

**LANCASTER CITY COUNCIL
SPECIAL MEETING MINUTES
WATER WORKSHOP
July 15, 2008**

CALL TO ORDER

Vice Mayor Smith called the special meeting of the City Council meeting to order at 5:04 p.m.

ROLL CALL

Present: Council Members Mann, Marquez, Sileo, Vice Mayor Smith

Absent: Mayor Parris

Staff

Members: City Manager, City Attorney, Interim Assistant City Manager, Assistant to the City Manager, City Clerk, Planning Director, Public Works Director, Interim Parks, Recreation & Arts Director, Finance Director, Economic Development Director, Housing Director, Human Resources Director

Vice Mayor Smith stated that, inadvertently, the public participation portion of the agenda was left off and informed the audience that they would have an opportunity to address the City Council. Additionally, he reviewed the Workshop outline.

The City Manager thanked staff for their hard work and all their efforts regarding this matter.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT

The Public Works Director reviewed the meeting program and made formal introductions of City staff members that would be making presentations. He reviewed challenges of the situation; background of AVEK; shortage of water coming to AVEK; presented percentages on water deliveries, content of snow pack, runoff of streams, adjudication. He presented the four basic objectives which are: reduce per capita daily use; substitute potable water with other sources; develop reliable supplies; bank water for the future. A few things that have been done by the City include: mulching; artificial turf; desert landscaping; arsenic water for dust control and street sweeping; drip irrigation; irrigation repairs and retrofitting.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Vice Mayor Smith requested clarification regarding the percentages to AVEK.

Council Member Sileo inquired as to the issue the judge will be making decisions on, in terms of the adjudication.

The Environmental Engineer for the City presented information on the groundwater recharge pilot project using recycled water. Limited water supplies are out of balance with demands; groundwater recharge is a means; discussed feasibility study; groundwater banking locations; short term and long term goals and benefits such as recharge over-drafted aquifer; enhanced flood management; maximize outside funding; regional collaboration; public awareness and involvement; expansion of groundwater recharge operations. He further discussed future steps such as commitments from partners and stakeholders; outreach campaign; funding from State and Federal sources; environmental review and clearances.

Vice Mayor Smith inquired further about funding for the project and Prop 50 funding.

The Public Works Director presented further information regarding Prop 50 and Prop 84.

Council Member Sileo requested clarification regarding funding and the benefits for the City and other agencies. The City of Lancaster is taking a lead role and making things happen and this effort is an attempt to find a pathway to get as much as possible for Lancaster.

The Management Analyst for the City presented information on the regional efforts of the Antelope Valley Regional Water Management Group (RWMG); development of the plan; details on the Integrated Regional Plan which requires broad regional commitment and investment. Antelope Valley objectives include water supply management; water quality management; flood management; environmental resource management; land use planning and management. Additionally, she explained the project selection; significant investment required and success of Integrated Regional Water Management Plan (IRWMP) Process.

The Utility Services Manager for the City presented information on Los Angeles Water Conservation Ordinances, Policies and Efforts. Ordinances included: Title II – Part 4 – Water Conservation (sunset); Title 20 – Maintenance of existing water efficient landscaping; Title 26- Water-efficient landscaping. Policies included: Phased Water Conservation Plan (Drought Management). Some of the conservation efforts that Los Angeles County has been involved in include: public education; rebate program; water audits; native plant use.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

He gave further information on the conservation efforts of Los Angeles County as well as information on the Los Angeles County Rebate Program.

Vice Mayor Smith inquired as to the efforts of Los Angeles County in the unincorporated areas.

Council Member Sileo requested clarification on the number of acre-feet that Los Angeles County is working with.

The Building Official for the City presented information on the Water Wasting ordinance and possible amendments to the Ordinance. He presented slides regarding water wasting such as overwatering of lawns. Overwatering does not benefit property owners and causes moldy foundations; hardscape damage; soil compaction; plant disease; standing water; pollution water. He presented possible additions to the Ordinance such as: prohibiting run-off from lawns and landscapes into streets, alleys, or gutters at anytime; require permits for filling of pools; require pools to drain into the sanitary sewer system; require restaurants to serve water only upon request.

