. **Other Prohibited Uses.** The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.



Water Shortage Level 6

- A. A Level 6 condition exists when the District's Board of Directors declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to ensure sufficient supplies will be available to meet anticipated demands. Upon the declaration of a Level 6 Water Supply Shortage condition, the District will implement the mandatory Level 6 conservation measures identified in this section.
- B. Additional Conservation Measures. In addition to the prohibited uses of water identified in District Ordinance No. 62, the following water conservation requirements apply during a declared Level 6 Water Supply Shortage.
- C. No Watering or Irrigating. Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction shall not apply to the following categories of use unless the District's Board of Directors has determined that recycled water is available and may be lawfully applied to the use:
 - 1. Maintenance of vegetation, including trees and shrubs, that are watered using a handheld bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or a very low-flow drip type irrigation system when no emitter produces more than two (2) gallons of water per hour subject to the hour restrictions in Shortage Level 1;
 - 2. Maintenance of existing landscape necessary for fire protection;
 - 3. Maintenance of existing landscape for soil erosion control;
Maintenance of landscape within active public parks and playing fields, day care center, school grounds, cemeteries, and golf course greens, provided that such irrigation does not exceed two (2) days per week.
 - 4. Public works projects and actively irrigated environmental mitigation projects.
- D. Obligation to Fix Leaks, Breaks or Malfunctions. All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired



with twenty-four (24) hours of notification by the District unless other arrangements are made with the District.

E. No New Potable Water Service. Upon declaration of a Level 6 Water Supply Shortage condition, no new potable water service shall be provided, no new temporary meters or permanent meters shall be provided, and no statements of immediate ability to serve or provide potable water service (such as, will serve letters, certificates, or letters of availability) shall be issued, except under the following circumstances:

1. A valid, unexpired building permit has already been issued for the project;
or
2. The project is necessary to protect the public's health, safety and welfare;
or
3. The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the District.
4. This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.

F. Discontinue Service: The District, in its sole discretion, may discontinue service to consumers who willfully violate provisions of this section.

G. Other Prohibited Uses. The District may implement other prohibited water uses as determined by the District's Board of Directors, after written notice is provided to District customers.

8.4.2 SUPPLY AUGMENTATION

The District does not plan to add a new source of water supply to address customer demands, but instead will consider increased supplies from existing sources. Table 8-3 reflects this approach and does not identify any new supplies. Instead, the District will focus on demand reduction measures in the event existing sources of supply are not



sufficient to meet customer demands. As discussed in Chapter 6, the District's sources of water supply include groundwater produced from the Central Basin and recycled water supplies purchased from CBMWD. As noted in Section 8.2, beginning July 1, 2022, the District will prepare and submit an Annual Assessment which will include a review of water supplies available to meet water demands for the current and upcoming years. If the District is currently in, or considers entering into, one of the standard water shortage levels identified in Section 8.3, the District will consider the water supply (augmentation) actions described below.

CLOSED SESSION

**REGULAR MEETING OF THE BOARD OF DIRECTORS
PICO WATER DISTRICT
4843 S. Church Street
Pico Rivera, California, 90660**

5:30 PM Wednesday, June 1, 2022

AGENDA

11. CLOSED SESSION.

PUBLIC EMPLOYMENT (Government Code Section 54957)
Title: General Manager

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code
Section 54956.9.

One Case.