

April 25, 2017

Terrie Barron
President of Tahoe Park Neighborhood Association
5959 8th Ave.
Sacramento, CA 95820

Dear Terrie,

Thank you for communicating the concerns brought up at the last Tahoe Park Neighborhood Association with my office regarding the use of private security to enforce alleged violations of the City's watering rules. Below are my responses to your specific questions.

Do you, CM Guerra, support these enforcement measures?

Enforcing water regulations at night or on rainy days is absurd and a practice I do not condone. I called this matter to the attention of the City Manager when I was made aware of it, and on April 6th the City ended its contract with Securitas for water enforcement.

While the Governor publicly declared the drought over in early April, the State Water Board has not lifted water restrictions. These regulations remain in effect and the City must continue to comply with them. Since this incident was brought to my attention I have asked for a review of all City policies that deal with water enforcement. But as the Governor and State Water Board have made clear – conservation must become our way of life as this drought will not be the state's last.

Like this year, droughts of the mid- '80's and mid- '90's were followed by flooding in 1986 and 1997, respectively. Although we are no longer in a drought we must continue to develop smarter water conservation policies as future droughts may be longer and more drastic due to Climate Change. Thoughtfully managing our natural resources is the best way we can act as good stewards of our community.

Is there a statute, regulation or other mandated requirement for the water patrols?

In January 2014, the Governor declared a state of drought emergency in California and directed the State Water Resources Control Board (State Water Board) to develop regulations to reduce water waste. Under the statewide drought regulations, the State Water Board issued regulations that prohibit various

outdoor water uses. The State Water Board required local water agencies and municipalities to enforce these drought regulations. In 2015, Sacramento engaged Securitas to augment the City's enforcement of these drought regulations and to help curb wasting water.

On April 7, 2017, the Governor rescinded most of the drought declaration but kept in place prohibitions on wasting water, including hosing down sidewalks and watering after a rain. Although the current drought is over, policy makers and scientists know that California will face another draught in coming years. That's why these water saving policies have been kept in place.

A copy of the Governor's most recent executive order regarding the drought may be found here:

https://www.gov.ca.gov/docs/4.7.17_Exec_Order_B-40-17.pdf

What are said requirements, and why are they being enforced during the rainy season?

The Governor lifted the drought emergency on April 7th for all but four counties in California, and kept in place key regulations against wasting water. These regulations include not watering after a rain and restrictions against hosing down sidewalks. Conservation needs to continue in California as our average yearly water supply is not enough to keep up with the needs of our population, economy and agriculture industry.

What is the cost to the city for the patrols?

From 2015 to just recently the Department of Utilities paid Securitas \$115,254.97 for water waste patrols. The City contracted with Securitas to monitor water usage to ensure Sacramento met the State Water Board's water conservation requirements during the drought emergency.

Why are they conducted at night by security guards in unmarked cars?

As part of the contract with the City, Securitas agreed to ONLY use clearly marked cars with the words "Private Security" obviously displayed on each vehicle. One reason the City also contracted with Securitas was that the city does not conduct water enforcement at night or in the early morning, a time when many people water. After being made aware of this incident we are verifying that Securitas did not use unmarked cars during their patrols.

Does Securitas or their employees receive incentives for reporting alleged violations?

Securitas did not receive bonuses or any incentives to report alleged water violations.

Why haven't taxpayers been made aware of these enforcement tactics?

The Department of Utilities (DOU) has conducted an extensive public outreach campaign to educate customers on the water polities of the City. Many residents received these notifications through the

mail with their water bill. The DOU also conducted a robust social media campaign on Facebook and Twitter regarding the rules on watering and the days of the week residents could water their outdoor plants. The DOU also ran advertisements on the radio, on public buses, and reached out to the public through community workshops and forums on water conservation.

What control does the city exercise of the actions of Securitas?

The controls over Securitas were stipulated in an agreement between the City and Securitas. Regarding performance by security guards employed by Securitas the contract stipulates the following:

- a) “Substandard performance will not be tolerated. City reserves the right to refuse or reject any person assigned under the contract either with or without cause. If any person is removed from a City site at the request of the City, that person is not to be re-assigned to any other City site without first requesting
- b) Approval from the City contract manager. City's contract manager will advise new site manager of the person's previous assignment and the reasons for his/her removal.”

As always, if there are any additional concerns, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Guerra', with a stylized flourish extending to the right.

Eric Guerra