



Mayor Nadine Woodward

June 3, 2022

Spokane City Council
808 W. Spokane Falls Blvd.
Spokane, WA 99201

Dear Council President Beggs and Councilmembers,

As I shared with you, after much thought and consideration, I have decided to veto Ordinance C36209. I greatly appreciate and value efforts to conserve water and am hopeful we can partner on a solution based on education and re-evaluation of our incentives-based approach.

A tiered rate structure was implemented a little over a year ago and our Water Conservation Master Plan just two years ago, so our sample size is based on a second summer of pandemic restrictions and record heat for extended stretches. My strong preference detailed in previous communications is to model a collaborative approach with our community, which I'm happy to help you lead, rather than encourage the likely divisiveness that will result from neighbors monitoring and reporting on other neighbors, no matter how well-intended the desired outcome.

I look forward to continuing the conversation on this topic as we work together on the shared outcome of water conservation. We have much work to do to gain the long-term changes in water usage behavior that will positively impact our community for years to come.

Sincerely,

Nadine Woodward
Mayor



Agenda Sheet for City Council Meeting of:

05/16/2022

Date Rec'd	5/4/2022
Clerk's File #	ORD C36209
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	CM KINNEAR X6261
Contact E-Mail	LKINNEAR@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - DROUGHT RESPONSE MEASURES ORDINANCE

Agenda Wording

Establishing water conservation and drought response measures; enacting a new section 13.04.1925; and amending section 13.04.300 of the Spokane Municipal Code.

Summary (Background)

In 2020, Council convened a volunteer working group called the Water Resource Collaboration Group tasked with reviewing the Water Conservation Master Plan and proposing updates to Council, with the goal to enable greater community input on the City's water conservation strategies. Spokane residents currently use more water per capita than 97% of the country. We can both reduce water usage and avoid costly infrastructure upgrades by taking these actions to decrease outdoor water usage.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Neutral	\$
Select	\$
Select	\$
Select	\$

Budget Account

#
#
#
#

Approvals

Dept Head	ALLERS, HANNAHLEE
Division Director	
Finance	
Legal	
For the Mayor	
Additional Approvals	
Purchasing	

Council Notifications

Study Session\Other	3/28 and 4/25 PIES
Council Sponsor	CM Kinnear & CP Beggs
Distribution List	gbyrd@spokanecity.org

FIRST READING OF THE ABOVE ORDINANCE HELD ON

5/16/2022

AND FURTHER ACTION WAS DEFERRED

Leann Hefner
CITY CLERK

PASSED BY SPOKANE CITY COUNCIL:

5/23/2022

Leann Hefner
CITY CLERK

ORDINANCE NO. C36209

An ordinance establishing water conservation and drought response measures; enacting a new section 13.04.1925; and amending section 13.04.300 of the Spokane Municipal Code.

WHEREAS, in July of 2020, the City Council convened a working group of volunteer citizens called the Water Resource Collaboration Group (“WRCG”), which was tasked with reviewing the City’s Water Conservation Master Plan and proposing updates to the City Council, with the primary goal to enable greater community input on the City’s water conservation strategies and goals; and

WHEREAS, the WRCG created a Community Water Survey (which received over 500 responses), hosted three Virtual Water Workshops (1 per Council District), presented at Park Board and Community Assembly meetings, and interviewed water department staff from Flagstaff, AZ, which has climate and water characteristics similar to Spokane; and

WHEREAS, Spokane residents currently use 202 gallons per person per day, which is more water, per capita, than 97% of the rest of the country, and the City and its residents can both reduce this water usage and avoid costly infrastructure upgrades by taking action now to decrease outdoor water usage; and

WHEREAS, Spokane residents use 5-6 times more water during summer months than during other times of the year; and

WHEREAS, policy NE 2.1 in the Natural Environment chapter of the City’s Comprehensive Plan commits the City of Spokane to “[s]upporting a water conservation program that decreases household, commercial, industrial, and agricultural water use,” and counsels that “prudent use of water should be practiced until more is known about the capacity of the aquifer. Benchmark standards should be established to monitor water consumption and aquifer capacity. Further, water billing practices should be revised to encourage water conservation. Opportunities to recycle water in industrial coolant activities and the use of treated water for non-food irrigation purposes should be explored.”; and

WHEREAS, measures such as every-other-day watering restrictions and prohibitions on watering during the day can reduce outdoor water use and avoid millions of dollars in City infrastructure costs since the City currently builds its water delivery systems to keep up with peak summertime usage; and

