

YREKA CITY COUNCIL
AGENDA

August 20, 2015 – 6:30 P.M.

Yreka City Council Chamber 701 Fourth Street, Yreka, CA

The full agenda packet can be found on the City's website www.ci.yreka.ca.us/council

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS: This is the time for public comments. Council may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. If you are here to make comments on a specific agenda item, you may speak at that time. If not, this is the time. Please limit your remarks to 5 minutes.

SPEAKERS: Please speak from the podium. State your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

1. Discussion/Possible Action - Consent Calendar: All matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item. The City Manager recommends approval of the following consent calendar items:
 - a. Approval of Minutes of the meeting held August 6, 2015
 - b. Approval/ratification of payments issued from August 7 through August 20, 2015.
 - c. Adopt Resolution approving requests associated with Yreka Chamber of Commerce Special Event to be held on September 26, 2015 known as the "Sizzlin September Car Show and Shine".
2. Discussion/Possible Action – Adopt Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting "Water Limitations" and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled "Water Efficiency" and finding the adoption of this ordinance to be exempt from CEQA, and waive the reading of the body of the Ordinance.
3. Discussion/Possible Action – Adopt Resolution adopting regulations and restrictions on the delivery and consumption of water within the city's service area.

City Manager Report

Council Statements and Requests: Members of the Council may make brief announcements or reports or request staff to report to Council on any matter at a subsequent meeting.

CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation
Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

2. Personnel pursuant to Government Code §54957, consider public employee performance evaluation for the position of City Attorney.

RETURN TO OPEN SESSION: Announcement of any action taken by the City Council in Closed Session required by the Ralph M. Brown Act. (Government Code Section 54950 et. seq.)

Adjournment.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

All documents produced by the City which are related to an open session agenda item and distributed to the City Council are made available for public inspection in the City Clerk's Office during normal business hours.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 841-2324 or by notifying the Clerk at casson@ci.yreka.ca.us.

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF
YREKA HELD IN SAID CITY ON AUGUST 6, 2015

On the 6th day of August 2015, the City Council of the City of Yreka met in the City Council Chambers of said City in regular session, and upon roll call, the following were present: Deborah Baird, Bryan Foster, Joan Smith Freeman, John Mercier, and David Simmen. Absent – None.

Consent Calendar: Mayor Mercier announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Council wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the meeting held July 16, 2015.
- b. Approval/ratification of payments issued from July 17, 2015 through August 6, 2015.
- c. Adopt Resolution extending the suspension of Section 13.76.010 of the Yreka Municipal Code allowing installation of Banners on Fairlane Road.
- d. Adopt Resolution approving requests associated with Special Event Known as the Yreka High School District 2015 Yreka Elks Cross Country Invitational.

Councilmember Foster requested items c & d be removed for discussion.

Following Council discussion, Councilmember Simmen moved to approve items a & b on the consent calendar as submitted.

Councilmember Freeman seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Freeman, Mercier and Simmen.

Mayor Mercier thereupon declared the motion carried.

Adopt Resolution # 2015-27 extending the suspension of Section 13.76.010 of the Yreka Municipal Code allowing installation of Banners on Fairlane Road.

Following Council discussion, Councilmember Foster moved to adopt the Resolution as submitted.

Councilmember Freeman seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Freeman, Mercier and Simmen.

Mayor Mercier thereupon declared the motion carried.

Adopt Resolution # 2015-28 approving requests associated with Special Event Known as the Yreka High School District 2015 Yreka Elks Cross Country Invitational.

Following Council discussion, Councilmember Foster moved to adopt the Resolution as submitted.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Freeman, Mercier and Simmen.

Mayor Mercier thereupon declared the motion carried.

PUBLIC HEARING to consider an Ordinance entitled an Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA.

Mayor Mercier noted for the record that the Council received an e-mail from Alexander MacIlraith, of the California Pool and Spa Association in opposition to the proposed Ordinance relating to the Pool Permit Moratorium.

City Manager Baker reported that the proposed ordinance implements various water regulations dealing mostly with water conservation. An earlier version of this ordinance was presented during the adoption of the Urban Water Management Plan required by the State, but not adopted.

On May 18, 2015, the State Water Resources Control Board ("SWRCB") enacted Drought Emergency Regulations, which revised to the California Code of Regulations, Title 23, Sections 863, 864, 865 and 868, and found the existence of a drought emergency in California and imposed water conservation measures on individuals and water suppliers. The regulation requires the City to reduce water production by 32% when compared to the same month in 2013. In 2014, the City achieved a 13% reduction in water usage when compared to 2013. The May 2015 reduction was 29% and June 2015 was 19%. Therefore, an additional reduction is required for the City to achieve compliance with the SWRCB's regulation. The SWRCB has warned water suppliers that failure to comply with its regulations may result in a fine of \$10,000 per day.

This proposed ordinance contains 5 water conservation stages ranging from Stage One, which is standard water conservation rules that are in place year round to stage five (water emergency). These stages mirror the stages in the Urban Water Management Plan and are increasingly restrictive as they increase. The City is currently in a Stage two (water alert) status, which restricts watering of landscaping to three days a week as well as other water conservations measures. The ordinance also contains fines and remedies for people using excessive water.

This being the time and date scheduled for the public hearing, Mayor Mercier opened the Public Hearing to the audience.

Don Hall and Robert Bicego addressed the Council with concerns regarding the proposed Ordinance, there being no further public comments, Mayor Mercier closed the public hearing.

Introduce Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA, and waive the reading of the body of the Ordinance.

Following the reading of the title of the Ordinance and Council discussion, Councilmember Foster moved to waive the reading of the body of the Ordinance, introduce the Ordinance, and authorize the City Attorney to prepare a summary of the Ordinance for publication.

Councilmember Freeman seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Freeman, Mercier and Simmen.

Mayor Mercier thereupon declared the motion carried.

PUBLIC HEARING to consider an Ordinance entitled “An Ordinance of the City Council of the City of Yreka, California establishing the Private Lateral Inspection and Repair Ordinance.”

Mayor Mercier noted for the record that the Council received a written comment from Brian Smith regarding the proposed Ordinance.

City Manager Baker reported that The Federal Water Pollution Control Act, 33 U.S.C. §§ 1251 et seq. (also known as the Clean Water Act "CWA") is a federal statute regulating and prohibiting pollution of the nation's lakes, rivers and oceans.

The city sewer system sometimes overflows when heavy rainfall exceeds the storage capacity of sewer pipes and/or wastewater treatment plants, and, as a result, discharge could allow untreated sewage and storm water into local creeks and rivers. These overflows are called sanitary sewer overflows ("SSOs") The CWA regulates the discharge of SSOs. The federal government has delegated the regulation of SSO to the California's Regional Water Quality Control Board. Heavy rainfall, insufficient capacity, roots, debris, grease, and infrastructure weaknesses are the primary causes of SSOs. Additionally, the presence of roots and defective connections between houses and the City's sewer mains can allow the exfiltration of sewage into the ground and allow the infiltration of groundwater into our treatment plant that can lead to SSOs and treatment inefficiencies.

SSOs can sometimes result in the exposure of the public to raw sewage, which contains disease-causing pathogens. Parts of the City's sewer system are located near waterways and sewage from defective pipes could contribute to the pollution of those watercourses.

The City has expended significant resources over the past five years to ensure its sewer operations and facilities are in compliance with state law and the CWA, and to reduce SSOs. The City is required by law to notify the Regional Water Quality Control Board whenever an SSO occurs.

The Regional Water Quality Control Board is required by Federal Law to fine the City for each SSO. When it fails to do so, the Clean Water Act permits third parties to file litigation in District Court to enforce those penalties on the Board's behalf. These third parties are allowed, under the Clean Water Act, to be reimbursed for the costs of their litigation, together with attorneys' fees, if they are able to prove that a single SSO that occurred for which we have not been fined. Obviously, the attorney's fees alone can be a burden on this city's limited revenue stream from

our wastewater enterprise fund. It is not difficult for these third parties to prove that an SSO occurred since the City itself reports that they occurred.

The City was subjected to just such a lawsuit in 2012. We entered a settlement agreement in which the City agreed, among other things, to present to the City Council an ordinance that the City Council consider, prior to March 2015, amendments to the City's Municipal Code to require inspection, repair and/or replacement of sewer laterals by property owners under specified conditions. Staff presented a draft of that ordinance at the February 19, 2015 Council meeting

This being the time and date scheduled for the public hearing, Mayor Mercier opened the Public Hearing to the audience.

Don Hall and Robert Bicego addressed the Council with concerns regarding the proposed Ordinance, there being no further public comments, Mayor Mercier closed the public hearing.

Introduce Ordinance of the City Council of the City of Yreka California establishing the Private Lateral Inspection and Repair Ordinance, and waive the reading of the body of the Ordinance.

Following Council discussion, it was the consensus of the Council to direct staff to do more research to see if there could be an ordinance targeted towards the most serious and/or frequent problems.

Adopt Resolution No. 2015-20 approving request for additional funding for the Yreka Police Department New Station Retrofit Project and Authorizing the project advertisement for public bid.

Chief of Police Brian Bowles reported that on September 11, 2013, the Yreka City Council allocated \$1,800,000 for the new Yreka Police Department project. \$1,300,000 was from the Crandall Fund restricted reserves, 04 and \$500,000 from the general fund, 09. The city has utilized approximately \$900,000 for the purchase of the building and architectural services. This leaves additional funds necessary to complete the project.

Staff has worked on creating a modern police facility that will serve the citizens of Yreka well into the future. Many factors go into creating a modern and functional police facility such as meeting requirements to function during or after a critical incident or disaster. In addition, modernization of our furnishings and equipment is essential to operate efficiently. Dennis Dong (Architect) estimates bids for the project to come in at approximately \$150 a square foot. This will make the retrofit cost approximately \$1,350,000. Chief Bowles presented three options for consideration: **Option A** is an additional appropriation of \$900,000 (total project cost \$2,700,000), **option B** is an additional appropriation of \$691,000 (total project cost \$2,491,000) and **option C** is an additional appropriation of \$629,000 (total project cost \$2,429,000) to the budget for this project.

Following Council discussion, Councilmember Baird moved to adopt the Resolution selecting Option A with deductions.

Councilmember Foster seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Mercier & Simmen. Nays – Freeman, stating that she prefers Option B with additions.

Mayor Mercier thereupon declared the motion carried.

Approve supplemental appropriation for the new Yreka Police Department Building and Building Contents.

