

OTAY WATER DISTRICT
FINANCE, ADMINISTRATION AND COMMUNICATIONS
COMMITTEE MEETING
and
SPECIAL MEETING OF THE BOARD OF DIRECTORS

2554 SWEETWATER SPRINGS BOULEVARD
SPRING VALLEY, CALIFORNIA
BOARDROOM

WEDNESDAY
May 20, 2015
12:00 P.M.

This is a District Committee meeting. This meeting is being posted as a special meeting in order to comply with the Brown Act (Government Code Section §54954.2) in the event that a quorum of the Board is present. Items will be deliberated, however, no formal board actions will be taken at this meeting. The committee makes recommendations to the full board for its consideration and formal action.

AGENDA

1. ROLL CALL
2. PUBLIC PARTICIPATION – OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO SPEAK TO THE BOARD ON ANY SUBJECT MATTER WITHIN THE BOARD'S JURISDICTION BUT NOT AN ITEM ON TODAY'S AGENDA

DISCUSSION ITEMS

3. AWARD A CONTRACT TO WATCHLIGHT CORPORATION FOR ENTERPRISE PHYSICAL SECURITY AND ACCESS CONTROL, EQUIPMENT MAINTENANCE, AND AS-NEEDED SERVICES IN AN AMOUNT NOT-TO-EXCEED \$500,000 FOR FISCAL YEARS 2016 AND 2017 (\$250,000 PER FISCAL YEAR) WITH A CONTRACTUAL END DATE OF JUNE 30, 2017 (PAYNE) [5 mins]
4. APPROVE THE IMPLEMENTATION OF VARIOUS CONSERVATION EFFORTS TO COMPLY WITH THE STATE WATER RESOURCES CONTROL BOARD'S EMERGENCY CONSERVATION REGULATIONS OF POTABLE URBAN WATER USE (CAREY/BUELNA) [5 minutes]
5. ADOPT ORDINANCE NO. 551 WHICH DECLARES A STATE DROUGHT EMERGENCY AND CALLS FOR MANDATORY CONSERVATION MEASURES TO ACHIEVE MANDATED CONSERVATION TARGETS (CAREY) [5 minutes]
6. ADJOURNMENT

AGENDA ITEM 3



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	June 3, 2015
		PROJECT:	Various DIV. NO. ALL
SUBMITTED BY:	Kent Payne Purchasing and Facilities Manager		
APPROVED BY:	<input checked="" type="checkbox"/> Adolfo Segura, Assistant Chief, Admin & IT Services <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	AUTHORIZE AGREEMENT WITH THE WATCHLIGHT CORPORATION FOR ENTERPRISE PHYSICAL SECURITY AND ACCESS CONTROL, EQUIPMENT MAINTENANCE, AND AS-NEEDED SERVICES		

GENERAL MANAGER'S RECOMMENDATION:

That the Board authorize entering into an agreement with The Watchlight Corporation (Watchlight) in an amount not-to-exceed \$250,000 for enterprise physical security and access control, equipment maintenance, and as-needed services from July 1, 2015 to June 30, 2016, with an optional one (1) year extension of \$250,000.

COMMITTEE ACTION:

See "Attachment A".

PURPOSE:

The purpose of this staff report is to present solicitation results and request that the Board authorize entering into an agreement with The Watchlight Corporation for enterprise physical security and access control, equipment maintenance, and as-needed services from July 1, 2015 through June 30, 2016, in an amount not-to-exceed \$250,000, with an optional one (1) year extension of \$250,000.

ANALYSIS:

Current Facility Conditions:

Intrusion Alarm Systems: The District operates a main campus of 3 buildings and over 40 remote facilities throughout the District. The majority of these sites are monitored for intrusion through Digital Monitoring Products (DMP) alarm security systems. Each system has its own permissions database that requires the District's security services provider to maintain and update. Many remote sites employ numeric keypads posing a security risk when codes are not routinely updated and most of these systems have reached the end of their useful life. Over many years, the District has employed a number of security contractors each with their own approach and standard of work. As a result, a mix of security systems, components and wireless devices have been deployed in places where hardwired and standardization is desired. Many of the systems are no longer Underwriters Laboratories (UL) compliant.