Council Member Sileo requested clarification regarding permits to fill swimming pools and stated that public education is key, using the example of requiring restaurants to serve water only upon request.

Vice Mayor Smith stated that there should be something prohibiting the run-off from lawns; no cost for the pools; requiring restaurants to serve water only – maybe include this within the Business License process.

Council Member Mann addressed hotels with this restriction and the covering of pools due to evaporation.

The Building Official presented state laws that impact how the Landscape Ordinance came about. He presented information on AB 325 Water Conservation in Landscaping Act; AB 2717 Landscape Task Force; AB 1881 Water Conservation in Landscaping Act. He presented information regarding the State's Requirements for Landscaping; ET Adjustment Factor; Landscape Comparisons. Exemptions from the State Ordinance include public recreational areas; registered historical sites; cemeteries; existing landscaping with an area less than 2,500 square feet and other factors.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

The Public Works Director presented information on new development landscaping such as: approved plant list; full-site landscaping by developer; limit turf areas/artificial turf; separate meters for landscape and domestic service; turf areas separated from paved areas; mulching; weather-based irrigation controllers; landscape water budget for each unit; recycled water only for irrigation; homeowners associations not allowed to deviate; sustainable landscaping (xeriscaping) only for Landscape Maintenance Districts; updating landscape and irrigation design guidelines; adopting the state model landscape ordinance language; provide sufficient resources for the enforcement of the ordinance; provide public educational resources; bring City facilities into compliance with ordinance; setting up incentives for existing landscaping conversions.

Addressing the City Council at this time:

Neal Weisenberger – in full agreement – City is ready to adopt the State standards; continue to work with City of Palmdale; consider a separate ordinance with other requirements such as zero to 5,000; addressed the plant list; consider changing the watering months to May 1st, not March 1st due to the freezing temperatures and suggested additional steps regarding lawns and requirements as well as requirements of new development.

Patricia Hilton – Sells synthetic lawns; discussed the costs to maintain lawns vs. synthetic lawn upkeep.

Richard Wells – caution on ordinances; work and have agreement with all agencies across the board.

Vernon Fierre – Discussed what he has done in the line of water conservation such as: relocated sprinkler heads; different sprinkler system for plants; small tankless water heater; additional water conservation techniques that he uses.

Vice Mayor Smith stated that the City should adopt the State Landscaping ordinance language; plan should go further since this is the desert. Council should consider reviewing the list provided by the Public Works Director and take each item into consideration, give clear direction to staff so they will know what they are expected to draft. One very important matter: sod vs. turf – what is the percentage and where will it be placed? Victorville does not allow any sod in the front yard at all. If the City sets the amount of square footage in the front yard, for instance, give people thirty percent and leave it up to the individual as to whether it goes in the front or back yard. This will give more flexibility to people if they do decide to use artificial turf or hardscape – it allows flexibility.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Council Member Mann requested clarification on the direction the discussion was heading, assuming that staff would receive a laundry list from Council to work with, come back with a draft ordinance. He questioned how many homes are currently being built in Lancaster, therefore his desire would be to come up with a laundry list and go to a workshop so that the City can also receive buy-in from the BIA; Realtor Boards and other organizations in Lancaster. The Council is here in earnest because it is important to take action and move forward. He stated that one concern is that a month or two months from now, would the City see a tremendous amount of water savings, therefore he would prefer to move ahead with the laundry list, conduct another workshop and stressed the importance of finding the right balance to this, taking input from the public and adopting a very strong ordinance.

Vice Mayor Smith stated that it was his understanding that once the laundry list was created, then staff would approach the other stakeholders with the information. Something needs to be done sooner rather than later. If another workshop is necessary then so be it, but if staff can make the other stakeholders happy with this, staff can come back with the information rather than have another workshop.