Following Council discussion, Councilmember Foster moved approve the supplemental appropriation depleting the Crandall Funds (cash), and taking the balance from the general fund capital reserves.

Councilmember Baird seconded the motion, and upon roll call, the following voted YEA: Baird, Foster, Freeman. Nays – Mercier & Simmen.

Mayor Mercier thereupon declared the motion carried.

CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to Subdivision (c) of Section 54956.9 of the Government Code: (Number of cases to be discussed – 1 - The names of the parties are not disclosed, as it is believed that that to do so would jeopardize the City's ability to serve process or to conclude existing settlement negotiations to the City's advantage).

RETURN TO OPEN SESSION: Upon return to open session, City Manager Baker reported that no reportable action was taken in closed session.

ADJOURNMENT There being no further business before the Council the meeting was adjourned.

Attest:

John Mercier, Mayor
Minutes approved by Council
Motion August 20, 2015

Elizabeth E. Casson, City Clerk

Accounts Payable

Computer Check Proof List by Vendor

User: lysandra
 Printed: 08/12/2015 - 9:01AM
 Batch: 00005.08.2015



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 1011	AMERICAN LINEN			Check Sequence: 1	ACH Enabled: False
LMED1159121	INV LMED1159121	25.00	08/21/2015	01-200-0000-526-000	
	Check Total:	25.00			
Vendor: 1014	APPLIED INDUSTRIAL			Check Sequence: 2	ACH Enabled: False
7005574037	INV 7005574037 - (4) SMALL BORE SEAL	122.98	08/21/2015	70-510-0000-420-004	
7005583467	INV 7005583467 - ANGULAR CONTACT BAI	305.78	08/21/2015	70-510-0000-420-004	
7005583536	INV 7005583536 - BORE SEAL, BORE V-RIN	2,370.12	08/21/2015	70-510-0000-420-004	
	Check Total:	2,798.88			
Vendor: 2217	TIMOTHY ASELTINE			Check Sequence: 3	ACH Enabled: False
1223	INV 1223	120.00	08/21/2015	01-200-0000-520-001	
	Check Total:	120.00			
Vendor: 1591	AT&T			Check Sequence: 4	ACH Enabled: False
9117828 7/15	ACCT 911-7828 615 4 7/15	199.56	08/21/2015	01-200-0000-517-000	
	Check Total:	199.56			
Vendor: 6021	BASIC LABORATORY INC			Check Sequence: 5	ACH Enabled: False
1506174	INV 1506174 - WKLY EFFLUENT	135.40	06/30/2015	80-560-0000-416-001	
1506413	INV 1506413 - COLILERT BACTI	96.00	08/21/2015	70-500-0000-420-006	
1506833	INV 1506833 - COLILERT BACTI	96.00	08/21/2015	70-500-0000-420-006	
1506927	INV 1506927 - COLILERT BACTI	96.00	08/21/2015	70-500-0000-420-006	
1507178	INV 1507178 - COLILERT BACTI	96.00	08/21/2015	70-500-0000-420-006	
1507463	INV 1507463 - COLILERT BACTI	96.00	08/21/2015	70-500-0000-420-006	
	Check Total:	615.40			
Vendor: 1021	BATTERIES PLUS			Check Sequence: 6	ACH Enabled: False
208-041796-01	INV 208-041796-01 - (10) 12V BATTERIES	268.75	08/21/2015	70-510-0000-420-001	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
208-041922-01	INV 208-041922-01 - (6) 12V BATTERIES	161.25	08/21/2015	70-510-0000-420-001	
	Check Total:	430.00			
Vendor: 1423	ALICE BRANDON			Check Sequence: 7	ACH Enabled: False
11114	INV 11114 - LAB SHIPMENT, BACTI	48.00	08/21/2015	70-500-0000-420-006	
	Check Total:	48.00			
Vendor: 2180	BRAY & ASSOCIATES			Check Sequence: 8	ACH Enabled: False
1126	INV 1126	4,027.50	08/21/2015	60-310-6010-525-000	
1127	INV 1127	735.00	08/21/2015	60-310-6010-525-000	
	Check Total:	4,762.50			
Vendor: 1048	CA RURAL WATER ASSN			Check Sequence: 9	ACH Enabled: False
2015 DUES	2015 DUES	942.00	08/21/2015	70-510-0000-535-000	
	Check Total:	942.00			
Vendor: 1077	COMPUTER LOGISTICS CORPORATION			Check Sequence: 10	ACH Enabled: False
65498	INV 65498	899.00	08/21/2015	01-200-0000-517-000	
65503	INV 65503	20.00	08/21/2015	01-200-0000-517-000	
65602	INV 65602	1,666.67	08/21/2015	01-200-0000-525-001	
65616	INV 65616	144.00	08/21/2015	01-200-0000-517-000	
	Check Total:	2,729.67			
Vendor: 3118	CROSS PETROLEUM			Check Sequence: 11	ACH Enabled: False
239347-IN	INV 239347-IN	4,462.21	08/21/2015	01-350-0000-520-100	
239348-IN	INV 239348-IN	9,406.68	08/21/2015	01-350-0000-520-100	
72202-IN	INV 72202-IN	109.88	08/21/2015	01-350-0000-520-100	
	Check Total:	13,978.77			
Vendor: 1032	DAN DANIELS			Check Sequence: 12	ACH Enabled: False
08/21/15	FACADE GRANT REIMBURSEMENT	5,300.50	08/21/2015	04-610-1018-561-000	
	Check Total:	5,300.50			
Vendor: 1109	DOBBY'S LOCK & KEY SHOP			Check Sequence: 13	ACH Enabled: False
8163	INV 8163 - DEAD LATCH FOR FIRE DEPT. B	21.50	08/21/2015	01-210-0000-421-000	
	Check Total:	21.50			