Physical Access Control: Lenel Software (Lenel), as a standalone program, provides gate and building access control at fewer than half of the District's facilities. IT staff is required to maintain and manage permission databases at each of these sites in addition to coordinating with the security services provider to update intrusion alarm systems. Denial of access and false alarms are not uncommon due to changing employee permissions and the delays in synchronizing multiple databases. The sites without access control utilize chain and combination locks to secure the grounds, and where buildings exist, master keys are issued to staff. Each pose security risks through lost keys, the need for lock code rotation, and chains being cut.

Facility Video Surveillance: Where it exists, video surveillance is provided by Milestone video management system (Milestone) and is utilized mainly for forensic purposes. Real-time intrusion alarm video verification is not available under the currently supported security management tools.

Standardization and Modernization Program (Program):

The purpose of the Program is to standardize and modernize the District's physical security alarm, access control, and video verification systems and to consolidate administrative functions under DMP's Entré Access & Security Management System Software (Entré). Each facility's final design can be imported as a security layer within the District's geographic information system (GIS). In addition, the District can expect a minimum 20-year infrastructure life span under the Program's UL requirements. Those facilities currently secured with mechanical chain and combination lock will be converted to DMP access and all keypad security panels will be upgraded to eliminate the need

for codes. Staff access and security authentication will be delivered through assigned credentials (i.e., FOB, RFID, and digital clicker), which can be tracked and verified in real-time.

With a standardized system, Lenel functions will be rolled into DMP allowing for one centrally managed and maintained permissions database, saving significant management hours along with the yearly support and license fees. It also eliminates the dispatch of security or District personnel for false alarms, prevents unintentional access denials, provides management tools to remotely assist staff and/or vendors with access and/or to arm/disarm zones, and, provides a path for intrusion alarm video verification through Milestone.

Solicitation and Methodology:

Staff issued RFQ-FY16-01 seeking DMP certified respondents with the goal to identify the most responsible contractor. As it's not feasible nor desirable to conduct a District-wide site walk, staff compiled a list of components, materials and labor categories, which are expected to be utilized in the Program and assigned each a weight reflecting possible quantities. Respondents were instructed that, after a contract is awarded, staff will prioritize, direct and consult with the awarded contractor on system design and functionality per location utilizing design-build and value engineering techniques. Final designs and costs will be approved by staff.

Solicitation Results:

District received four responsive proposals. Respondents were given a score based on the sum of quoted unit prices multiplied by the assigned weight. Watchlight received the lowest overall score (Attachment B). Watchlight is a local family-owned corporation, established in 1972, with 68 employees. They are the District's current intrusion alarm monitoring company and have successfully completed similar projects at EagleBurgmann Industries, Helix Water District, and at the District itself including an Entré proof-of-concept project at the District's 657-1&2 Reservoir facility.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

Safety and Security Improvements CIP P2382 designates \$250,000 for each of the fiscal years 2016 and 2017. The District's Purchasing & Facilities Manager and Safety & Security Specialist have projected that this amount is sufficient to meet the District's needs of enterprise physical security and access control, equipment maintenance, and as-needed services for both fiscal years.

STRATEGIC GOAL:

The implementation of enterprise physical security and access control, equipment maintenance, and as-needed services is in line with and supports the District's goals and objectives to evaluate and enhance the District's physical security infrastructure, processes and planning in order to maintain a safe, secure, and efficient workplace.

LEGAL IMPACT:

None.

Attachments:

Attachment A - Committee Action Report

Attachment B - Score Sheet - Enterprise Physical Security and Access Control, Equipment Maintenance, and As-Needed Services



ATTACHMENT A

SUBJECT/PROJECT:	AUTHORIZE AGREEMENT WITH THE WATCHLIGHT CORPORATION FOR ENTERPRISE PHYSICAL SECURITY AND ACCESS CONTROL, EQUIPMENT MAINTENANCE, AND AS-NEEDED SERVICES
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COMMITTEE ACTION:

The Finance, Administration, and Communications Committee reviewed this item at a meeting held on May 20, 2015. The Committee supports presentation to the full Board for their consideration.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for Board approval. This report will be sent to the Board as a Committee approved item, or modified to reflect any discussion or changes as directed from the Committee prior to presentation to the full Board.

