



Beverly Hills City Council / Public Works Commission Liaison Committee and the Public Works Commission will conduct a Special Meeting, at the following time and place, and will address the agenda listed below:

**CITY HALL
455 North Rexford Drive
4th Floor Conference Room A
Beverly Hills, CA 90210**

**Wednesday, May 27, 2015
1:00 PM**

AGENDA

- 1) Public Comment
 - a. Members of the public will be given the opportunity to directly address the Committee on any item listed on the agenda.
- 2) Water Conservation Program Update
- 3) Swimming Pool Policy and Water Conservation
- 4) Water Penalty Surcharge Update
- 5) Water Rate Discussion
- 6) Wastewater Capacity Fee Review
- 7) Adjournment



Byron Pope, City Clerk

Posted: May 26, 2015



In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Manager's Office at (310) 285-1014. Please notify the City Manager's Office at least twenty-four hours prior to the meeting so that reasonable arrangements can be made to ensure accessibility.

City of Beverly Hills
Stage D Water Proposed Conservation Requirements for Swimming Pools
Public Works Liaison Committee Consideration

A final policy is needed to set clear direction on the impact of the Municipal Code Emergency Declaration related to all swimming pools in the City during a drought declaration. This document addresses two main considerations, defining impacts to the construction/filling of new pools and defining the refilling of existing swimming pools.

New Pool Construction/Filling

Effective June 6, 2015, the new Stage D requirement for swimming pools is as follows:

9-4-304 (D) 2e. Refilling of pools, spas, or ponds shall be prohibited unless required for health or safety reasons. Topping of pools with water to maintain filter effectiveness and prevent standing water with breeding of insects is considered filling for health reasons.

The current Stage D Municipal Code language is silent in regards to the initial filling of new pools. Staff has outlined three options (listed below) for consideration based on various factors.

1. Continue to allow the initial filling of swimming pools

The policy could remain silent on new swimming pools. Applications, permits and construction would continue as normal. There are currently 79 new permitted pools under construction in the City. Any new requirements to restrict the initial filling of swimming pools would not apply to pools where the city has issued permits. -Based on the current rate of swimming pool applications there is projected to be an additional 30 to 40 applications over the next 9 months. The estimated water savings from not allowing the initial filling of 40 new swimming pools is approximately 800,000 gallons. (40 pools x 20,000 gallons/pool)

2. Adopt ordinance prohibiting the issuance of permits for the construction of new swimming pools during drought declaration

This policy option is considered when anticipating how the State Regulators will view Beverly Hills efforts to meet the mandated 36% reduction by February 2016. This policy would make the strongest statement to our regulators that the City is moving forward with significant actions to meet compliance with the mandated reductions.

Numerous cities that have adopted a policy to limit filling of pools (Information from the Association of California Water Agencies website dated March 19, 2015).

Agencies restricting initial filling of pools:

- City of American Canyon
- City of Healdsburg
- City of Windsor
- Menlo Park Water District
- North Tahoe Public Utilities District
- North Marin Water District
- San Jose Water Company
- San Lorenzo Water District
- Santa Clara Valley Water District
- Santa Margarita Water District (but rescinded, See LA Times Sept 8, 2014).

Implementation

- New swimming pools are allowed to be filled, for the first time, provided such pools have a valid building permit approved by the City.
- Prohibit the issuance of permits for the construction of new pools.
City Council could adopt an ordinance prohibiting the issuance of permits for new pools based on the emergency drought order. This would allow customers to apply for a permit and submit plans to construct a new pool. The City would approve the plans but not issue a permit to construct the pool until the City rescinded the Stage D water conservation requirements. There are currently 7 new pool applications that have been submitted and are not yet approved. Prohibiting the initial filling of these pools will save approximately 140,000 gallons of water. As stated above, it is projected as many as 40 new pool permit applications may be submitted over the next nine months. Prohibiting the initial filling of these pools could save approximately 800,000 gallons of water.

3. Adopt Ordinance to charge a fee for the initial filling of new swimming pools

In reviewing other city policies, staff identified one other potential approach for consideration. The City of Santa Monica has implemented a fee based policy for addressing construction/filling of new pools. The funds collected could be used to enhance Beverly Hills conservation programs, cover penalty costs the City may receive due to violations or other related cost. Below is an excerpt from their Santa Monica Municipal Code.

Section 7.16.020 of the Santa Monica Municipal Code (ordinance dated January 2015)

(c) **Water Features and Water Recreation Facilities.** No person shall:

(1) Fill, for the first time, any water feature such as a fountain, pond, lake or water display unless the water feature is constructed with a water recycling system and, prior to the issuance of a building permit, a fee is paid to the City Manager or his or her designee equal to the first year water consumption of the water feature as determined by the City Manager or his or her designee.

(2) Fill, for the first time, any water recreation facility such as a hot tub, spa, permanent swimming or wading pool unless the water recreation facility is constructed, installed or equipped with a cover to reduce water loss due to evaporation and, prior to the issuance of a building permit, a fee is paid to the City Manager or his or her designee equal to the first year water consumption of the water recreation facility, as determined by the City Manager or his or her designee.

Implementation

Council could adopt a new fee to be developed by Public Works Services and collected at time of permit issuance by the Community Development Department

Refilling of Existing Swimming Pools

Staff is proposing only one option for this topic. Between January 1, 2014 and May 5, 2015, the City issued 64 permits for repair and/or remodel of existing swimming pools. Below outlines the recommended direction from staff.

Implementation

The current Stage D requirements state existing swimming pools shall only be drained and refilled for health and safety reasons, which include certain repairs to fix leaks, structural, plumbing /electrical deficiencies or water quality issues on a case by case basis. Permit applications to drain, repair, and refill the pool shall be accompanied by a statement from a licensed pool contractor stating the nature and duration of repairs/safety issue to be made and the date and method of which the pool shall be drained.

- **Recommend requiring pool cover as condition of refilling of pools wherever possible.** Pool covers can reduce evaporation by 30-50%. This approach may be difficult for some types of public and private pool configurations.