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Vendor: 2177	PABLO DURAN			Check Sequence: 14	ACH Enabled: False
1202	INV 1202	275.00	08/21/2015	01-350-0000-520-001	
	Check Total:	275.00			
Vendor: 1250	FERGUSON ENTERPRISES			Check Sequence: 15	ACH Enabled: False
452408	INV 452408 - HYDRANT OP. NUT & SAFETY	811.55	06/30/2015	70-500-0000-450-501	
452956	INV 452956 - LOWER STEMS (2) (RETURNE	385.01	06/30/2015	70-500-0000-450-501	
452956-1	INV 452956-1 - LOWER BARRELS (2) (RETU	1,577.12	06/30/2015	70-500-0000-450-501	
88058-1	CM 88058-1 - CREDIT FOR RETURNED ITEM	-808.47	06/30/2015	70-500-0000-450-501	
88058-2	CM 88058-2 - CREDIT FOR RETURNED SAF	-208.96	06/30/2015	70-500-0000-450-501	
	Check Total:	1,756.25			
Vendor: 3445	FIRST BANKCARD			Check Sequence: 16	ACH Enabled: False
59398421 7/15	GOLDEN STATE EMER VEHICLE SER	758.92	06/30/2015	01-350-0000-520-000	
59398421 7/15	EMERSON PROF TOOLS	321.15	08/21/2015	70-500-0000-450-000	
59398421 7/15	TRACTOR SUPPLY	322.05	08/21/2015	70-510-0000-420-000	
59398421 7/15	CASQA CONFERENCE	655.00	08/21/2015	20-390-1024-512-000	
59398421 7/15	AMERICAN PLANNING ASSN	115.00	08/21/2015	01-060-0000-511-000	
59398421 7/15	AMAZON	47.54	08/21/2015	70-030-0000-515-000	
59398421 7/15	AMAZON	47.54	08/21/2015	80-030-0000-515-000	
59398421 7/15	AMAZON	95.08	08/21/2015	01-030-0000-515-000	
59398421 7/15	SPRINKLER WAREHOUSE	30.43	08/21/2015	01-400-0000-416-018	
59398421 7/15	DYN	108.00	08/21/2015	01-050-0000-525-000	
	Check Total:	2,500.71			
Vendor: 1111	JAMES FITZGERALD			Check Sequence: 17	ACH Enabled: False
2015-062	INV 2015-062	10,738.00	08/21/2015	60-390-6035-525-000	
	Check Total:	10,738.00			
Vendor: 1912	G & G HARDWARE (FALL CREEK)			Check Sequence: 18	ACH Enabled: False
191712	INV 191712 - FILTER AIR PLEAT	26.82	08/21/2015	70-510-0000-420-000	
191741	INV 191741 - KILLER ANT TERRO	10.73	08/21/2015	70-510-0000-420-000	
191751	INV 191751 - (6) F40 BULB	25.74	08/21/2015	70-510-0000-420-000	
191943	INV 191943 - CM FILTER, BALL VALVE, GA	49.96	08/21/2015	70-510-0000-420-000	
192065	INV 192065 - PAINT MIXER, CLEANER, PAD	56.39	08/21/2015	70-510-0000-420-000	
192075	INV 192075 - PAINT QT	12.89	08/21/2015	70-510-0000-420-000	
192128	INV 192128 - GLASS SCRAPER, RAZOR, TH	13.19	08/21/2015	70-510-0000-420-000	
192139	INV 192139 - FASTENERS	8.17	08/21/2015	70-510-0000-420-000	
192293	INV 192293 - SPRAYERS	12.13	08/21/2015	70-510-0000-420-000	
192487	INV 192487 - FASTENERS	3.98	08/21/2015	70-510-0000-420-000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
192638	INV 192638 - THREAT SEAL TAPE, TEE	12.33	08/21/2015	70-510-0000-420-000	
	Check Total:	232.33			
Vendor: 2024	GERARD PELLETIER TRANSFER (FLEET)			Check Sequence: 19	ACH Enabled: False
4394	INV 4394 ACCT 45	12.00	08/21/2015	01-350-0000-416-001	
	Check Total:	12.00			
Vendor: 1144	HACH COMPANY			Check Sequence: 20	ACH Enabled: False
9483417	INV 9483417 - ADAPTER, RS-232 TO RS-485	335.14	08/21/2015	70-510-0000-420-001	
9492280	INV 9492280 - MOD I/O MODULE FOR 17201	1,981.23	08/21/2015	70-510-0000-420-001	
	Check Total:	2,316.37			
Vendor: 2142	DOHN HENION			Check Sequence: 21	ACH Enabled: False
08/21/15	AUGUST 2015 (2)	1,250.00	08/21/2015	01-040-0000-525-001	
	Check Total:	1,250.00			
Vendor: 23080	JIM WILSON MOTORS			Check Sequence: 22	ACH Enabled: False
40582	INV 40582	41.39	08/21/2015	01-350-0000-520-000	
40628	INV 40628	424.63	08/21/2015	01-350-0000-520-000	
40646	INV 40646	425.30	08/21/2015	01-350-0000-520-000	
40660	INV 40660	66.81	08/21/2015	01-350-0000-520-000	
40715	INV 40715	398.02	08/21/2015	01-350-0000-520-000	
40733	INV 40733	30.29	08/21/2015	01-350-0000-520-000	
40756	CM 40756	-398.02	08/21/2015	01-350-0000-520-000	
40757	INV 40757	430.00	08/21/2015	01-350-0000-520-000	
46845	INV 46845	114.29	08/21/2015	01-350-0000-520-000	
47342	INV 47342	253.88	08/21/2015	01-350-0000-520-000	
	Check Total:	1,786.59			
Vendor: 1445	KENNETH KLEAVER			Check Sequence: 23	ACH Enabled: False
5833	INV 5833 - BALANCE FALLCREEK PUMP SI	380.00	08/21/2015	70-510-0000-420-004	
	Check Total:	380.00			
Vendor: 1406	KUBWATER RESOURCES			Check Sequence: 24	ACH Enabled: False
5033	INV 5033 - POLYMER (881.85) GAL.	2,682.81	08/21/2015	80-560-0000-416-004	
	Check Total:	2,682.81			
Vendor: 1187	LIEBERT, CASSIDY & WHITMORE			Check Sequence: 25	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
08/21/15	WEBINAR 08/11/15	55.00	08/21/2015	01-030-0000-513-000	
	Check Total:	55.00			
Vendor: 1157	MAGIC RAIN CAR WASH			Check Sequence: 26	ACH Enabled: False
JULY 2015	INV JULY 2015	72.00	08/21/2015	01-200-0000-520-001	
	Check Total:	72.00			
Vendor: 1775	MUNICIPAL MAINTENANCE EQUIPMENT 1			Check Sequence: 27	ACH Enabled: False
102968-IN	INV 102968-IN	204.38	08/21/2015	01-350-0000-520-000	
	Check Total:	204.38			
Vendor: 22019	OFFICE DEPOT			Check Sequence: 28	ACH Enabled: False
783879209001	INV 783879209001	54.18	08/21/2015	70-030-0000-515-000	
783879209001	INV 783879209001	54.17	08/21/2015	80-030-0000-515-000	
	Check Total:	108.35			
Vendor: 16030	PACIFIC POWER			Check Sequence: 29	ACH Enabled: False
56810019 7/15	62665681-001 9 7/15	61.04	08/21/2015	70-520-0000-518-001	
56810027 7/15	62665681-002 7 7/15	281.84	08/21/2015	01-400-0000-518-001	
56810035 7/15	62665681-003 5 7/15	33,932.45	08/21/2015	70-510-0000-518-001	
56810043 7/15	62665681-004 3 7/15	25.64	08/21/2015	01-090-0000-518-001	
56810050 7/15	62665681-005 0 7/15	54.37	08/21/2015	01-370-0000-518-001	
56810068 7/15	62665681-006 8 7/15	1,020.56	08/21/2015	70-510-0000-518-001	
56810076 7/15	62665681-007 6 7/15	520.15	08/21/2015	20-312-0000-418-001	
56810100 7/15	62665681-010 0 7/15	948.18	08/21/2015	70-510-0000-518-001	
56810118 7/15	62665681-011 8 7/15	672.76	08/21/2015	01-210-0000-518-001	
56810142 7/15	62665681-014 2 7/15	191.19	08/21/2015	01-400-0000-518-001	
56810217 7/15	62665681-021 7 7/15	109.92	08/21/2015	01-230-0000-518-001	
56810233 7/15	62665681-023 3 7/15	676.24	08/21/2015	01-350-0000-518-001	
56810258 7/15	62665681-025 8 7/15	10,073.45	08/21/2015	80-560-0000-518-001	
56810274 7/15	62665681-027 4 7/15	1,507.57	08/21/2015	01-200-0000-518-001	
56810324 7/15	62665681-032 4 7/15	1,703.88	08/21/2015	01-470-0000-518-001	
56810332 7/15	62665681-033 2 7/15	1,372.14	08/21/2015	01-480-0000-518-001	
56810340 7/15	62665681-034 0 7/15	26.78	08/21/2015	80-560-0000-518-001	
56810415 7/15	62665681-041 5 7/15	1,001.64	08/21/2015	01-020-0000-518-001	
56810506 7/15	62665681-050 6 7/15	246.13	08/21/2015	80-550-0000-518-001	
56810514 7/15	62665681-051 4 7/15	47.12	08/21/2015	20-312-0000-418-001	
56810654 7/15	62665681-065 4 7/15	123.09	08/21/2015	01-400-0000-518-001	
56810688 7/15	62665681-068 8 7/15	53.60	08/21/2015	01-400-0000-518-001	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	54,649.74			
Vendor: 1877 195936	PARAMOUNT SUPPLY CO INV 195936 - (10) ASCO VALVES FOR FILTE	2,581.15	08/21/2015	70-510-0000-420-000	Check Sequence: 30 ACH Enabled: False
	Check Total:	2,581.15			
Vendor: 17014 6149680 6192511	QUILL CORPORATION INV 6149680 INV 6192511	20.39 54.81	08/21/2015 08/21/2015	01-200-0000-515-000 01-200-0000-515-000	Check Sequence: 31 ACH Enabled: False
	Check Total:	75.20			
Vendor: 1282 08/21/15	SC CLERK FILING FEE	50.00	08/21/2015	70-520-0000-519-000	Check Sequence: 32 ACH Enabled: False
	Check Total:	50.00			
Vendor: 1409 11/13/14	SC COMMUNICATIONS INV 11/13/14 - WHITE WATER BASE PAINT (1,225.90	06/30/2015	24-320-0000-416-002	Check Sequence: 33 ACH Enabled: False
	Check Total:	1,225.90			
Vendor: 2187 92324	SEAGRAVE FIRE APPARATUS LLC INV 92324	288.74	08/21/2015	01-350-0000-520-000	Check Sequence: 34 ACH Enabled: False
	Check Total:	288.74			
Vendor: 1303 49217-IN 49285-IN 49446-IN	SHASTA FOREST PRODUCTS INV 49217-IN - WASHED RIVER ROCK FOR INV 49285-IN - (4) YDS OF WALK-ON BARK INV 49446-IN - (20) LINEAR FT. OF 6' LAND:	62.40 107.71 15.70	08/21/2015 08/21/2015 08/21/2015	01-400-0000-416-000 01-400-0000-416-000 01-400-0000-416-000	Check Sequence: 35 ACH Enabled: False
	Check Total:	185.81			
Vendor: 1304 9923	SHASTA VALLEY CHAINSAW INV 9923 - BAR WRENCH (1)	8.06	08/21/2015	01-400-0000-416-000	Check Sequence: 36 ACH Enabled: False
	Check Total:	8.06			
Vendor: 1650 SLS10023444	SIERRA CHEMICAL CO INV SLS10023444 - SODIUM HYDROXIDE	4,856.86	08/21/2015	70-510-0000-420-002	Check Sequence: 37 ACH Enabled: False
	Check Total:	4,856.86			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 2291 07/31/15	SISKIYOU UNIFIED MAJOR INVESTIGATIC INV 07/31/15	1,000.00	08/21/2015	Check Sequence: 38 01-200-0000-525-000	ACH Enabled: False
	Check Total:	1,000.00			
Vendor: 1299 3272782021	STAPLES ADVANTAGE INV 3272782021	118.24	08/21/2015	Check Sequence: 39 01-350-0000-515-000	ACH Enabled: False
	Check Total:	118.24			
Vendor: 1333 40364 40393 40543 40580 40723 40817 40832 40895	STEINHOFF HEAVY EQUIPMENT & REPAIR INV 40364 INV 40393 INV 40543 INV 40580 INV 40723 INV 40817 INV 40832 INV 40895	21.20 8.89 115.12 140.96 1,849.86 18.54 45.15 1.27	08/21/2015 08/21/2015 08/21/2015 08/21/2015 08/21/2015 08/21/2015 08/21/2015 08/21/2015	Check Sequence: 40 01-350-0000-520-000 01-350-0000-520-000 01-350-0000-520-000 01-350-0000-520-000 01-350-0000-520-000 01-350-0000-522-000 01-350-0000-520-000	ACH Enabled: False
	Check Total:	2,200.99			
Vendor: 1344 17322	TERRY'S NURSERY INV 17322 - (5) LELAND CYPRESS TREES F	219.02	08/21/2015	Check Sequence: 41 70-510-0000-420-000	ACH Enabled: False
	Check Total:	219.02			
Vendor: 1351 128114497-003 128114497-003 128114497-003 128114497-003	UNITED RENTALS NORTHWEST INV 128114497-003 - ROLLER RENTAL FOR INV 128114497-003 - ROLLER RENTAL FOR INV 128114497-003 - ROLLER RENTAL FOR INV 128114497-003 - ROLLER RENTAL FOR	520.46 520.46 520.46 520.45	08/21/2015 08/21/2015 08/21/2015 08/21/2015	Check Sequence: 42 20-310-0000-416-001 20-390-0000-420-011 70-500-0000-416-000 80-550-0000-416-000	ACH Enabled: False
	Check Total:	2,081.83			
Vendor: 1353 704059 705015	USA BLUE BOOK INV 704059 - GAUGE, PRESSURE TRANSMI INV 705015 - 500' TUBING, S. HYPO	1,453.45 478.32	08/21/2015 08/21/2015	Check Sequence: 43 70-510-0000-420-000 70-510-0000-420-000	ACH Enabled: False
	Check Total:	1,931.77			
Vendor: 4185 9749208546	VERIZON WIRELESS INV 9749208546	373.22	08/21/2015	Check Sequence: 44 01-200-0000-517-000	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	373.22			
Vendor: 23008	WAL-MART COMMUNITY			Check Sequence: 45	ACH Enabled: False
000353	INV 000353 - SCISSORS, WIRE BRUSH	58.07	08/21/2015	70-510-0000-420-000	
000703	INV 000703 - ISO ALCOHOL	18.79	08/21/2015	70-510-0000-420-000	
003707	INV 003707 - QUICK CONNECT, AIR CHUCK	10.20	08/21/2015	70-510-0000-420-000	
003860	INV 003860 - T. DRIVES & BINDERS	36.43	08/21/2015	01-200-0000-515-000	
008205	INV 008205 - BK CLR, LUBRICANT, BRUSH	49.74	08/21/2015	70-510-0000-420-000	
008890	INV 008890 - CABLE TIES, BATTERIES, USE	45.82	08/21/2015	70-510-0000-420-000	
	Check Total:	219.05			
Vendor: 25005	YREKA AUTO PARTS			Check Sequence: 46	ACH Enabled: False
1395 7/15	ACCT 1395 7/15	195.30	08/21/2015	01-350-0000-520-000	
1415 7/15	ACCT 1415 7/15	24.70	08/21/2015	70-510-0000-420-004	
	Check Total:	220.00			
Vendor: 1379	YREKA POLICE DEPT			Check Sequence: 47	ACH Enabled: False
08/21/15	GROCERY OUTLET	3.99	06/30/2015	01-230-0000-416-000	
08/21/15	USPS	9.79	06/30/2015	01-200-0000-516-000	
08/21/15	USPS	3.94	06/30/2015	01-200-0000-516-000	
08/21/15	USPS	6.74	06/30/2015	01-200-0000-516-000	
08/21/15	RITE AID	9.80	08/21/2015	01-200-0000-516-000	
08/21/15	RITE AID	4.20	08/21/2015	01-200-0000-516-000	
08/21/15	USPS	13.40	08/21/2015	01-200-0000-516-000	
08/21/15	RITE AID	9.13	08/21/2015	01-200-0000-515-000	
	Check Total:	60.99			
Vendor: 1391	YREKA VETERINARY HOSPITAL			Check Sequence: 48	ACH Enabled: False
131503	INV 131503	295.00	08/21/2015	01-230-0000-416-000	
	Check Total:	295.00			
	Total for Check Run:	128,983.14			
	Total of Number of Checks:	48			