The City Manager stated that staff will bring back a draft ordinance and will be able to do exactly what has been stated in regards to submitting the draft to the other stakeholders and the public for comments.

Council Member Mann appreciated the clarification of the process and stated that maybe whatever is decided in the ordinance for new development, maybe at some point could be used for existing development as well.

Vice Mayor Smith stated that there is currently a standing inventory of approximately 40,000 homes. It is important to figure out how the City gets from where we are now to where do we go from here and what should be done. He then brought the discussion back to what should be in the ordinance. He referred to the first three slides that the Public Works Director presented which show the requirements that are currently in place and stated that Council should discuss these and determine if the City should make them tougher. When it comes to the plant list, it is important to add a mechanism in place for plants to be added on the fly with flexibility. Limit of turf areas was the next portion of the discussion.

Council Member Mann stated that he does not have a problem with the thirty percent but there should be two limits. There should be an either/or mechanism in place such as thirty percent or 1,500 square feet maximum.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Council Member Sileo inquired as to whether the City would require developers to landscape front and back.

Vice Mayor Smith and Council Member Mann felt that this would be important in order to move forward.

Separate meters for Landscape and Domestic Service were discussed and are mandatory under the State ordinance.

The Public Works Director suggested this be required for all properties – all developments. It is important to make sure the water purveyors are not charging for separate meters.

Council Member Mann suggested that sometime in the future, consideration of two water meters and direct connections to reclaimed water.

Further discussion took place regarding dual piping systems.

Further direction included: mulching; weather-based irrigation controllers; homeowners associations not allowed to deviate; sustainable landscaping (Xeriscape).

The Public Works Director suggested that rather than call it Xeriscape, it be called Sustainable Landscaping.

Further direction included: hydrozone design; rotating sprinkler nozzles; limited spray nozzles and only low-angle; pressure regulating devices to match hydrozones; performance standards for equipment; adopt the state model; substitute 1,000 square feet for 2,500 square feet exemption; adopt a local plant list.

The Public Works Director suggested that for residential - this would remain at the 2,500 square foot amount and pools would be included in this.

Further direction included: provide public educational resources; bring City facilities into compliance with ordinance; set up incentives for existing landscape conversions.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Council Member Sileo discussed different pathways for residential vs. commercial. He stated that he is hard pressed to find a reason for turf in a commercial development. Adding apartment complexes into the residential portion is important.

Vice Mayor Smith agreed and brought up the issue of bacterial problems with turf. Require no sod on commercial areas; multi-family areas may need the turf in their recreational areas and there should be some exemptions or waivers; and exemptions for daycare facilities as well.

Further discussion took place regarding grading and the importance of eco-berms.

The Public Works Director reviewed Non-Landscape Conservation for new buildings at this point and the presentation included: Low-flow toilets; double flush toilets; waterless urinals; low-flow showerheads; manifold-based plumbing; on-demand hot water; circulating pumps; tankless hot water system; re-circulating pumps for decorative displays; install high efficiency clothes washers; Water Management Benefit Assessment District; gray water systems; pool covers; pool drains to Sanitary Sewer; porous pavement for driveways and parking lots; net zero (or some %) water use impact for new development.

It was the consensus of the Council to go forward with these matters with the exception of the gray water systems which can be looked at in the future; porous pavement for driveways and parking lots should be looked at further; and no approval for a Water Management Benefit Assessment District.

Council Member Marquez requested clarification regarding mandatory requirements under Prop 1881 by the State.

The Public Works Director explained that most of these requirements have been in place for some time and some of them are new. This process is to decide how much further the City wants to go; some of the ideas mirror the State but other ideas can take the City further.

Council Member Marquez inquired about high-efficiency clothes washers as well as since the City has purchased many redevelopment properties, it is important for the City to take the lead in this respect.

The City Manager stated that steps have already been taken in this regard.