WHEREAS, beyond cost savings, water conservation measures are needed to protect the Spokane Rathdrum Prairie Aquifer, which is hydrologically connected with the Spokane River, and under certain conditions, such as drought, the use of one can impact the other; and

WHEREAS, the City's Parks Department has been continuously working to reduce water consumption at City facilities, including spending millions of dollars on automating sprinkler systems at City facilities, in an effort to implement policy N 6.4 (Maintenance of City Property) in the Neighborhoods chapter of the Spokane Comprehensive Plan, which commits the City to "[e]nsuring that city land, property, and infrastructure within neighborhoods are adequately maintained to protect the public health, safety, and welfare"; because "[p]roperly caring for city property protects the health, safety, and welfare of its citizens while improving aesthetic values and quality of life"; and

WHEREAS, in 2021, Parks and Public Works entered a new 10-year partnership to conserve water wherein Public Works will provide Parks with up to \$250,000 annually for water-savings projects that support the Water department's stewardship program; and

WHEREAS, the City Water Department has led ongoing efforts through Water Wise Spokane to reduce both City and community-wide water use. The program includes a wide variety of incentives and resources available to water customers including SpokaneScape, conservation rebates, education, and outreach efforts, among others; and

WHEREAS, small-scale uses of water for household gardens is important to help implement Priority Action HW 1.1, located in the Health and Wellness chapter of the City's Sustainability Action Plan, which commits the City to "[s]upport the Spokane Food Policy Council (SFPC) in studying, identifying and implementing sensible and achievable codes, policies, and requirements that eliminate barriers and reduce costs for urban farms and community gardens and expand local control of food grown, processed, and sold directly to consumers."

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there is enacted a new section 13.04.1925 of the Spokane Municipal Code to read as follows:

Section 13.04.1925 Water Conservation Measures

A. Level I:

1. Every year between June 1 – October 1 the City of Spokane shall implement the following conservation measures:
 - a. A prohibition on watering outdoor vegetation during the hours of 10 am to 6 pm;
 - b. A limitation on watering outdoor vegetation on each parcel to four days per week;
 - c. A suggested limitation of a total of 2 hours daily outdoor watering on each parcel; and

- d. A suggested prohibition on the use of water for washing outdoor hardscape features, such as sidewalks, driveways, decks, and patios.

B. Level II:

1. When the flow in the Spokane River, as measured at USGS monitoring location 12422500 (located at Lower Crossing) is predicted to fall below 1,000 cfs any time between June 1 – October 1 and the Mayor or a majority of the City Council declares a drought emergency the City shall implement the following conservation measures:
 - a. A prohibition on watering outdoor vegetation during the hours of 10 am to 6 pm;
 - b. A limitation on watering outdoor vegetation on each parcel to two days per week;
 - c. A limitation of a total of 2 hours outdoor watering daily on each parcel; and
 - d. A prohibition on the use of water for washing outdoor hardscape features, such as sidewalks, driveways, decks, and patios.
2. Paragraph (B) shall take effect on June 1, 2023.

C. Exemptions:

1. The Parks Department shall continue its efforts to upgrade park infrastructure as funding becomes available to comply with the above mandatory and voluntary measures. The department shall be exempt from these measures when the Parks Director informs City Council in writing that an exemption is necessary for the purposes of watering trees, watering the remaining parks with non-automated irrigation systems, allowing for the establishment of newly-planted landscape, mitigating fire risk in wildland-urban interface areas, operating pools and splashpads, and operating public golf courses/sports program facilities.
2. The Public Works and Utilities Department may grant to city residents reasonable exemptions from these measures for the purposes of watering community/personal vegetable gardens, trees located either within the public right-of-way or on private property, to allow for the establishment of newly-planted landscape, or in wildland-urban interface areas to mitigate wildfire risk.
3. The Public Works and Utilities Department and Park Department shall, no later than 180 days after the effective date of this section, publish standards and requirements specifying the process for seeking additional exemptions under this paragraph and the process and timelines for approval, rejection, and, if necessary, appeals from rejections of applications for exemptions under this paragraph.

- D. Upon enactment of this chapter, the Water Department shall provide education and community engagement to all water rate payers within the city's retail water delivery area on the importance of complying with the new legal standards for

watering outside vegetation and the financial and other benefits to the community.