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Discussion/Possible Action - Adopt Resolution approving requests associated with Yreka Chamber of Commerce Special Event to be held on September 26, 2015 known as the "Sizzlin September Car Show and Shine".
Meeting date: August 20, 2015

Discussion:

The Chamber of Commerce has submitted the attached request for their event known as the "Sizzlin September Car Show and Shine".

Fiscal Impact: The Chamber is requesting closure of a portion of W. Miner and Broadway street for the event. There will be labor costs incurred by the Public Works Department for extra trash removal and restroom maintenance due to the increased volume of users during the event. The fiscal impact is estimated to be less than \$200. This amount does not include additional costs that may be incurred by the Yreka Police Department.

Recommendation and Requested Action:

That the Council adopt the Resolution as submitted.

Approved by: 
Steven Baker, City Manager

Yreka Chamber of Commerce

310 S. Broadway Street Yreka, CA 96097 / 530-842-1649

www.yrekachamber.com yrekachamber117@gmail.com

July 28, 2015

Ms. Liz Casson
Assistant City Manager
City of Yreka
701 Fourth Street

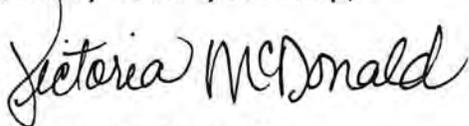
Dear Liz,

The Yreka Chamber of Commerce would like to request the following road closure & special permits for Sizzlin September. The foot print looks to be similar to last year's event.

Sizzlin September, September 26, 2015

1. Miner and Broadway Closed – Miner from Oregon to Main – Broadway from Miner to Butte. Street closure will commence at 7 am to 5 pm.
2. Special Permit Request for Car Show
 - a. Yreka Chamber of Commerce agrees to secure liability insurance for the named events in the amount of \$1,000,000 naming the City of Yreka as additionally insured and to agree with all other City of Yreka ordinances.
 - b. The Car and Motorcycle Parade of Champions will be an open cruise and rules of the road are applicable. A suggested cruise map will be supplied to participants (From Oregon Street & Miner Street to Broadway, left on Center, right on Main Street, right on 4-H Way, then right on Oregon and bac to Miner Street)

Thank you for your help,



Victoria McDonald
Executive Director

RESOLUTION NO. 2015-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH YREKA CHAMBER OF COMMERCE
SPECIAL EVENT TO BE HELD ON SATURDAY SEPTEMBER 26, 2015 KNOWN AS THE
“**SIZZLIN SEPTEMBER CAR SHOW AND SHINE**”

WHEREAS, the city, a municipal corporation, is the owner of certain lands within the City of Yreka which are operated by the City as public municipal facilities, and,

WHEREAS, the Yreka Chamber of Commerce (hereafter also referred to as “event sponsor”) desires to sponsor the Sizzlin September Car Show and Shine; and,

WHEREAS due to the proposed plan submitted for the event, the event sponsor has demonstrated that the following provisions of the Yreka Municipal Code [YMC] are not adversely implicated by this event:

- Vehicle controls- YMC Chapter 10.73
- Business license-YMC Section 5.04
- Sound Amplifying Devices-YMC Chapter 9.28
- Temporary Signs-YMC Section 13.16.020.D

WHEREAS, in connection with this event the Yreka Chamber of Commerce requests the closure of Miner Street between Oregon and Main Street and South Broadway from Miner Street to Butte Street from 7 am to 5 pm; and

WHEREAS, pursuant to Government Code Section 21101(e) the City Council has authority to designate by resolution a temporary closing of a through street where the closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, the City Council finds that the closing of Miner Street between Oregon and Main Street and South Broadway from Miner Street to Butte Street between the hours of 7 am and 5 pm is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing; and,

WHEREAS, a permissive business license may be granted by the City Council for an event of this nature if the applicant demonstrates good moral character and, that issuance of the license will not be detrimental to the public peace, public health or public morals of the city, which tax is subject to an exemption if the applicant demonstrates that the activity is for charitable purposes or for exhibition on historical subjects whenever the receipts from the activity are to be appropriated for any benevolent purpose within the limits of the city.

WHEREAS, the Yreka Chamber of Commerce has demonstrated to the City its eligibility under YMC 5.04.160, and that the event will not disrupt traffic within the City beyond practical solution; will not interfere with access to fire stations and fire hydrants; the location of the special event will not cause undue hardship to adjacent businesses or residents; the event will not require the diversion of so many public employees that allowing the event would unreasonably deny service

to the remainder of the city; and that the Yreka Chamber of Commerce will be using the event to raise funds for funding the Chamber's local events; and,

Whereas, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment; and

WHEREAS, the City Council has determined it would be in the best interests of the City to approve and authorize the action outlined in this Resolution; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YREKA DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Council hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Council directs as follows:

a. On September 26, 2015, Miner Street between Oregon and Main Street is ordered closed to through traffic; and South Broadway from Miner Street to Butte Street is ordered closed to through traffic for the Yreka Chamber of Commerce Car Show between the hours of 7 am to 5 pm; subject to the terms and conditions as set forth hereafter.

b. Permission is hereby granted for the use of the City's event barricades (22) in conjunction with said event contingent upon the event sponsor providing all labor necessary for the placement and removal of the barricades. Event Sponsor shall erect barricades to effectively and safely block traffic on the streets designated for closure. City will provide 22 barricades and the event sponsor will procure the balance. Delivery of the barricades shall be coordinated with the City of Yreka Event Coordinator.

c. The Chamber is hereby issued a business license for this event and is exempt from the business license tax. This exemption from the tax shall not apply to vendors at the event unless each vendor can separately demonstrate eligibility for exemption. The Chamber of Commerce may add vendors to their event and the City will work with the Chamber of Commerce to facilitate issuance of the daily business licenses for the event. Event sponsor will be responsible and hold harmless the City for acts of the vendors.

d. The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 and a separate endorsement naming the City of Yreka as additionally insured specific to the event dates and location, at least 1 week prior to the event. Event sponsor will be responsible and hold harmless the City for acts of the volunteers and vendors.

e. The event sponsor is responsible to furnish, place and remove all necessary barricades, furnish, place and remove street closure signs, furnish place and remove extra garbage cans and dispose of garbage, provide emergency access, cleanup all areas used including but not limited to the street.

f. The event sponsor shall comply with all other City of Yreka ordinances; and,

the event sponsor shall comply with such further conditions and requirements as may be set by the City Manager or his designee.

g. The event sponsor shall not place any paint on the street pavement, curb, gutter, and sidewalk. Any markings on the street pavement, curb, gutter, and sidewalk shall be of a temporary nature and shall be removed by the event sponsor within 7 days after the end of the event.

h. The event sponsor is responsible to personally contact each business that may be potentially affected by this street closure prior to the event.

i. The event sponsor shall be charged for any services required by the Public Works Department in connection with this event. The Director of Public Works is directed prepare a Use and Encroachment Agreement to be signed by the Event Sponsor setting forth the terms of use in accordance with this Resolution.

Section 3. It is further resolved, If any section, subsection, part, clause, sentence or phrase of this Resolution or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Resolution, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

Section 4. The City Manager, the Chief of Police, Director of Public Works, and all other proper officers and officials of the City are hereby authorized and directed to execute such other agreements, documents and certificates, and to perform such other acts and deeds, as may be necessary or convenient to affect the purposes of this Resolution and the transactions herein authorized.

Section 5. The City Clerk of the City shall forward a copy of this Resolution to the event sponsor, the Chief of Police, and the Director of Public Works. This resolution shall take effect immediately upon its passage.

Passed and adopted this 20th day of August 2015, by the following vote:

AYES:

NAYS:

ABSENT:

John Mercier, Mayor

Attest: _____
Elizabeth E. Casson, City Clerk



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: City Clerk
Agenda title: Discussion/Possible Action – Adopt Ordinance No. 841 - An Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA,

Meeting date: August 20, 2015.

Discussion:

A public hearing was held on August 6, 2015 to solicit public comments regarding the proposed Ordinance. Following the public hearing, the Council voted 5-0 to approve the introduction of the Ordinance. This is the second-reading of Ordinance 841.

Recommendation and Requested Action:

That the Council waive the reading of the body of the Ordinance and Adopt Ordinance No. 841 entitled “Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA”, as submitted.

Approved by: _____

Steven Baker, City Manager



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Steve Baker, City Manager
Agenda title: Public Hearing.

Discussion/Possible Action – Introduction of an Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA, and waive the reading of the body of the Ordinance.