Vice Mayor Smith requested clarification on manifold-based plumbing and discussed tankless hot water systems.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Council Member Sileo discussed high-efficiency clothes washers and stated that there should be exemptions and flexibility, as many people moving into a new home may already have high-efficiency clothes washers.

The City Manager stated that there is also the issue of mark-up and this will need to be addressed as well.

Vice Mayor Smith discussed the matter of a Water Management Benefit Assessment District and gave his reasons for opposing this because in his view it is another way to raise taxes and why should everyone be penalized because of the lack of conservation from others. He stated that there should be a higher assessment on the people who are wasting water; consider an imposed fee on these individuals and that money could be set aside for a rebate in the future.

The Public Works Director clarified that the idea for a Water Management Benefit Assessment District would only be for new developments.

Vice Mayor Smith stated that there are more creative ways to generate funds for the same purpose.

Council Member Sileo inquired as to sidewalks that are converted to DG (Decomposed Granite) and are there any ADA requirement issues on this.

The Public Works Director stated that he will have staff look into this.

Vice Mayor Smith requested that the issue of EPA standards be looked at in regards to parking lots that are converted as well.

The City Council recessed at 7:30 p.m. for a brief break.

The City Council reconvened at 7:37 p.m.

Vice Mayor Smith stated that much had been accomplished during this meeting and feels that staff has clear direction on where they should go from here. Requested consideration to have "other creative ideas" discussed at another time.

NB 1. WATER RESOURCES SUPPLY/PRESERVATION AND DEVELOPMENT (continued)

Addressing the City Council at this time:

Frank Donato, AVEK Director, stated that this meeting needed to be done for a long time; discussed the pilot program; need more communication because AVEK could have helped and participated as partners on the recharge program. He addressed pools and the importance of treatment of water; importance of no pooling of water and the issue of the West Nile disease caused from standing water. Consider implementing programs such as xeriscaping and discussed a process in Lake Elsinore regarding foreclosed properties and voluntary liens on the properties. People working on this project would be very happy to help in this regard.

The City Manager stated that he will have staff look at this and the costs involved.

Johnathon Ervin, Planning Commissioner, stated that water conservation is a huge problem; 60-70 percent water is used on landscaping; proposed a water budget allocation; other cities use this; when citizens go over the water budget, get purveyors on board to go with this process – change rate structure; offer a rebate similar to Las Vegas; presented some additional information to Council.

The City Manager clarified that the City is not a water purveyor; importance of protecting the City's interests and the water purveyors need to step up regarding this matter.

Further discussion took place regarding creative ideas – some are long range, some are not, some take partnerships with water purveyors. Important to make sure that as ordinances are adopted, to go back and review all past ordinances on this matter in the Municipal Code to make sure everything is in compliance; discussion regarding Net Zero Water Use for new development – there should be a number/range that staff can target; will-serve letters; xeriscaping; compliance with the ordinances; creativity from developers in order to get will-serve letters; retrofitting homes; partnerships.

Addressing the City Council at this time:

Kathleen Spoor, Director on the Rosamond Community Services District Board discussed the issue of chloramines (combination of chlorine and ammonia) for water disinfection and presented her concerns regarding this matter.

The City Manager thanked the Public Works staff for all their hard work to put this workshop together; thanked the City Council for their clear direction and stated that he hopes that other elected boards are as responsive.

LANCASTER CITY COUNCIL
SPECIAL MEETING MINUTES
JULY 15, 2008

ADJOURNMENT

Vice Mayor Smith adjourned the Council meeting at 8:00 p.m. and announced the next regular meeting of the City Council would take place on Tuesday, July 22, 2008 at 5:00 p.m.

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
CITY CLERK
Lancaster, CA

R. REX PARRIS
MAYOR
Lancaster, CA

**CERTIFICATION OF MINUTES
CITY COUNCIL**

I, _____, _____ of the City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original City Council minutes, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, CA on this _____ day of _____, _____.

(seal)