SCORE SHEET

Rank	Score	HQ	Entity Established	Employees	SB 854 Registered Contractor	Sub-Contractor	Entré Experience	District Experience		References
								Poor/Good/Excellent		
1	Watchlight Corporation	32,235	El Cajon, CA	Corporation 1972	68	Yes	No	Yes	Excellent	Excellent
2	Standard Electronics	33,883	Santee, CA	Corporation 1955	33	Yes	None Listed	Certificate None Listed	Poor	
3	American Security Group	36,390	Vista, CA	Corporation 1991	25	Yes	No	Certificate None Listed	None	
4	Time and Alarm	38,129	Mira Loma, CA	Corporation 1978	65	Yes	K.A. Electric	Yes	Good	

Item #	Description	Weight	Score	Score	Score	Score
	QUOTATION FORM		WATCHLIGHT	STANDARD ELECTRONICS	TIME AND ALARM	AMERICAN SECURITY GROUP
1	1/2" Cord strain relief connector	13	59	30	146	31
2	1/2" Coupling Rain Tight Connector	16	20	12	11	68
3	1/2" EMT Conduit Pipe 10 ft	26	100	26	103	57
4	1/2" TA Rain Tight Connector	27	41	81	20	29
5	1/2" Tee EMT with Pull Cover	3	19	20	34	27
6	12V DC 7Ah Backup Battery	8	400	108	141	115
7	16ch 12v DC 5Amp power supply	2	278	454	363	314
8	18/4 Wire 1000 ft Pull Box	6	1,632	1,416	1,440	1,273
9	22/4 Wire 1000 ft Pull Box	4	388	316	708	320
10	3/4" EMT Conduit Pipe 10 ft	25	153	1,425	148	102
11	3/4" PVC Conduit Pipe 10 ft	50	171	1,500	230	123
12	3/4" LB back pull cover	5	44	25	66	19
13	3/4" Rain Tight Coupling Connector	38	95	48	55	242
14	3/4" Superstrut strap	25	63	21	50	45
15	3/4" TA Rain tight Terminal adapter	100	206	105	144	29
16	3/4" Tee with pull door	9	79	63	161	34
17	AC Transformer 16.5VAC 50mA	9	135	99	152	130
18	DMP 1100XW Wireless Receiver High Power	1	132	97	89	90
19	DMP 263C Cell Station	2	430	422	389	392
20	DMP 307 Enclosure Tamper Switch	15	185	180	167	167
21	DMP 330 Dual End 4-Wire Harness	17	102	100	112	94
22	DMP 387-1 EXT Antenna 90db	2	476	466	429	432
23	DMP 387-4 Ext Antenna Cable 4ft	2	72	70	65	65
24	DMP 710 Bus Splitter/Repeater	2	94	92	88	85
25	DMP 714-16 Zone Expander Module	4	920	768	707	713
26	DMP 714-8 Zone Expander Panel	4	468	452	185	420
27	DMP 716 Output Relay Module	3	420	261	240	242
28	DMP 734 Access Door Control Module	22	2,860	2,772	2,640	2,577
29	DMP XR Series Enclosure	11	776	759	698	702
30	DMP XT Series Enclosure	1	25	24	22	22
31	DMP XR150N Alarm/Access Control Panel	1	750	408	357	375
32	DMP XR550 Access/Alarm Control Panel	2	1,900	1,194	1,090	1,098
33	DMP XT Series Enclosure	2	49	48	44	45
34	ELK 924 DPDT Relay Module	2	30	32	26	23
35	ELK 960 Timed/Delay DPDT Relay Module	1	37	32	17	24
36	ELK-912-8 SPDT 10A Relay Module	6	135	75	198	43
37	High Security Contact	29	870	3,654	2,777	2,853
38	Micro 360 Ceiling Mount Motion Detector	1	350	117	70	96
39	Micro Wall Motion Detector	11	1,485	1,045	385	858
40	Outdoor Photo Electric Beam	4	648	2,416	726	1,872
41	PIZO 12V DC	3	45	33	11	10
42	Prox Card Reader # HID-FP4521A Format-10022	5	1,100	1,070	1,118	708
43	SMP3 Aux Power Supply 12v DC 3Amp	4	183	156	165	110
44	SMP5 Aux Power Supply 12V DC 5A	4	290	232	228	161
45	Superstrut thick wall 10 ft	2	65	38	95	47
46	Superstrut thin wall 10 ft	2	55	30	82	39
47	W/P 12"x12"x6" Plastic Box	5	280	240	357	202
48	W/P 1-Gang Box	15	210	53	242	61
49	W/P 2-Gang Box	15	242	105	341	151
50	W/P 4"x4"x2" Plastic Box	10	115	180	270	83
51	W/P 8"x8"x6" Plastic Box	10	316	315	529	272
52	trip charge	30	0	0	3,600	1,800
53	general install labor rate (conduit, wire pull, etc)	50	3,400	2,050	4,250	3,750
54	programming labor rate	100	6,800	6,500	8,500	9,000
55	alarm & access system design labor rate	30	2,040	1,650	2,850	3,750
	Cumulative Score		32,235	33,883	38,129	36,390