Discussion - Resolution adopting regulations and restrictions on the delivery and consumption of water within the city's service area

Meeting date: August 6, 2015

Discussion:

Attached is an ordinance implementing various water regulations dealing mostly with water conservation. An earlier version of this ordinance was presented during the adoption of the Urban Water Management Plan required by the State, but not adopted.

On May 18, 2015, the State Water Resources Control Board ("SWRCB") enacted Drought Emergency Regulations, which revised to the California Code of Regulations, Title 23, Sections 863, 864, 865 and 868, and found the existence of a drought emergency in California and imposed water conservation measures on individuals and water suppliers. The regulation requires the City to reduce water production by 32% when compared to the same month in 2013. In 2014, the City achieved a 13% reduction in water usage when compared to 2013. The May 2015 reduction was 29% and June 2015 was 19%. Therefore, an additional reduction is required for the City to achieve compliance with the SWRCB's regulation. The SWRCB has warned water suppliers that failure to comply with its regulations may result in a fine of \$10,000 per day.

This proposed ordinance contains 5 water conservation stages ranging from Stage One, which is standard water conservation rules that are in place year round to stage five (water emergency). These stages mirror the stages in the Urban Water Management Plan and are increasingly restrictive as they increase. The City is currently in a Stage two (water alert) status, which restricts watering of landscaping to three days a week as well as other water conservations measures. The ordinance also contains fines and remedies for people using excessive water.

In addition to the standard water rules in state law and regulation, the Governor and State Water Resources Control Board have enacted emergency regulations due to the current drought in

Approved by: _____
Steven Baker, City Manager

California. These are designed to be temporary, during the term of the drought, so are contained or referenced in a separate resolution. The resolution allows the restrictions to stay in place as long as the drought emergency exists, currently through February 2016, which either expire if the drought is over or can be renewed if the drought regulations continue.

The resolution implements the restrictions that we have been publicizing (e.g. 3-day watering schedule, no washing of driveways and sidewalks, hotels providing guest option to not launder linens each day, etc.). The full list of restrictions is shown in the resolution. Although the public hearing includes this resolution it is not ready to be actually adopted until its companion enabling ordinance is adopted which would not be until its second hearing on August 20, 2015. Thus, it is recommended that action to adopt the resolution itself be continued until August 20, 2015 for its potential adoption.

Staff is recommending introduction of the ordinance at this time and adoption of the resolution at the time the ordinance is adopted. Adoption of the ordinance will require a 2/3 vote (i.e. 4 out of 5 Councilmembers).

Recommended Action: That the City Council take the following actions:

- A. Open Public Hearing to receive public comments.
- B. Introduce ordinance entitled *“An Ordinance of the City Council of the City of Yreka repealing Chapter 12.12 entitled Enacting “Water Limitations” and Sections 12.04.280 and 12.04.290 of the Yreka Municipal Code, and supplanting them with Chapter 12.12 entitled “Water Efficiency” and finding the adoption of this ordinance to be exempt from CEQA.”* and waive reading of the body of the ordinance.
- C. Continue further action on the consideration of the Resolution adopting regulations and restrictions on the delivery and consumption of water within the city's service area until the City Council's next regular meeting on August 20, 2015.



ORDINANCE NO. 841

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YREKA REPEALING CHAPTER 12.12 ENTITLED ENACTING “WATER LIMITATIONS” AND SECTIONS 12.04.280 AND 12.04.290 OF THE YREKA MUNICIPAL CODE, AND SUPPLANTING THEM WITH CHAPTER 12.12 ENTITLED “WATER EFFICIENCY” AND FINDING THE ADOPTION OF THIS ORDINANCE TO BE EXEMPT FROM CEQA

SECTION 1. Recitals:

WHEREAS, the City Council of the City of Yreka from time to time adopts Urban Water Management Plans as required by law; and

WHEREAS, the availability of the City of Yreka’s source water may be affected by numerous factors including regulatory mandates and surface water diversion curtailments imposed by various agencies such as the State Departments of Water Resources, Water Resources Control Board and the Department of Fish and Wildlife; and

WHEREAS, the City of Yreka’s primary source where its water is derived is subject to whether or not that water source has a sufficient amount of water flowing in its channel; and

WHEREAS, water production facilities failures, water distribution infrastructure failures, contamination of supply, or other factors may result in emergency conditions that threaten the water utility’s ability to provide for public health and safety; and

WHEREAS, the City has previously enacted Section 11.38.010 of the Yreka Municipal Code adopting California’s model Efficient Landscaping Ordinance; and

WHEREAS, the City’s present regulations in force do not adequately address all the factors that may limit the water utility’s ability to respond to diminished source capacity or emergency conditions; and

WHEREAS, there is a direct nexus between the availability of water supply and the immediate preservation of the public health and safety; and

32 **WHEREAS**, on January 17, 2014, Governor Edmund G. Brown Jr. issued Proclamation
33 No. 1-17-2014 declaring a State of Emergency to exist in California due to severe drought
34 conditions; and

35 **WHEREAS**, on April 1, 2015, the Governor issued an Executive Order B-29-15 to
36 strengthen the state’s ability to manage water and directed the State Water Resources Control
37 Board (SWRCB) under its authority in California Water Code Section 1058.5 to adopt
38 emergency regulations as it deems necessary to address water shortage conditions and to achieve,
39 statewide, a twenty-five percent reduction in potable urban water usage; and

40 **WHEREAS**, On May 18, 2015, the state enacted revisions to the California Code of
41 Regulations, Title 23, Sections 863, 864, 865 and 868, emergency regulations finding a drought
42 emergency in California and imposing water conservation measures on individuals and water
43 suppliers; and

44 **WHEREAS**, the State Urban Water Supplier Conservation Tiers requires City water
45 users to decrease their water usage by thirty-two (32) percent when compared to the same month
46 in 2013 in order to conserve 218,918,400 gallons of water; and

47 **WHEREAS**, California Water Code Sections 350 et seq. authorize water suppliers, after
48 holding a properly noticed public hearing and after making certain findings, to declare a water
49 shortage (emergency) and to adopt such regulations and restrictions to conserve the water supply
50 for the greatest public benefit with particular regard for domestic use, sanitation, and fire
51 protection; and

52 **WHEREAS**, the voluntary and mandatory water conservation measures and progressive
53 restrictions on water use and method of use set forth herein provide an effective and immediately
54 available means of conserving water which is essential during periods of water shortage to
55 ensure a reliable and sustainable minimum supply of water for the public health, safety, and
56 welfare and to preserve valuable limited water storage, avoid depleting water storage to an
57 unacceptably low level, and thereby lessen the possibility of experiencing more critical shortages
58 if dry conditions continue or worsen; and

59 **WHEREAS**, the usage allotments hereinafter established will equitably spread the
60 burden of restricted and prohibited usage in a manner prescribed by the City’s water shortage
61 contingency plan over all City water department customers and other consumers of City water;
62 and

63 **WHEREAS**, the purposes of this chapter are to conserve the water supply of the City of
64 Yreka for the greatest public benefit, to mitigate the effects of a water supply shortage on public

65 health and safety and economic activity, and to budget water use so that a reliable and sustainable
66 minimum supply of water will be available for the most essential purposes for the entire duration
67 of the water shortage.

68 **SECTION 2. Repeal:**

69 Chapter 12.12 (Water Limitations) and Sections 12.04.280 and 12.04.290, inclusive of the
70 Yreka Municipal Code are hereby repealed in their entirety, provided, however, that such repeal
71 shall not affect or excuse any violation thereof occurring prior to the effective date of this
72 ordinance.

73 **SECTION 3. Reenactment:**

74 **BE IT ORDAINED** by the City Council of the City of Yreka a new Chapter 12.12 is
75 hereby added to the Yreka Municipal Code to read as follows:

76
77 **12.12.10. Findings:** The Yreka City Council finds and determines as follows:

78 A. The above recitals are true and correct and are incorporated herein as if set forth in
79 full and are relied upon independently by the City Council for its adoption of this ordinance.

80 B. Article X, Section 2 of the California Constitution declares that waters of the State
81 are to be put to a beneficial use, that waste, unreasonable use, or unreasonable method of use of
82 water be prevented, and that water be conserved for the public welfare.

83 C. California Water Code Section 350 authorizes water suppliers to find and determine
84 the existence of an emergency caused by drought or other threatened or existing water shortage. A
85 water shortage emergency does exist and the City of Yreka hereby declares the existence of caused
86 by drought or other threatened or existing water shortage; and

87 D. California Water Code Section 375 authorizes water suppliers to adopt and enforce
88 a comprehensive water conservation program to reduce water consumption and conserve supplies.

89 E. California Water Code Section 356 allows for the adoption of regulations and
90 restrictions that include discontinuance of service as an enforcement option where a water shortage
91 emergency condition has been declared.

92 F. California Water Code Section 370 et. seq., authorizes water suppliers to adopt
93 water allocation programs for water users and allocation-based conservation water conservation
94 pricing.

95 G. California Water Code Section 375 et seq., authorizes public water suppliers to
96 establish by Ordinance, the maximum levels of water to be used by customers under emergency
97 supply conditions and declaring that the customer's excess usage, to be a violation of the
98 Ordinance.

99 H. State regulations and Executive Orders require conservation of current water
100 supplies and minimization of the effects of water supply shortages that are the result of drought
101 are essential to the public health, safety and welfare.

102 I. That the adoption of this Ordinance, for the purpose of addressing water shortages
103 and allocation of supplies, is exempt from the requirements of the California Environmental
104 Quality Act ("CEQA") pursuant to Sections 15307, 15308 and 15269(c) of the State CEQA
105 Guidelines since this ordinance is necessary to prevent or mitigate the emergency water shortages
106 that have been declared by the State and as declared by the City herein and to assure maintenance
107 and protection of a natural resource and the environment during. The adoption of this ordinance
108 will result in the maintenance and protection of water resources, and will not result in cumulative
109 adverse environmental impacts. Further, the Governor's Executive Order B-29-15 dated April 1,
110 2015 regarding the Statewide State of Emergency due to severe drought conditions suspends the
111 requirements of CEQA in order to implement the requirements of that Executive Order. The City
112 Council directs City staff to file a Notice of Exemption within five (5) days following adoption of
113 this Ordinance with the Siskiyou County Clerk.