Section 2. That Section 13.04.300 of the Spokane Municipal Code is amended to read as follows:

Section 13.04.300 ((Penalty))Penalties and Surcharges

- A. Any person or organization violating any of the provisions of this chapter other than SMC 13.04.1925, or the rules and regulations of the director, except for those violations designated infractions in SMC 1.05.190, commits a misdemeanor.
- B. Each day of a continuing violation shall constitute a new and separate violation unless otherwise specified.
- C. Surcharges
 - 1. After December 1, 2023 and no later than May 1, 2024, the City Council in consultation with the Public Works and Utilities Department will enact any changes needed in the water rate structure to meet Spokane River flows of at least 1,000 cfs year round and authorization of surcharges for violations of SMC 13.04.1925 to be deposited to the Water Conservation Program after city staff has documented at least one educational contact with the person or entity responsible for violating SMC 13.04.1925.
 - 2. In the event of any conflict between this section and the published rules and regulations issued by the Director, this section shall control.
 - 3. The Public Works and Utilities Director may enter into inter-departmental agreements with any other City department(s), as necessary, to implement the provisions of this section.

PASSED by the City Council on May 23, 2022.



Council President

Attest:

Jenni H. Gates
City Clerk

Approved as to form:

Michael J. Pisciotta
Assistant City Attorney

VETO
Mayor

5/2/2022
Date

July 6, 2022
Effective Date

VETOED by Mayor: *June 3, 2022*

*Council override of
Mayoral veto: 6.6.2022*





Water Conservation

Updated: May 2022

Water conservation is an ongoing initiative of Parks & Recreation. Here, we overview our strategies, approach, and vision for the future.

Serving the Community

- Parks & Recreation provides areas for community members to gather, recreate, and celebrate
- We steward approximately 4,000 acres of land
- We benefit and serve *all* people with healthy, accessible green spaces
- Our golf courses are self-funded solely through golfing fees
- Even though we are the top City water consumer, total park system water use accounts for 3-4% of the overall water consumption across Spokane

Limitations, Efficiencies, and Perceptions

- Parks has some inefficient and/or antiquated irrigation systems; we've identified capital needs for upgrades
- Manual watering systems exist in several locations, and require daytime operation due to staff watering. According to the findings of an independent consultant, Mimir Water, Inc., despite daytime operation and the perception that this wastes water, most of our manually irrigated parks are efficiently watered. Replacing these manual systems would improve park level of service, improve the perception of water waste in parks, and reduce staff hours dedicated to watering, but would be costly to replace and yield little actual water savings.
- Every-other-day watering in a park may involve watering half a park one day, half the next.
- With high-dollar assets like golf courses and athletic fields, daily watering is required due to agronomic requirements and foot traffic / physical demand. Daily watering is required to maintain these assets, failure to water daily would likely result in loss or significant damage to this high value turf and result in significant loss of revenue and/or capital replacement costs. We have invested significant capital into high-efficiency irrigation systems on golf courses to increase irrigation efficiency, reduce consumption, and improve turf conditions; see table below.
- When events are held in parks, we adjust watering schedules to accommodate guests.

Recent Water Conservation Projects

Since 2019, Parks & Recreation has completed projects that save more than 60 million gallons annually.

Project	Approx. Gallons Saved/Year	Overview	Cost	Funding Partnerships
Manito Japanese Gardens Koi Pond renovation	21 million	85% savings with pond pump upgrades, new UV filters, new recirculating jets, and more	\$314,000	Utilities

Grand Blvd. irrigation upgrades & turf reduction	16 million	30% savings by replacing outdated manual system with automated high efficiency, converting 2 acres of turf to SpokaneScape	\$640,000	Utilities
Indian Canyon Golf Course	19 million	35% savings by replacing 1930's system with new technology	\$2.4M	Golfers via Facility Fee
Esmeralda Golf Course	8 million	10% savings by replacing 1950's system with new technology	\$2.6M	Golfers via Facility Fee
Downriver Golf Course	11.5 million	20% savings by replacing 1950's system with new technology	\$2.6M	Golfers via Facility Fee
Riverfront N. Bank Recirculating Splash Pad	~4 million	Installed recirculating splash pad instead of flow-through system		Riverfront Park Bond

Key Partnership with Public Works

- In 2021, Parks and Public Works entered a new 10-year partnership to conserve water
- Public Works will provide Parks with up to \$250,000 annually for water-savings projects that support the Water department's stewardship program

Ongoing & Future Projects

- Downriver golf course: Nearly complete, this new irrigation system is estimated to save 9 million gallons annually, or about 20%. Funding comes from \$2.5M from the Golf Facility Improvement Fee and \$409,000 from City Utilities.
- Cannon Hill Park Pond: According to a 2021 assessment of park irrigation systems and ponds, this pond is the most significant waste of water in the City Parks system. Renovating this pond to install a liner, recirculating filtration system and automatic filling system will reduce water use by between 20-40 million gallons annually for a cost of approximately \$1.4M (14-28 gal saved per dollar invested)
- Replacing older, less efficient irrigation systems
- Designating natural areas and turf reduction zones in low-use and steep incline areas
- Utilizing mulching practices to reduce evaporation
- Focusing on water-wise plants that require less water
- Supporting the goal of the Water Department's Stewardship program to encourage every other day watering strategies, including working with Water to schedule watering at Parks to reduce peak demand in various pressure zones
- Participating in Water's education activities reducing use and supporting conservation goals