AGENDA ITEM 4



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	June 3, 2015
		PROJECT:	DIV. NO. All
SUBMITTED BY:	Armando Buelna, Communications Officer Andrea Carey, Customer Service Manager		
APPROVED BY:	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Implementation of Various Conservation Efforts to Comply with the State Board's Emergency Conservation Regulations of Potable Urban Water Use		

GENERAL MANAGER'S RECOMMENDATION:

This is an informational item only.

COMMITTEE ACTION:

See Attachment A.

PURPOSE:

To comply with the State Water Board's emergency conservation regulations of potable urban water use.

ANALYSIS:

On April 1, 2015, Governor Jerry Brown issued a series of executive orders to address California's ongoing drought and establish a statewide goal of reducing urban potable use by 25%. In response, on May 5, 2015, the State Water Resources Control Board implemented

statewide mandatory conservation targets for all urban water suppliers.

The State Water Board is mandating cuts of 20% for Otay. This targeted reduction is based on usage from 2013. The State will begin assessing compliance with the submittal of the June monthly report on July 15th. District staff is moving quickly to begin educating customers on the seriousness of the drought and the importance of conservation.

Conservation Actions

In order to meet the conservation target, staff is working on a variety of processes to encourage additional conservation throughout the District. Below are various conservation action items staff will be working on in the coming months.

Although, staff has developed new conservation strategies, it is important to highlight those processes that were put into place before the State mandate. The table below shows conservation processes already in place:

Process	Description
Leak Alarm Notification	This outreach program uses the Master Links technology to identify leak alarms. Based on usage pattern, the customer receives an email, letter or site visit.
Bill Inserts	Bill inserts/newsletters include water conservation messaging. These are sent to all our customers.
Website Updates	Latest updates and conservation guidelines about the drought.
Water Waste Tracking	Online water waste reporting and automated letters.
Tamper Alarms	Monitor meter reading software for tamper alarms which signal meter tampering and act accordingly.

Beginning on or before June 1st, the following items will be implemented:

Process	Description
Auto-dial or Email Campaign	Message to all water customers announcing state mandate specific to Otay.
Drought Webpage and Hotline	Creation of a webpage and hotline which gives customers specific information related to the state mandate and conservation resources.
Conservation Outreach to Commercial Irrigation Customers	Target all irrigation customers to inform them of state mandate and the need to reduce outdoor irrigation 25%.
Conservation Outreach to Well Water Sites	Letters mailed to all known commercial well customers notifying them of state mandates specific to well water customers.
Conservation Outreach to Top Users	Sr. Water Conservation Specialist to make personal contact with District's top residential, commercial and master meter users. Conservation will also develop targeted letter, emails and automated phone calls to users based on consumption.
Signs at Common Areas	CWA has provided Otay signs that can be strategically placed in areas throughout the District.
Additional Messaging	Social media and bill messages added/changed to communicate the drought message.
Door Hangers	New door hangers are being created that can be left at those residential homes or businesses where water waste is observed.
Bill Envelope Messages (Sniping)	Otay will put messages on the outside of the bill envelope to communicate the drought message and ways to save.
Increased CWA Water Audits	Water audits will be highlighted as part of overall water conservation messaging.
Evaluation of District's Internal Water Use	Staff will be evaluating current landscape irrigation patterns for District facilities to ensure the District is in compliance.
Recycled Water Use Signs	Signs will be available to recycled water customers that highlight recycled water is currently in use at their location.
Interactive Water Target Information on Website	Customers will be able to go to a web page and enter account information which will give a targeted conservation amount based on 2013 usage history.