114 J. The City of Yreka hereby finds, determines and declares that a statewide water
115 shortage emergency exists, under the authority of Executive Order B-29-15; California Code of
116 Regulations, Title 23, Sections 863, 864, 865 and 868; the State's mandate that all urban water
117 suppliers implement water waste control measures; Article X, Section 2 of the California
118 Constitution; as well as State Urban Water Supplier Conservation Tiers requiring City water users
119 to decrease their water usage by thirty-two (32) percent; pursuant to its authority under Water Code
120 Section 350 and that water conservation measures and restriction on the use of water are necessary
121 to conserve the available water supply and protect the integrity of water supply facilities, with
122 particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve
123 public health, welfare, and safety and minimize the adverse impacts of water supply shortage or
124 other water supply emergency conditions, the City of Yreka hereby adopts the following
125 regulations and restrictions on the delivery and consumption of water; and

126 K. Under the authority of Executive Order B-29-15; California Code of Regulations,
127 Title 23, Sections 863, 864, 865 and 868; the State's mandate that all urban water suppliers
128 implement water waste control measures; as well as State Urban Water Supplier Conservation
129 Tiers requiring City water users to decrease their water usage by thirty-two (32) percent; and
130 pursuant to its authority under Water Code Section 350, 356 and 375, that the City of Yreka, based
131 on the findings set forth herein, does hereby prohibit the wastage of water and does hereby order

132 that the water conservation measures and water use restrictions are necessary and appropriate to
133 prevent the waste of water and to protect the health and safety of water users.

134 L. This Ordinance is intended to further the conservation of potable water. It is not
135 intended to implement any provision of federal, state or local statutes, ordinances or regulations
136 relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction
137 or Regional Water Quality Control Board for information on storm water ordinances or
138 management plans.

139
140 M. This Ordinance is intended to establish a water conservation and landscape
141 guidelines that will reduce water consumption within the City through conservation, enable
142 effective water supply planning, assure reasonable and beneficial use of water, prevent waste of
143 water, and maximize the efficient use of water within the City to avoid and minimize the effect
144 and hardship of water shortage to the greatest extent possible.

145 **12.12.20 Application**

146 The provisions of this ordinance shall apply to all Persons, Customers, and property
147 utilizing potable water provided by the City, within or outside the City and within the City's
148 service area and regardless of whether any water user shall have a contract for water service with
149 the City.

150 **12.12.30 Precedence of Ordinance provisions**

151 Where other provisions of the municipal code, whether enacted prior or subsequent to this
152 chapter, are inconsistent with the provisions of this chapter, the provisions of this chapter shall
153 supersede and control.

154 **12.12.40 Definitions**

155 A. The following words and phrases whenever used in this chapter have the meaning
156 defined in this section:

- 157
158 1. "Best Management Practices" (BMP) means a policy, program, practice, rule,
159 regulation ordinance or the use of devices, equipment or facilities that result in more efficient use
160 or conservation of water.
161
162 2. "Certified landscape irrigation auditor" means a person certified to perform
163 landscape irrigation audits by a professional trade organization or other educational organization.
164
165 3. "CDPH" means the California Department of Public Health.

- 166
167 4. "City" means the City of Yreka, California.
168
169 5. "City Manager" means the City Manager of the City of Yreka or his or her
170 designee unless otherwise stated or indicated by context.
171
172 6. "City Water System" means those facilities within and without the City of Yreka
173 that the City uses to deliver water as the water purveyor recognized by the California Department
174 of Public Health.
175
176 7. "Customer" means any person or entity using water supplied by the City water
177 system. "Customer" includes tenants of single-family dwellings or duplexes, owners of real
178 property and management companies responsible for property management of real property.
179
180
181 8. "CUWCC" means the California Urban Water Conservation Council.
182
183 9. "Department" means the City of Yreka Department of Public Works.
184
185 10. "Director" means the City of Yreka Director of Public Works or his or her
186 designee unless otherwise stated or indicated by context.
187
188 11. "Discontinued service" means having the water service turned off by the
189 department.
190
191 12. "Fire Chief" means the Fire Chief of the City of Yreka or designee unless
192 otherwise stated or indicated by context.
193
194 13. "Non-residential Customer" means any property being served by City water
195 where no residence exists.
196
197 14. "Park" or "Public Park" means City owned land that is maintained for community
198 recreation purposes.
199
200 15. "Person" includes individuals, persons, corporations, partnerships, associations,
201 public or private entities, governmental agencies, institutions, Indian Tribes, their organizations
202 and entities, and all other legal entities.
203
204 16. "Private Fire Service" means a private fire service main and appurtenances
205 installed on private property and maintained by the property owner for the explicit intent of

206 providing fire flows either through fire hydrants, fire sprinkler systems, or other water-based fire
207 protection systems.

208
209 17. "Public Ground" means any City owned land.

210
211 18. "Residential Customer" means a customer of the City water system on whose
212 property, whether owned or rented, and at least one person resides.

213
214 19. "SWRCB" means the California State Water Resources Control Board.

215
216 20. "Water Budget" means the adopted dollar amount in the City's budget allocated
217 for irrigating Public Ground or public parks.

218
219 21. "Water Conservation" means the best management practices for the reasonable
220 and efficient use of water for both indoor and outdoor water demands.

221
222 22. "Water Conservation Program Guidelines" means the program guidelines
223 developed, maintained, and managed by the Director pursuant to this chapter.

224
225 23. "Water Division Manager" means the Water Division Manager in the Department
226 of Public Works.

227
228 24. "Wasteful Use of Water" is as defined in Section 12.12.70.

229
230 **12.12.50 City Responsibility**

231
232 The City shall have the right to manage water demand within the City's water service
233 area.

234 **12.12.60 Water Conservation Program and Landscape Guidelines**

235
236 A. The Director shall oversee this chapter's implementation, compliance with the
237 CUWCC best management practices and any laws mandating water conservation.

238
239 B. The Director is authorized to develop sustainable landscape practices consistent
240 with the water conservation intent of this chapter. The Director shall, from time to time, but at
241 least annually, review the sustainable landscape practices and determine if such practices are
242 reasonable and achieve the level of conservation required under this chapter for the declared
243 water conservation stage, taking into account the burden imposed on property owners.

246 **12.12.70 Wasteful Use of Water**

247
248
249 The following water conservation requirements are effective at all times and are
250 permanent. Violations of this section constitutes water waste and an unreasonable use of water:

251
252 A. Water flowing away from a property caused by excessive application(s) of water
253 beyond reasonable or practical irrigation rates, duration of application, or other than incidental
254 applications to impervious surfaces or any sidewalk, walkway, driveway, street, alley, gutter or
255 ditch.

256
257 B. Causing or permitting an amount of water to discharge, flow, run to waste into or
258 flood any gutter, sanitary sewer, water course or storm drain, or to any adjacent lot, from any tap,
259 hose, faucet, pipe, sprinkler, or nozzle. In the case of irrigation, "discharge," "flow" or "run to
260 waste" means that water is applied to the point that the earth intended to be irrigated has been
261 saturated with water so that additional applied water then flows over the earth. In the case of
262 washing, "discharge," "flow" or "run to waste" means that water in excess of that necessary is
263 applied to wash, wet or clean the dirty or dusty object, such as an automobile, sidewalk, or
264 parking area.

265
266 C. Allowing water fixtures or heating or cooling devices to leak or discharge water.

267
268 D. Maintaining ponds, waterways, decorative basins or swimming pools that does
269 not use water recirculation devices or with known leaks, both seen and unseen, unless a waiver
270 has been obtained.

271
272 E. Discharging water from, and refilling, swimming pools, decorative basins or
273 ponds in excess of the frequency reasonably necessary to maintain the health, maintenance or
274 structural considerations of the pool, basin or pond, as determined in the Director's sole
275 discretion.

276
277 F. Continued operation of an irrigation system that is in disrepair.

278
279 G. Use of a water hose not equipped with a control nozzle capable of completely
280 shutting off the flow of water except when positive pressure is applied.

281
282 H. Irrigation of lawns or landscaping during periods of measurable rainfall.

283
284 I. Overfilling of any pond, pool or fountain that results in water discharging from
285 the pond, pool or fountain.

286
287 J. Failure to repair a controllable leak within five working days of the defect's
288 commencement, unless the Director informs the Customer that the leak must be repaired more
289 quickly, in which case the Customer shall repair the leak in the time specified by the Director.
290

291 K. Excepting evaporative cooling systems, any installation of (new) single-pass
292 cooling system(s), such as water-cooled air compressors, in buildings requesting new water
293 service.
294

295 L. Causing or permitting the flow of City supplied water to run into any river, creek
296 or other natural watercourse or drain, superficial or underground channel, or into any sanitary or
297 storm sewer, any street, road or highway, or upon the lands of another person or upon public
298 lands except as necessary for the proper operation of the public water supply system.
299

300 M. Any new automatic car wash or new commercial laundry system shall be
301 designed and constructed in accordance with the then current best management practices for
302 water conservation.
303

304 N. Whenever the Governor or any agency designated by the Legislature of the State
305 of California, law or regulation reduces or suspends water diversion or imposes water
306 conservations standards. These State imposed restrictions are generally imposed for a limited
307 duration of time and shall expire as set forth in the State's regulations. Each of these regulations
308 shall be adopted by resolution of the City Council and, when they are in effect, will be available
309 for public inspection on the City's website.
310

311 **12.12.80 Determination of Water Conservation Stages**
312

313 The Yreka City Council hereby delegates to the Director, or if no Director to the City
314 Manager or his/her designee, the authority to determine the City Water System's water
315 conservation stage. To arrive at that determination, the Director may consider whether that
316 system's water supplies available for potable use are sufficient to meet the current customer
317 demands on that system, unless otherwise excluded by this section, other relevant factors. The
318 Director is directed to consider, among other things: (A) any variations in the reliability of the
319 water supplies available to the City water system; (B) any variations in historic water demand
320 (C) availability of non-potable water to meet non-potable demands on the City water system; (D)
321 the success, or lack thereof, of previous declarations of a less stringent water conservation stage
322 in causing the water-use reductions sought by the City; and (E) any agreements between the City
323 and local water rights holders for deliveries of additional water supplies to the City. The Director
324 will select the necessary stage for conservation under Section 12.12.90.
325

326 The Director's water conservation stage determination will take effect on the tenth (10)
327 day after the date that a new or different Water Conservation Stage is declared. Within five (5)
328 days following the declaration of the shortage phase, the City shall publish a copy of the
329 resolution in a newspaper used for publication of official notices. As a courtesy to Customers,
330 whenever the Director establishes a new or different water conservation stage determination, it
331 may also provide notice of the determination by including it in the regular billing statement or by
332 any other mailing to the address to which the City customarily mails the billing statement for
333 fees or charges for on-going water service.