Recommendation

- Parks and Recreation will complete its own water conservation and drought response plan to balance the public needs, water savings, and efficiency.
- This mirrors a draft recommendation out of our most recent Master Planning process.
- Timeline: Q4 2022

From: Pfister, Terri
To: Coe, Melanie; Price, Laura
Subject: FW: Proposed Water Conservation/Restriction Ordinance...Enforcement and Logistic Problem..Inability to acheive Objectives..
Date: Thursday, May 19, 2022 2:34:06 PM

Please place with ORD C36209.

From: A.O.L Member Services. <dalear6@aol.com>
Sent: Thursday, May 19, 2022 1:00 PM
To: City Council Members and Staff <citycouncil@spokanecity.org>; Mayor <mayor@spokanecity.org>; Kinnear, Lori <lkinnear@spokanecity.org>; Wilkerson, Betsy <bwilkerson@spokanecity.org>; Stratton, Karen <kstratton@spokanecity.org>; Cathcart, Michael <mcathcart@spokanecity.org>; Bingle, Jonathan <jbingle@spokanecity.org>; Zappone, Zack <zzappone@spokanecity.org>; Perkins, Johnnie <jperkins@spokanecity.org>; Meidl, Craig <cmeidl@spokanepolice.org>; Jones, Garrett <gjones@spokanecity.org>; Ormsby, Michael <mormsby@spokanecity.org>; Pfister, Terri <tpfister@spokanecity.org>
Subject: Proposed Water Conservation/Restriction Ordinance...Enforcement and Logistic Problem..Inability to acheive Objectives..

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To All,

I'm concerned that your Ordinance misses a Number of Points and Controls NOT Addressed.

1. Golf Courses Use 500,000 Gallons /Day of water During the Summer(1). With the numerous courses Total Water Use by Golf Courses is unable to be offset by a resident who ONLY uses using only 300-700 gallons per day In the Summer..Less in Winter..

2. The City has contracts to Cities on West Plains as well as NW Spokane which allows those residents to use however much water. I have not read anywhere that Fairchild, City of Medical Lake and Airway Heights are required to Abide AND Enforce this proposed Ordinance.

3. There is NO Ability per State Codes, for the City to issue Limited Enforcement Abilities to ANYONE.

I DOUBT if the Police have time to issue Tickets for Watering outside Specified Hours.

4. Numerous Entities East of the City provide water to Customers. There are Water Utilities that ONLY Charge a Monthly fee REGARDLESS of the Amount of Water used by the Customer! How can the City Resident offset or negate these impacts to Aquifer Flow and resultant River Flows ?

Where are the Washington-Idaho Agreements needed to acheive the City's River Flow during 2nd stage Events. Again the Idaho entities DO NOT Intend to limit water use for THEIR Customers.

5. Where are the abilities for Citizens to Utilize "Gray" Water on Lawns and Outside Greenery ? This could open up alternative technologies addressing water usage. Yo'll need to work with

DOHeath and Health District on this BUT IT HAS BEEN DONE ELSEWHERE.

6. Large River fluctuations DO Occur when AVISTA Operates it's Dams. Post Falls MUST maintain Minimum Height in CdA Lake per Law suit but that could be looked at and readdressed due to Environmental/River Needs.

I'm not sure who is on your Committee addressing water use but it appears to me they are only addressing tiny aspects and have not accomplished an overall Program that could even approach the Stated Goals!

I would be interested to review your Committees Programs, Proposals and Meeting Minutes as Ordinance Lacks a Comprehensive Approach and I'm not sure if All Points were considered.

I know that Every Political Entity wants to show what it's doing to protect the Environment and that Some say anything is better than nothing.

BUT, There Must be Measurable Results that Customers and Citizens see from their activity and "pain".

THIS, DOES NOT DO THAT !

Sincerely Thank you and Take care

Dale Arnold

Retired City of Spokane

Director of Environmental Programs 1989-2000

Director of Regional Solid Waste System

1998-2000

Director of Wastewater Management 2000-2015.

(1) Info from Wastewater Reuse Study of Down River Golf Course Done around 2000..I have a copy but it should be available! City spent good money to study this!

Sent from the all new AOL app for iOS