The following items will be implemented by July 1st:

Process	Description
Temporary Staff	To assist with outreach and conservation efforts.
Ordinance 551	Approval by Board of Ordinance 551 adding Section 40 (State Drought Response) to the District's Code of Ordinances.
Conservation Packets	Packets that can be mailed to customers who request more information or handed to customers when water waste is observed.
Email Notifications to Customers in Highest Tier	Email customers to notify them how much of their water is being billed at the highest rate and give them a target for the next month.
Conservation Targets for all Customers	Staff will be working to communicate personal monthly conservation targets to all customers either via their Otay bill or a separate letter/email.

This last set of action items will take District staff more time and may require services from outside contractors, therefore, completion has an added complexity and will be more challenging. Staff will keep the Board updated on the progress of these items.

Process	Description
Changes to Bill Print	Enhancing the bill print to include 2013 usage data, billing tiers and usage targets.
Text Messaging	Staff is working on the ability to send text messages to customers to alert them of leaks, water waste or high consumption.
Recycled Water for Fire Department and Street Sweeping	This is an idea currently being investigated by staff to allow recycled water to be used for fire training and street sweeping.
Increase Frequency of Large Meter Testing	This effort would ensure our largest water users are accurately billed for all usage flowing through their meters. Currently, they are tested annually.
Leak Detection Program	The District will be accelerating its leak detection program. The start date is anticipated to be February 2016.

Staff will be working closely with neighboring water agencies to ensure conservation efforts align across the region. Staff will also be closely monitoring customer response of the messages communicated and will make modifications, as

necessary, to ensure all customers are aware and take the need to conserve seriously. The District's Code of Ordinances allows action against water waste up to and including disconnection of service and/or fines for repeat, egregious offenders.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

The cost of additional water conservation efforts is estimated to be approximately \$550,000. Contingency funds are currently included in fiscal year 2015 and are proposed for the fiscal year 2016 budget. Any additional funds related to the expansion of the recycled system are budgeted separately.

STRATEGIC GOAL:

Actively manage water supply and demand.

LEGAL IMPACT:

None.

Attachments:

- A) Committee Action



ATTACHMENT A

SUBJECT/PROJECT:	Implementation of Various Conservation Efforts to Comply with the State Board's Emergency Conservation Regulations of Potable Urban Water Use
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COMMITTEE ACTION:

This is an informational item only.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for board approval. This report will be sent to the Board as a committee approved item, or modified to reflect any discussion or changes as directed from the committee prior to presentation to the full board.

AGENDA ITEM 5



STAFF REPORT

TYPE MEETING:	Regular Board	MEETING DATE:	June 3, 2015
		PROJECT:	DIV. NO. All
SUBMITTED BY:	Andrea Carey, Customer Service Manager		
APPROVED BY:	<input checked="" type="checkbox"/> Joseph R. Beachem, Chief Financial Officer <input checked="" type="checkbox"/> German Alvarez, Assistant General Manager <input checked="" type="checkbox"/> Mark Watton, General Manager		
SUBJECT:	Adopt Ordinance No. 551 Declaring a State Drought Emergency and Calling for Mandatory Conservation Measures to Achieve Mandated Conservation Targets and Implementing Section 40, State Drought Response, in the District's Code of Ordinances		

GENERAL MANAGER'S RECOMMENDATION:

That the Board adopt Ordinance No. 551 declaring a state drought emergency and calling for mandatory conservation measures to achieve mandated conservation targets and implementing Section 40, State Drought Response, in the District's Code of Ordinances.

COMMITTEE ACTION:

See Attachment A.

PURPOSE:

To comply with the State Water Board's emergency conservation requirements resulting from the Governor's Executive Order.

ANALYSIS:

As a result of three consecutive dry years in the State of California, Otay Water District Board of Directors voted on August 6,

2014 to declare a Water Shortage Response Level 2 - Supply Alert Condition. At a level 2, many voluntary conservation measures became mandatory and the District increased its conservation messaging to all customers.