334
335 **12.12.90 Water Conservation Stages**
336

337 The Director is authorized to implement and enforce whatever conservation measures are
338 deemed by the Director to be expedient to achieve the water reduction requirements of the
339 declared conservation stage. For each stage, the water use reduction for customers shall be as
340 follows:

341
342 A. Stage one (basic stage) shall be in effect year-round, without notice or publication
343 as specified in section 12.12.80, and are independent of any calculation of the system's safe
344 operating capacity, shortage, or abundance of supply. The voluntary elimination of water
345 wasteful acts is considered to be the most basic, common sense approach to reducing waste of
346 water resources. Residents of the City of Yreka are asked to always be mindful of the value of all
347 natural resources.

348
349 B. Stage two (water alert) shall achieve a reduction of up to ten percent relative to
350 the projected demand.

351
352 C. Stage three (water warning) shall achieve a reduction of up to twenty percent
353 relative to the projected demand.

354
355 D. Stage four (water crisis) shall achieve a reduction of up to thirty-five percent
356 relative to the projected demand.

357
358 E. Stage five (water emergency) shall achieve a reduction of up to fifty percent
359 relative to the projected demand, or any other reduction the City Manager determines, in writing,
360 is necessary to protect public health and safety in the City during the actual situation presented
361 by a stage five water emergency.
362
363

364 **12.12.100 Water Use Restrictions**

365
366 Water use restrictions during the various efficiency stages shall, at a minimum, be as
367 listed below and may be augmented by other restrictions as determined necessary by the City
368 Manager.

369
370 A. During the stage one (basic stage) efficiency stage, the following restrictions shall
371 be enforced:

372
373 1. Water will be used for beneficial uses; all wasteful use of water is prohibited.

374
375 2. Water shall be confined to the customer's property and shall not be allowed to run
376 off to adjoining property or to the roadside ditch or gutter. Care shall be taken not to water past
377 the point of saturation.

378
379 3. The use of a free flowing hose is prohibited for vehicle and equipment washing,
380 ponds, evaporative coolers and livestock watering troughs. A free flowing hose with a sprinkler
381 apparatus may be used for landscape irrigation. Automatic shut-off devices, including sprinkler
382 timers, are recommended for use on any hose or filling apparatus in use.

383
384 4. All pools, spas and ornamental fountains/ponds shall be equipped with a
385 recirculation pump and shall be constructed to be leak proof. Pool draining and refilling shall be
386 allowed only to the extent required for health, maintenance, or structural considerations, and
387 must otherwise comply with all applicable federal, state and local stormwater management
388 requirements.

389
390 5. The City will encourage customers to irrigate landscapes and pastures a maximum
391 of three days per week based on the following odd-even schedule, with the exception of drip
392 irrigation, which may be conducted on any day.

393
394 a. The City will encourage customers with street addresses that end with an odd
395 number to irrigate only on Tuesdays, Thursdays and Saturdays.

396
397 b. The City will encourage customers with street addresses that end with an even
398 number may irrigate only on Wednesdays, Fridays and Sundays.

399
400 c. The City will encourage customers to not irrigate on Mondays.

401
402 6. The City recommends that landscape and pasture irrigation during the months of
403 April through September occur only between the hours of 8:00 pm and 8:00 am.

404
405 B. During the stage two (water alert) efficiency stage, the following restrictions shall
406 be enforced:

407
408 1. All stage one (basic stage) restrictions shall continue to be enforced, except to the
409 extent they are replaced by more restrictive requirements imposed by this section.

410
411 2. Landscape and pasture irrigation shall be limited to a maximum of three days per
412 week based on the following odd-even schedule, with the exception of drip irrigation, which may
413 be conducted on any day.

414
415 a. Customers with street addresses that end with an odd number may irrigate only on
416 Tuesdays, Thursdays and Saturdays.

417
418 b. Customers with street addresses that end with an even number may irrigate only
419 on Wednesdays, Fridays and Sundays.

420
421 c. No irrigation is permitted on Mondays.

422
423 3. If the City establishes, and the Director approves, a Water Budget for a
424 City park or other public ground, irrigation of the City park or public ground shall only be
425 allowed according to the Water Budget, which shall not exceed a total quantity equal to the
426 landscape area (in acres) multiplied by an application volume per acre equal to 70% of reference
427 evapotranspiration.

428
429 4. Hand and manual watering follows the same odd/even day schedule and may be
430 done anytime during the day.

431
432 5. The City recommends that landscape and pasture irrigation, as well as hand and
433 manual watering, during the months of April through September occur only between the hours of
434 8:00 pm and 8:00 am.

435
436 6. Washing of streets, parking lots, driveways, sidewalks, buildings or other
437 hardscape surfaces is prohibited, except as necessary for health, sanitation or fire protection
438 purposes.

439
440 7. Public and private streetscape landscaping (medians and frontage) may be
441 watered only on the same schedule as customers with street addresses that end with an even
442 number.

443

444 C. During the stage three (water warning) efficiency stage, the following restrictions
445 shall be enforced:

446

447 1. All stage one and two restrictions shall continue to be enforced, except to the
448 extent they are replaced by more restrictive requirements imposed by this section.

449

450 2. Landscape and pasture irrigation shall be limited to a maximum of two days per
451 week based on the following odd-even schedule, with the exception of drip irrigation, which may
452 be conducted on any day.

453

454 a. Customers with street addresses that end with an odd number may irrigate only on
455 Tuesdays and Saturdays.

456

457 b. Customers with street addresses that end with an even number may irrigate only
458 on Wednesdays and Sundays.

459

460 c. No irrigation is permitted on Mondays, Thursdays and Fridays.

461

462 3. If the City establishes, and the Director approves, a Water Budget for a
463 City park or other public ground, irrigation of the City park or public ground shall only be
464 allowed according to the Water Budget, which shall not exceed a total quantity equal to the
465 landscape area (in acres) multiplied by an application volume per acre equal to 60% of reference
466 evapotranspiration.

467

468 4. No potable water from the City water system shall be used for construction
469 purposes such as dust control, compaction, or trench jetting, unless the use is approved by the
470 Director.

471

472 D. During the stage four (water crisis) efficiency stage, the following restrictions
473 shall be enforced:

474

475 1. All stage one, two, and three restrictions shall continue to be enforced, except to
476 the extent they are replaced by more restrictive requirements imposed by this section.

477

478 2. Landscape and pasture irrigation, including drip irrigation, shall be limited to a
479 maximum of one day per week based on the following odd-even schedule.

480

481 a. Customers with street addresses that end with an odd number may irrigate only on
482 Tuesdays.

483

484 b. Customers with street addresses that end with an even number may irrigate only
485 on Wednesdays.

486
487 c. No irrigation is permitted on Mondays, Thursdays, Fridays, Saturdays and
488 Sundays.

489
490 3. If the City establishes, and the Director approves, a Water Budget for a
491 City park or other public ground, irrigation of the City park or public ground shall only be
492 allowed according to the Water Budget, which shall not exceed a total quantity equal to the
493 landscape area (in acres) multiplied by an application volume per acre equal to 50% of reference
494 evapotranspiration.

495
496 4. Public and private streetscape landscaping (medians and frontage) may be
497 watered only on the same schedule as customers with street addresses that end with an even
498 number.

499
500 5. No water from the City water system shall be used to drain and refill swimming
501 pools, artificial lakes, ponds or streams and no new permits for swimming pools, artificial lakes,
502 ponds or streams shall be issued until the water conservation stage has been declared to be stage
503 one.

504
505 6. Water use for ornamental ponds and fountains is prohibited unless required to
506 maintain existing vegetation or to sustain existing fish/animal life.

507
508 7. New or expanded landscaping on properties is limited to low or very low water
509 use trees, shrubs, and ground cover and no new turf or grass shall be planted, hydro-seeded or
510 laid.

511
512 8. Washing of automobiles or equipment shall be done on the lawn or at a
513 commercial establishment that uses recycled or reclaimed water.

514
515 9. All water leaks shall be repaired within twenty-four hours of notification by the
516 Department of Public Works or service may be discontinued.

517
518 E. During the stage five (water emergency) efficiency stage, the following
519 restrictions shall be enforced:

520
521 1. All stage one, two, three, and four restrictions shall continue to be enforced,
522 except to the extent they are replaced by more restrictive requirements imposed by this section.

523

- 524 2. No landscape and/or pasture irrigation shall be allowed, including parks or other
525 public grounds.
526
- 527 3. Flushing of sewers or fire hydrants is prohibited, except in case of an emergency
528 and for essential operations.
529
- 530 4. Flushing of fire protection systems is prohibited, except during required
531 maintenance or servicing of the system.
532
- 533 5. Water use for ornamental ponds and fountains is prohibited.
534
- 535 6. Washing of automobiles or equipment shall be done at a commercial
536 establishment that uses recycled or reclaimed water.
537
- 538 7. Installation of any new lawns or landscaping is prohibited.
539
- 540 8. No water from the City water system shall be used for construction purposes such
541 as dust control, compaction, or trench jetting, unless the use is necessary for fire protection
542 system testing, maintenance, or acceptance by the Fire Chief.
543

544 **12.12.110 Irrigation System Inspections**
545

546 All customers, public and private, with a parcel over one acre shall comply with Section
547 11.38.010 of the Yreka Municipal Code, as amended or supplanted. Compliance with this
548 requirement will be waived for one full year if a full landscape water audit has been performed in
549 the previous year.
550

551 Customers that have a current irrigation system audit on file with the department will be
552 allowed one courtesy water waste warning before being deemed in violation of this chapter.
553

554 **12.12.120 Hardship Waiver.**

555 A. Undue and Disproportionate Hardship: If, due to unique circumstances, a specific
556 requirement of this chapter would result in undue hardship to a person using water or to property
557 upon which water is used, that is disproportionate to the impacts to water users generally or to
558 similar property of classes of water users, then the person may apply for a waiver to the
559 requirements as provided in this section.
560
561

562 B. A Person requesting a variance from the provisions of this article must file an
563 application with the City Manager on forms promulgated by the City. Each application shall
564 include the following information:

- 565
- 566 1. Name and address of the applicant(s);
 - 567
 - 568 2. A full description of the proposed water use, including, but not limited to:
569 The daily amount of the proposed use;
570 The hours of the proposed use;
 - 571
 - 572 3. A reference to the specific provision(s) of this article from which the applicant is
573 requesting relief;
 - 574
 - 575 4. A detailed statement as to how the specific provision of the article adversely
576 affects the applicant and/or what damage or harm will occur to the applicant or others if
577 applicant complies with this article;
 - 578
 - 579 5. A description of the relief requested;
 - 580
 - 581 6. The period of time for which the variance is sought;
 - 582
 - 583 7. Alternative water use restrictions or other measures the petitioner is taking or
584 proposes to take to meet the intent of this article and the compliance date; and
 - 585
 - 586 8. Any additional information that the City Manager deems relevant and necessary
587 in making a determination regarding the request.
 - 588

589 C. Written Finding: The waiver may be granted or conditionally granted only upon a
590 written finding of the existence of facts demonstrating an undue hardship to a person using water
591 or to property upon which water is used, that is disproportionate to the impacts to water users
592 generally or to similar property or classes of water use due to specific and unique circumstances
593 of the user or the user's property.

