

MEETING DATE: 07/13/15

AGENDA ITEM: Approve a resolution authorizing the implementation of Level 2 Water Restrictions per Chapter 5.03, Water Conservation of the Culver City Municipal Code and Amend Ordinance Section 5.03.040

ATTACHMENTS

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ORDINANCE NO. 2015-_____

AN URGENCY ORDINANCE OF THE CITY OF CULVER CITY, CALIFORNIA, AMENDING SECTION 5.03.040.B.5 OF THE CULVER CITY MUNICIPAL CODE RELATING TO LEVEL 2 WATER SUPPLY SHORTAGE CONSERVATION REQUIREMENTS, TO REPLACE THE RESTRICTION OF FILLING AND REFILLING SWIMMING POOLS WITH A REQUIREMENT TO INSTALL POOL AND SPA COVERS.

WHEREAS, on November 9, 2009, the City Council adopted Chapter 5.03 of the Culver City Municipal Code (CCMC), establishing the Culver City Water Conservation and Water Supply Shortage Program; and

WHEREAS, on January 17, 2014, Governor Jerry Brown declared a drought emergency urging reduction of water usage statewide by 20%; and

WHEREAS, on March 17, 2015, the State Water Resource Control Board adopted an expanded emergency regulation to safeguard the state's remaining water supplies.

WHEREAS, on July 13, 2015, in accordance with CCMC Section 5.03.050, the City Council, by Resolution No. 2015-R____, declared the existence of Level 2 Water Supply Shortage conditions and imposed the related mandatory conservation requirements set forth in CCMC Section 5.03.040; and

WHEREAS, the existing Level 2 conservation measures include a prohibition on the refilling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water, as set forth in Section 5.03.040.B.5; and

WHEREAS, in an effort to further contribute to the critically needed reduction in water usage throughout the City, the City Council desires to amend Section 5.03.040.B.5 to replace the restriction on the filling and refilling of swimming pools with a requirement for

1 the installation of pool and spa covers that will reduce evaporation, which will lead to
2 reduced water used in refilling pools and spas; and

3 **WHEREAS**, it is necessary for the amended mandatory conservation
4 requirements to be in place when the Level 2 Water Shortage Supply conditions go into
5 effect on July 23, 2015.

6 **NOW THEREFORE**, the City Council of the City of Culver City, California,
7 **DOES HEREBY ORDAIN** as follows:

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9 **SECTION 1.** Section 5.03.040.B.5 of the Culver City Municipal Code is
10 hereby amended to read as follows (deletions indicated by ~~strikethrough text~~; additions
11 indicated by underlined text):

12 ~~"5. Limits on filling residential swimming pools and spas.~~
13 ~~Refilling of more than one foot and initial filling of residential~~
14 ~~swimming pools or outdoor spas with potable water is~~
15 ~~prohibited. Pool and spa covers required. All swimming~~
16 ~~pools and spas shall be equipped with a cover of the type~~
17 ~~that will reduce evaporation."~~

18 **SECTION 2.** Based on the recitals set forth above, the City Council finds and
19 declares this Ordinance to be necessary for the immediate preservation of the public
20 peace, health or safety and upon that basis has determined that an urgency measure,
21 pursuant to Government Code Section 36937(b) and Culver City Charter Section 614, is
22 warranted.

23 **SECTION 3.** Pursuant to Section 614 of the City Charter, this Ordinance
24 shall be introduced and adopted at one and the same meeting and shall take effect
25 immediately upon its adoption by a four-fifths vote of the City Council. Pursuant to
26 Sections 616 and 621 of the City Charter, prior to the expiration of fifteen (15) days after
27 the adoption, the City Clerk shall cause this Ordinance, or a summary thereof, to be
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1 published in the Culver City News and shall post this Ordinance or a summary thereof in at
2 least three places within the City.

3
4 **SECTION 4.** The City Council hereby declares that, if any provision, section,
5 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
6 invalid or unconstitutional by any final action in a court of competent jurisdiction or by
7 reason of any preemptive legislation, then the City Council would have independently
8 adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases
9 or words of this ordinance and as such they shall remain in full force and effect.

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11 **APPROVED AND ADOPTED** this ____ day of _____, 2015.