With emergency drought conditions persisting throughout California, Governor Jerry Brown issued an executive order on April 1, 2015, requiring mandatory conservation for all residents. The Governor directed the State Water Resources Control Board ("State Water Board") to take immediate action to achieve a 25% reduction in potable urban water use.

On May 5, 2015, the State Water Board adopted emergency regulations mandating all urban water suppliers cut potable water use by 8 to 36 percent depending on their residential gallons-per-capita-per-day average from July-September 2013. Otay Water District's reduction target is 20%.

Unfortunately, the State Water Board's decision did not give credit to those agencies that have already been conserving over the past decade or those regions who have worked to develop drought-proof water supplies. As a result of diversifying its water supplies over the past twenty five years, the San Diego County Water Authority expects to have enough water in fiscal year 2016 to meet nearly all of the typical water demands for its member agencies, including Otay.

At this time, Otay Water District does not have a water supply shortage; however, per the State Water Board mandate, it must reduce total potable water use by 20% of 2013 levels. Ordinance No. 551 will incorporate the State Water Board's regulations to facilitate compliance and will give the General Manager or his designee authority to put mandatory conservation practices in place in accordance with any regulations set forth by the County Water Authority.

FISCAL IMPACT: Joe Beachem, Chief Financial Officer

The cost of additional water conservation efforts is estimated to be approximately \$550,000. With an anticipated 12% decline in water usage, staff expects an estimated \$7 million net revenue decline which would be offset with a 1.5 percent water rate increase.

STRATEGIC GOAL:

Actively manage water supply and demand.

LEGAL IMPACT:

None.

Attachments:

- A) Committee Action
- B) Ordinance No. 551
Exhibit 1 - Section 40



ATTACHMENT A

SUBJECT/PROJECT:	Adopt Ordinance No. 551 Declaring a State Drought Emergency and Calling for Mandatory Conservation Measures to Achieve Mandated Conservation Targets and Implementing Section 40, State Drought Response, in the District's Code of Ordinances
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COMMITTEE ACTION:

The Finance, Administration, and Communications Committee recommend that the Board adopt Ordinance No. 551 declaring a State Drought Emergency and calling for mandatory conservation measures to achieve mandated conservation targets and implementing Section 40, State Drought Response, in the District's Code of Ordinances.

NOTE:

The "Committee Action" is written in anticipation of the Committee moving the item forward for board approval. This report will be sent to the Board as a committee approved item, or modified to reflect any discussion or changes as directed from the committee prior to presentation to the full board.

ORDINANCE NO. 551

AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE OTAY WATER DISTRICT
ADDING SECTION 40, STATE DROUGHT RESPONSE,
TO THE DISTRICT'S CODE OF ORDINANCES

WHEREAS, California is experiencing an unprecedented drought due to four years of lower than anticipated rainfall and snowfall; and

WHEREAS, in response to the drought, Governor Brown declared a statewide drought emergency on January 17, 2014; and

WHEREAS, on March 1, 2014, Governor Brown signed a drought relief package, SB 104, which expanded the State Water Resources Control Board's (herein "State Water Board") authority to adopt emergency regulations in certain drought conditions; and

WHEREAS, on July 15, 2014, the State Water Board adopted emergency conservation regulations implementing water restrictions for all Californians and mandating that all urban suppliers implement their Water Shortage Plans at a level that triggers mandatory restrictions on outdoor water use; and

WHEREAS, in response to the July 15, 2014 order, on August 6, 2014, the Otay Water District (herein "District") adopted Resolution No. 4239 declaring a Water Shortage Response Level 2 - Supply Alert Condition, which called for mandatory conservation measures, in order to comply with the State Water Board's emergency conservation regulations; and

WHEREAS, on March 17, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation (Resolution No. 2015-0013), which became effective March 27, 2015 upon approval by OAL; and

WHEREAS, on April 1, 2015, Governor Brown issued a new Executive Order, B-29-15, that directed the State Water Board to impose restrictions on urban water suppliers to achieve a statewide 25 percent reduction in potable urban usage through February 2016; required commercial, industrial, and institutional users to implement water efficiency measures; prohibited irrigation with potable water of ornamental turf in public street medians; and prohibited irrigation with potable water outside newly constructed homes and buildings that is not delivered by drip or micro spray systems; along with other directives; and

