

RESOLUTION NO. 7714

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION REPEALING RESOLUTIONS NO. 7657, NO. 7666 AND NO. 7697 TO RE-INSTATE THE PERMANENT WATER CONSERVATION REQUIREMENTS IDENTIFIED IN MUNICIPAL CODE SECTION 6.64.060, AND TO INSTITUTE NEW WATER CONSERVATION REQUIREMENTS MANDATED BY THE STATE OF CALIFORNIA, OFFICE OF ADMINISTRATIVE LAW UNDER THE GUIDANCE OF THE STATE WATER RESOURCES CONTROL BOARD'S EMERGENCY REGULATORY ACTION 2016-0520-01 EE

WHEREAS, the State of California was in a severe drought and mandatory water conservation measures were in effect to reduce water consumption statewide by 25 percent, as required by the State of California, Office of Administrative Law (OAL) File No. 2015-0506-02 EE; and

WHEREAS, on April 28, 2015, the City Council adopted Resolution No. 7657 entitled "A Resolution of the City Council of the City of South Gate Declaring a Level 1 Water Supply Shortage Condition and Implement the Mandatory Level 1 Conservation Measures Identified in Section 6.64.070 (Level 1 Water Supply Shortage) of Chapter 6.64 (Water Conservation Ordinance) of the South Gate Municipal Code"; and

WHEREAS, on June 23, 2015, the City Council adopted Resolution No. 7666 entitled "A Resolution of the City of South Gate Authorizing Additional Water Conservation Measures in Compliance with the New Statewide Water Conservation Mandates Set in the Office of Administrative Law File No. 2015-0506-02 EE as Necessary to Achieve a 12 Percent Potable Water Usage Reduction Within the City's Water District"; and

WHEREAS, on November 13, 2015, Governor Edmund G. Brown Jr. issued Executive Order B-36-15 calling for an extension of the mandatory water conservation measures until October 31, 2016. The executive order directs the State Water Resources Control Board ("SWRCB") to consider modifying the mandatory water conservation measures if drought conditions persist through January of 2016; and

WHEREAS, on February 2, 2016, the SWRCB submitted to the OAL for approval, a modified and updated emergency water conservation regulation, amending and adopting Sections 863, 864, 865 and 866 of Article 22.5 (Drought Emergency Water Conservation) of Article 22 of the SWRCB's regulations (the "Emergency Regulatory Action"); and

WHEREAS, on February 11, 2016, the OAL approved Emergency Regulatory Action 2016-0203-01 EE thereby extending mandatory water conservation efforts to reduce water consumption Statewide by 25 percent. The effective period is from February 11, 2016 to November 8, 2016; and

WHEREAS, on March 8, 2016, to comply with Emergency Regulatory Action 2016-0203-01EE, the City Council adopted Resolution No. 7697 to amend the Section 7 of Resolution No. 7666 to change the expiration date to November 8, 2016 in order to extend the mandatory water conservation measures; and

WHEREAS, on May 18, 2016, the State Board adopted its Resolution No. 2016-0029, based on an Executive Order issued by the Governor on May 9, 2016; and

WHEREAS, in following up on its Resolution No. 2016-0029, on May 31, 2016, the OAL approved the Emergency Regulation Action 2016-0520-01 EE; and

WHEREAS, said Emergency Regulation Action 2016-0520-01 EE allows a water supplier to self-certify that the supplier's water supply will exceed projected water demand, based on a specific set of criteria; and

WHEREAS, applying such criteria yields a "0%" conservation rate for City of South Gate;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are all true and correct and incorporated herein by this reference.

SECTION 2. Resolutions No. 7657, No. 7666, and No. 7697 adopted previously and referenced above are hereby repealed.

SECTION 3. All of the provisions set forth in Section 6.64.060 Permanent Water Conservation Requirements – Prohibition Against Waste shall remain in force and effect with the enforcement of following additional prohibitive actions:

1. The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall; and
2. The irrigation with potable water of ornamental turf on public street medians; and
3. The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

SECTION 4. All responsible City staff members are hereby authorized and directed to comply with all of the requirements of State Board Resolution No. 2016-0029.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6. The City Clerk shall certify the adoption of this Resolution which shall be effective upon its adoption.


PASSED, APPROVED and ADOPTED this 28th day of June 2016.

CITY OF SOUTH GATE



W.H. (Bill) De Witt, Mayor

ATTEST:



Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:



Raul F. Salinas, City Attorney

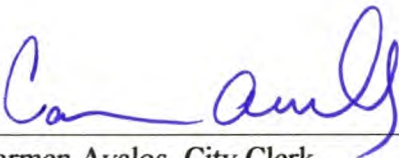
RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7714 was adopted by the City Council at their Regular Meeting held on June 28, 2016, by the following vote:

Ayes: Council Members: De Witt, Bernal, Hurtado and Morales
Noes: Council Members: None
Absent: Council Members: Davila
Abstain: Council Members: None

Witness my hand and the seal of said City on July 6, 2016.



Carmen Avalos, City Clerk
City of South Gate, California