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14 MICHEÁL O'LEARY, Mayor
City of Culver City, California

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16 ATTEST:

APPROVED AS TO FORM:

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18 MARTIN R. COLE, City Clerk

19 A15-00399

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for 
CAROL A. SCHWAB, City Attorney

1 RESOLUTION NO. 2015-R_____

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, DECLARING THE
5 EXISTENCE OF LEVEL 2 WATER SUPPLY SHORTAGE
6 CONDITIONS AND IMPLEMENTING MANDATORY
7 CONSERVATION REQUIREMENTS.

8 WHEREAS, on November 9, 2009, the City Council adopted Chapter 5.03
9 of the Culver City Municipal Code (CCMC), establishing the Culver City Water
10 Conservation and Water Supply Shortage Program (the "Program"); and

11 WHEREAS, in accordance with the Program, the permanent water
12 conservation requirements set forth in CCMC Sections 5.03.030.A through 5.03.030.M
13 are effective at all times (collectively, "Permanent Requirements"); and

14 WHEREAS, the State of California has imposed emergency water
15 regulations (collectively, "State Regulations") for all water users, which prohibit the
16 following:

- 17 1. Using potable water to irrigate ornamental turf on public street
18 medians;
19 2. Using portable water to irrigate landscapes of new homes & buildings
20 inconsistent with CBSC & DHCD requirements;
21 3. Using outdoor irrigation during & 48 hours following measurable
22 precipitation;
23 4. Using potable water in decorative water features that do not recirculate
24 the water;
25 5. Using hoses with no shutoff nozzles to wash cars;
26 6. Runoff when irrigating with potable water; and
27 7. Using potable water to wash sidewalks & driveways and

28 WHEREAS, Golden State Water will impose additional water restrictions
for its customers (collectively, "GSW Restrictions") upon the approval of the California
Public Utilities Commission, which limit outdoor irrigation as follows:

1. Outdoor irrigation is restricted to a maximum of two days per week;

2. Outdoor irrigation for addresses ending in even numbers (0,2,4,6,8) may only occur on Sundays & Wednesdays;
3. Outdoor irrigation for addresses ending in odd numbers (1,3,5,7,9) may only occur on Tuesdays & Saturdays; and
4. All outdoor irrigation must occur between the hours of 7:00pm & 8:00am; and

WHEREAS, pursuant to CCMC Section 5.03.050, the City Council may, by resolution, declare the existence of Level 1, Level 2 or Level 3 Water Supply Shortage conditions and impose related mandatory conservation requirements; and

WHEREAS, on July 13, 2015 at a duly noticed public meeting, after hearing all testimony and receiving all written comments, the City Council declared the existence of a Level 2 Water Supply Shortage condition and imposed the related mandatory Level 2 conservation requirements.

NOW, THEREFORE, the City Council of the City of Culver City, DOES HEREBY RESOLVE as follows:

1. Pursuant to CCMC Section 5.03.040.A, the City Council hereby finds that, due to drought and water supply conditions, a water supply shortage exists and a consumer-demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions.

2. Pursuant to CCMC Section 5.03.050 and the recitations and findings herein, the City Council hereby declares the existence of a Level 2 Water Supply Shortage condition.

3. In addition to the Permanent Requirements, State Regulations and GSW Restrictions currently in effect, the City Council hereby imposes the additional water conservation requirements set forth in CCMC Sections 5.03.035.B.1 and

1 5.03.035.B.2 (mandatory Level 1 conservation measures) and Sections 5.03.040.B.1
2 through 5.03.040.B.5 (mandatory Level 2 conservation measures).

3 4. Pursuant to CCMC Section 5.03.050, the new water conservation
4 requirements set forth in Section 3 of this Resolution shall take effect on July 23, 2015.

5 5. The City Clerk shall cause a copy of this Resolution to be published
6 in a newspaper used for publication of official City notices.
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9 APPROVED and ADOPTED this _____ day of _____ 2015.
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12 _____
MICHEAL O'LEARY, Mayor
City of Culver City, California
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14 ATTEST:

APPROVED AS TO FORM:

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16 _____
MARTIN R. COLE, City Clerk
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19 
CAROL A. SCHWAB, City Attorney
for
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A15-00379