WHEREAS, on May 5, 2015, the State Water Board amended and readopted the emergency regulation to support water conservation (Resolution No. 2015-0032); and

WHEREAS, article 10, section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

WHEREAS, California Water Code sections 375 et seq. authorize water suppliers to adopt and enforce a comprehensive water conservation program; and

WHEREAS, the District has adopted and enforces a comprehensive Water Shortage Response Program, Section 39 of the District's Code of Ordinances, as most recently amended on August 6, 2014 via Ordinance No. 546, to allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

WHEREAS, notwithstanding the existence of the District's Water Shortage Response Program and the ongoing drought, there is no appreciable water shortage in the San Diego region under San Diego County Water Authority supplies and allocations and, therefore, shortage-related restrictions under the Water Shortage Response Program may not be justified; and

WHEREAS, despite the stable supply condition of the San Diego region, the Board nonetheless intends to comply with the State Water Board's mandates and will use its best efforts to comply, in recognition of water issues throughout the State, the benefits of widespread conservation efforts for the good of the State as a whole, and in an effort to further encourage responsible water-related practices and lifestyles; and

WHEREAS, the water conservation measures and restrictions on water use and method of use identified by this ordinance facilitate compliance with Executive Order B-29-15 and the State Water Board regulations adopted by Resolution No. 2015-0032,

BE IT ORDAINED by the Board of Directors of Otay Water District that the District's Code of Ordinances be amended by adding Section 40, State Drought Response, as per Exhibit 1 (attached).

NOW, THEREFORE, BE IT RESOLVED that the new proposed Section 40, State Drought Response (Exhibit 1), of the Code of Ordinances shall become effective June 3, 2015.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Otay Water District at a regular meeting held this 3rd day of June, 2015, by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

President

ATTEST:

District Secretary

SECTION 40. STATE DROUGHT RESPONSE

40.01 DECLARATION OF NECESSITY AND INTENT

This Section establishes water management requirements in response to and in an effort to comply with State mandates related to ongoing drought conditions throughout the State. In particular, because of variations in conservation efforts and water supply levels and sources throughout the State, restrictions necessary for a concerted statewide effort may not correlate with the water shortage conditions and prerequisites for restrictions under the District's Water Shortage Response Program set forth in Section 39, above. The District nonetheless recognizes the benefits of widespread conservation efforts for the good of the State as a whole and intends to exercise its best efforts to comply with applicable regulations and mandates.

40.02 CONSERVATION REGULATIONS RELATED TO EXECUTIVE ORDER B-29-15

a) In addition to the requirements of any Water Shortage Response Level declaration by the District, the District hereby incorporates by reference as if fully set forth herein the emergency regulation for statewide urban water conservation adopted by the State Water Resources Control Board (the "Water Board") on May 5, 2015 via Resolution No. 2015-0032 in response to Executive Order B-29-15 issued by the Governor on April 1, 2015 (the "Emergency Regulation"), including, but not limited to, the requirements of section 864 of title 23 of the California Code of Regulations and the required potable water production reduction mandated for the District pursuant to section 865 of title 23 of the California Code of Regulations.

b) To the extent there are any inconsistencies between the restrictions and mandates of the Emergency Regulation and any requirements of the District's Water Shortage Response Level due, for example, to the District not experiencing water shortage conditions justifying further restrictions required by the Emergency Regulation, the more stringent requirement shall apply.

c) Pursuant to Water Code section 1058.5, the Emergency Regulation shall remain in effect for up to 270 days unless the Water Board determines that it is no longer necessary due to changed conditions, or unless the Water Board renews the regulation due to continued drought conditions as described in Water Code section 1058.5. The District Board of Directors may declare an end to the application of the Emergency Regulation by the adoption of a resolution at any regular or special meeting held in accordance with State law provided, however, that the Emergency Regulation will automatically cease to apply upon expiration of the Emergency Regulations as set forth above.

d) To the extent the San Diego County Water Authority requires restrictions in addition to and as a result of the Emergency Regulation and/or Executive Order B-29-15, the General Manager is authorized to take action to implement the restrictions and conservations practices required.