



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 08/03/2021

ITEM NO: 13

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DATE: July 19, 2021  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Water Conservation

- a. Adopt a 45-day Urgency Ordinance Declaring the Existence of a Condition of Drought and Providing for Mandatory Reductions in and Specified Prohibition of Water Use; and
- b. Direct Staff to Implement or Continue Water Conservation Measures and Activities as Described in the Staff Report.

**RECOMMENDATION:**

Staff recommends that the Town Council authorize the following actions related to water conservation:

- a. Adopt a 45-day Urgency Ordinance (Attachment 1) declaring the existence of a condition of drought and providing for mandatory reductions in and specified prohibition of water use; and
- b. Direct staff to implement or continue water conservation measure and activities as described in the staff report.

**BACKGROUND:**

On June 9, 2021, Valley Water's Board of Directors adopted Resolution 21-86 declaring an emergency water shortage and calling for water savings of 15 percent compared to 2019 usage. Valley Water is a governmental agency that serves as the primary water "wholesaler" covering most of Santa Clara County and all of the Town of Los Gatos. The San Jose Water Company (SJWC) is a private utility company that serves as the primary water "retailer" serving residents and businesses in the Town of Los Gatos. Both the SCVWD and SJWC are subject to regulatory and drought requirements of the California State Water Resources Control Board (CSWRCB) and the California Public Utilities Commission (CPUC). Neither Valley Water nor SJWC have authority to enforce regulations at the local level. It is through partnerships with local

**PREPARED BY:** Matt Morley  
Parks and Public Works Director

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Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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BACKGROUND (continued):

regulatory agencies like the Town that enforcement can occur. In order to have an enforcement tool, the Town must pass an ordinance, as recommended in this report.

DISCUSSION:

*Urgency Ordinance*

An "Urgency Ordinance" allows for the adoption of the ordinance and immediate enforcement, without typical noticing prior to the ordinance being considered by the Town Council. An Urgency Ordinance requires a four-fifths majority for adoption and lasts for up to 45 days. The Town Council may extend the ordinance for a period of ten months and fifteen days, subject to noticing and public hearing requirements. Adoption of an Urgency Ordinance also requires that the Ordinance be published in a newspaper within 15 days of adoption.

The proposed Urgency Ordinance (Attachment 1) provides for a number of conservation measures, similar to those recommended by Valley Water. Some elements of the Urgency Ordinance include:

- Limits watering of ornamental landscapes or lawns to a maximum of three days a week and before 9:00 a.m. or after 5:00 p.m.
- Prohibits potable water use that results in flooding or runoff in gutters or streets.
- Allows individual private washing of cars only with a hose that includes a shut off nozzle.
- Prohibits the use of potable water for washing of buildings, driveways, sidewalks, etc.
- Prohibits the use of potable water for filling or refilling swimming pools.
- Requires restaurants to serve water to patrons only upon request.
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As in the past, Town staff will work with partners at SJWC and Valley Water to educate residents of the urgent need to conserve. Enforcement actions will remain an option only where flagrant non-compliance exists.

*Town Leading by Example*

As in the past, the Town has led the way in conservation efforts. Many previous efforts, including low flow toilets and aerators on faucets, remain in place. Over the summer, staff implemented a number of additional conservation efforts as follows:

- Launched a dedicated web page and marketing campaign - #DroughtReadyLG at [www.losgatosca.gov/DroughtReadyLG.com](http://www.losgatosca.gov/DroughtReadyLG.com)
- Reduced fountain hours at Plaza Park and Town Hall, with signage identifying the reduced hours and reason. The fountains are set up to recycle water, so the only loss is

DISCUSSION (continued):

from evaporation and reduced hours will achieve the targeted 15% savings. Plaza fountain hours will reduce from noon to 6 p.m. daily to noon to 3 p.m. daily. Town Hall fountain will reduce from 7 a.m. to 8 p.m. daily to noon to 3 p.m. daily.

- Reduced irrigation of turf at Town facilities, including parks. During the last drought, the Town established zones in each park where some areas were allowed to get brown and some areas were kept reasonably green to allow for continued recreational use. This will be implemented over the next several weeks and maps will be posted at the parks to demonstrate these efforts. This effort alone will result in the greatest reduction in water use for the Town.
- Reduced irrigation in median islands with varying water levels depending on plant needs.
- Discontinued downtown sidewalk pressure washing.
- Coordinated with Valley Water for an irrigation audit of Town Parks to identify other potential areas for savings.
- Requested 2019 water usage data from San Jose Water and initiated tracking of municipal accounts to help understand utilization and progress towards meeting the 15% reduction target.
- Began preparation of a “how to” video for downtown planter volunteers to help them take advantage of the efficient drip irrigation that is in place.

The Town Council may wish to provide direction on these or additional measures.

CONCLUSION:

Adoption of an Urgency Ordinance and implementation of Town conservation efforts will allow for immediate action towards community-wide water savings to achieve the 15 percent targeted reduction.

COORDINATION:

This project has been coordinated with Code Compliance staff in the Community Development Department.

FISCAL IMPACT:

Minimal costs for outreach will be absorbed by the Parks and Public Works Department Operating Budget.

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ENVIRONMENTAL ASSESSMENT:

This is not a project as defined under CEQA and is categorically exempt from CEQA pursuant to CEQA Guideline 15307 (Actions by Regulatory Agencies for Protection of Natural Resources).

Attachment:

1. Draft Urgency Ordinance