



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Public Works



Date: December 20, 2013
Board Meeting Date: January 28, 2014
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: James C. Porter, Director of Public Works

Subject: Ordinance Updates Related to Water Conservation and Water District Regulations

RECOMMENDATION:

Acting as County of San Mateo and the Governing Board of County Service Area No. 7, introduce an Ordinance amending Sections 4.36.020 and 4.104.020 and adding Section 4.104.200, of Title 4, of the San Mateo County Ordinance Code and waiver of reading the ordinance in its entirety.

BACKGROUND:

County Waterworks District No. 3 (CWD3) in Palomar Park was transferred to California Water Service Company on September 29, 1995. The Local Agency Formation Commission (LAFCO) adopted Resolution No. 853 approving the dissolution of CWD3. On July 9, 1996, your Board adopted Resolution No. 60419, which authorized the dissolution of CWD3.

LAFCO adopted Resolution No. 925 on January 17, 2001 approving the dissolution of the East Palo Alto County Waterworks District (EPACWD). On June 19, 2002, your Board adopted Resolution No. 64514, which authorized the dissolution of EPACWD and transferred ownership to the Cities of East Palo Alto and Menlo Park.

On March 26, 2013, your Board adopted Resolution No. 072416, which authorized the imposition of increased water rates and meter service charges for County Service Area No. 7 (CSA 7) for FYs 2012-13 through FY 2014-15. The new rates and charges were anticipated to generate adequate revenue to support routine operation and maintenance of the system, perform upgrades, and compliance with Federal and State Regulations, including the completion and implementation of a Cross Connection Control Program (CCCP).

DISCUSSION:

Chapter 4.36, Section 4.36.020, "Definitions," of Title 4 of the San Mateo County Ordinance Code continues to reference the EPACWD and CWD3 in its definition of a

“Water Agency”. Water rates for EPACWD continue to be listed in Chapter 4.104, Section 4.104.020, and “Rates”. Adoption of this Ordinance will eliminate references to these districts, which no longer exist.

The California Department of Public Health (DPH) issued Domestic Water Supply Permit No. 02-17-13P-4100509 (Permit) to the CSA 7 water system on September 20, 2013. The Permit sets several requirements, one of which is for CSA 7 to ensure compliance with Section 7584, Chapter 5, Title 17 of the California Code of Regulations to protect the water system from contamination by implementing a CCCP. The timeline outlined in the Permit requires CSA 7 to adopt a CCCP by January 31, 2014, complete an evaluation to determine where cross connections may likely occur by July 1, 2014, and ensure that all required devices are satisfactorily installed and operating by December 31, 2014.

The purpose of a CCCP is to protect the water supply against cross-contamination that may occur due to undiscovered or unauthorized cross connections on a customer’s system or backflow. Some customers in CSA 7 have constructed water storage tanks on their property that require devices to eliminate the potential of cross-contamination. The Permit requires CSA 7 to perform or require the following as part of the CCCP:

1. Adoption of an ordinance to implement the CCCP.
2. Conduct surveys to identify water premises where cross connections are likely to occur.
3. Provision of backflow protection by the water user at the user’s connection.
4. Provision of at least one person trained to carry out the CCCP.
5. Establishment of a procedure or system for testing backflow preventers and annual certification.
6. Maintenance of records of locations, tests and repairs of backflow preventers.

The proposed addition of Ordinance Code Section 4.104.200 would adopt and establish a CCCP for CSA 7. Assistance in implementing the CCCP will be provided by the County’s Environmental Health Division (Environmental Health). Environmental Health has the responsibility of administering and enforcing the CCCP described in Chapter 4.72 of the County Ordinance Code and staff certified by the State to ensure compliance with the requirements of the CSA 7 Permit. The cost to procure, install, test, maintain, repair and replace backflow prevention devices will be the responsibility of the property owner or customer.

County Counsel has reviewed and approved the Ordinance as to form.

Your Board’s approval of this action contributes to the Shared Vision 2025 outcome of a Healthy Community by providing CSA 7 the authority to implement an effective Cross Connection Control Program to protect the potable water supply.

FISCAL IMPACT:

We estimate that it will cost approximately \$5,000 to implement the CCCP in FY 2013-14, which includes Department and Environmental Health staff costs to conduct initial surveys and issue individual notices to each property owner in CSA 7 requiring a backflow prevention device. It has also been estimated that the annual program maintenance fee required by Environmental Health of approximately \$700 per year is required for each subsequent fiscal year.

The costs to procure, install, test, maintain, repair, and replace backflow prevention devices will be the responsibility of the property owner or customer. The estimated cost to install a backflow prevention device is between \$600 to \$1,000, depending on the device type and amount of work involved. The estimated annual testing cost is between \$50 - \$100. The Department will bill each property owner or customer required to have a backflow prevention device annually an equal share of the actual costs incurred by CSA 7 during a fiscal year for labor, equipment and material for the implementation and annual maintenance of the CCCP. This amount will be included in the water user's water bill. The Department will notify the property owners and customers in CSA 7 of the CCCP, the property owner's responsibilities, CCCP requirements, and responsibility for costs once the Ordinance amendment is in effect.

There is no direct impact to the General Fund.