594

- 595 1. Application: Application for a waiver must be on a form prescribed by the City
596 and accompanied by a non-refundable processing fee in an amount set by City Council
597 resolution.
- 598

- 599 2. Supporting Documentation: The application must be accompanied by
600 photographs, maps, drawings, and other information, including a written statement of the
601 applicant.

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3. Required Findings for Waiver: An application for a waiver will be denied unless the City Manager or his/her designee finds, based on the information provided in the application supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the City or its Agent, all of the following:

a. That the waiver does not constitute a grant of special privilege inconsistent with the limitations upon other residents and businesses;

b. That because of special circumstances applicable to the property or its use, the strict application of this chapter would have a disproportionate impact on the property of use that exceeds the impacts to residents and businesses generally;

c. That the authorizing of such waiver will not be of substantial detriment to adjacent properties, and will not materially affect the ability of the City to effectuate the purpose of this chapter and will not be detrimental to the public interest; and

e. That the condition or situation of the subject property of the intended use of the property for which the waiver is sought is not common, recurrent or general in nature.

D. Approval Authority: The City Manager or designee must act upon any completed application no later than thirty (30) days after submittal and may approve, conditionally approve, or deny the waiver. The applicant requesting the waiver must be promptly notified in writing of any action taken. Unless specified otherwise at the time a waiver is approved, the waiver will apply to the subject property during the period of the mandatory water supply shortage condition. The decision of the City Manager will be final.

E. Waivers granted shall expire upon the earlier of:

1. The date the water conservation measure from which the variance was granted is no longer in effect;

2. The date the City Manager determines that the applicant has failed to comply with any deadline imposed with respect to compliance with the conditions set forth in the variance; or

3. The date the City Manager specifically sets forth for termination of the variance.

F. Waivers not a defense. The granting of a waiver shall not be a defense to a violation of the provisions of this article that occurs prior to the effective date of the variance. No

641 variance shall be retroactive or otherwise justify any violation of this ordinance occurring prior
642 to the issuance of the waiver.

643

644 **12.12.130 Penalties and Violations**

645

646 A. Violation of any provisions of the ordinance herein must be personally observed
647 by members of the City staff able to personally attest to them. The fines for such violations will
648 be collected on the water bill. Failure to pay a fine amount will be treated as nonpayment of the
649 water bill and water service may be terminated as a result. The fines for such violations are as
650 follows:

651

652 1. First Violation: The City will issue a written warning and deliver a copy of a
653 summary of this ordinance by mail.

654

655 2. Second Violation: A second violation within the preceding twelve (12) calendar
656 months is punishable by a fine not to exceed one hundred dollars (\$100).

657

658 3. Third Violation: A third violation within the preceding twelve (12) calendar
659 months is punishable by a fine not to exceed two hundred and fifty (\$250).

660

661 4. Fourth and Subsequent Violations: A fourth and any subsequent violation is
662 punishable by a fine not to exceed five hundred (\$500).

663

664 a. Water Flow Restrictor Device: In addition to any fines, the City may install a
665 water flow restrictor device of approximately one gallon per minute.

666

667 b. Termination of Service: In addition to any fines, the City may disconnect and/or
668 terminate a customer's water service.

669

670 B. Cost of Installing Flow Restrictor or Disconnecting Service: A person or entity
671 that violates this ordinance is responsible for payment of the City's charges for installing a flow
672 restrictor or disconnecting and/or reconnecting service per the City's schedule of charges then in
673 effect. Nonpayment will be subject to the same remedies as nonpayment of basic water rates.

674

675 C. Separate Offenses: Each day that a violation of this ordinance occurs is a separate
676 offense.

677

678 D. Additional Enforcement Authority: In addition to the remedies specified herein,
679 the Director is empowered to pursue any additional remedies necessary, including criminal, civil
680 and administrative remedies.

680

681 E. Notice and Hearing:
682

683 1. The City will issue a Notice of Violation by mail or personal delivery at least ten
684 (10) days before taking enforcement action. Such notice must describe the violation and the date
685 by which corrective action must be taken. A Customer may appeal the Notice of Violation by
686 filing a written notice of appeal with the City no later than the close of business on the day
687 before the date scheduled for enforcement action. Any Notice of Violation not timely appealed
688 will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled, and the
689 City will mail written notice of the hearing date to the Customer at least ten (10) days before the
690 date of the hearing.
691

692 2. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the
693 City may take appropriate steps to prevent the unauthorized use of water as appropriate to the
694 nature and extent of the violations and the current declared Water Conservation Stage condition.
695

696 **12.12.140 Unauthorized Water Use**
697

698 A. An illegal connection to the City water system shall be disconnected at the
699 discretion and direction of the Director, and the offender shall be subject to the penalties
700 specified in Section 12.12.130.
701

702 B. Unauthorized use of a fire hydrant, public or private, for anything other than fire
703 flows or authorized and metered construction water shall subject the offender to the penalties
704 specified in Section 12.12.130 and Chapter 12.04 of the Yreka Municipal Code.
705

706 C. Private fire services with an observed demand that is deemed not to be fire flow
707 by the department shall have a meter and appropriate cross-connection control device installed
708 by the property owner, upon approval by the Director and the fire chief. Prior to making any
709 modifications or alteration to the on-site fire service, a permit shall be obtained from the fire
710 department. Upon written notification of the requirement to install a meter and cross-connection
711 control device, the property owner shall have thirty calendar days to submit a plan of correction
712 to the Director. Failure to comply with this section shall subject the property owner to the
713 penalties specified in Section 12.12.130.
714

715 **12.12.150 Cross-connection Control Devices**
716

717 All connections to the City's water system shall have the appropriate cross-connection
718 control device as required by regulations promulgated by CDPH and/or SWRCB and enforced
719 by the Department in accordance with Chapter 12.13, Cross-Connections, as amended or
720 supplanted. These devices shall be from the approved and published list maintained by the

721 University of Southern California (USC) or other list as approved by the Director and shall be
722 tested annually in accordance with the Department's policies and procedures. Devices used on
723 private fire services shall be listed for fire service use and maintained in accordance with State
724 Fire Marshall regulations.

725
726 **12.12.160 Violation Declared a Nuisance**

727
728 Any activity in violation of this chapter will adversely and seriously affect the public health,
729 safety and welfare, is hereby declared to be a public nuisance and may be remedied as provided
730 in this chapter, any other applicable portion of the Yreka Municipal Code or applicable state law.

731
732 **SECTION 4.**

733
734 Any provisions of the Yreka Municipal Code, or appendices thereto, or any other
735 ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further,
736 are hereby repealed.

737
738 **SECTION 5. Severability:**

739
740 If any section, subsection, part, clause, sentence or phrase of this Ordinance or the
741 application thereof is for any reason held to be invalid or unconstitutional by a decision of any
742 court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the
743 application thereof, shall not be effected thereby but shall remain in full force and effect, it being
744 the intention of the City Council to adopt each and every section, subsection, part, clause,
745 sentence phrase regardless of whether any other section, subsection, part, clause, sentence or
746 phrase or the application thereof is held to be invalid or unconstitutional.

747
748 **SECTION 6. Effective Date:**

749
750 This ordinance shall take effect immediately upon its adoption.

751
752 **SECTION 7. Implementation:**

753
754 The City Council hereby authorizes and directs the City Manager to take any action
755 and sign any documents necessary to implement this Ordinance.

756
757
758
759
760 **SECTION 8. Publication:**



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council

Prepared by: Steve Baker, City Manager

Agenda Title: Discussion/Possible Action – Adopt Resolution adopting regulations and restrictions on the delivery and consumption of water within the City’s Service Area.

Meeting Date: August 20, 2015.

Discussion:

The previous agenda item implements the City’s structure for water conservation. This resolution implements the temporary rules enacted by the Governor and State Water Resources Control Board due to the current drought in California. These are designed to be temporary, during the term of the drought, so are contained or referenced separately. The resolution allows the restrictions to stay in place as long as the drought emergency exists, currently through February 2016, then either expire if the drought is over or renewed if the drought regulations continue.

The resolution implements the restrictions that we have been publicizing (e.g. 3 day watering schedule, no washing of driveways and sidewalks, hotels providing guest option to not launder linens each day, etc.). The full list of restrictions is shown in the resolution.

Staff is recommending adoption of the resolution.

Requested Action:

That the Council adopt the Resolution adopting regulations and restrictions on the delivery and consumption of water within the City’s Service Area.

Approved by: _____

Steven Baker, City Manager

RESOLUTION NO. 2015 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA ADOPTING REGULATIONS AND RESTRICTIONS ON THE DELIVERY AND CONSUMPTION OF WATER WITHIN THE CITY'S SERVICE AREA

WHEREAS, in 1984 the California Legislature enacted the Urban Water Management Act requiring every urban water supplier providing water for municipal purposes to more than 3,000 connections to update, adopt, and submit an Urban Water Management Plan to the Department of Water Resources every five years; and

WHEREAS, the City's 2010 Urban Water Management Plan was adopted on July 16, 2011 and submitted to the Department of Water Resources; and

WHEREAS, a required component of Urban Water Management Plans is a Water Shortage Contingency Plan, which establishes criteria and guidelines for operations and water conservation during a water shortage condition; and

WHEREAS, on January 17, 2014, the Governor issued a proclamation of a state of emergency under the Californian Emergency Services Act based on current drought conditions; and

WHEREAS, on April 25, 2014, the Governor issued a proclamation of a continued state of emergency based on continued drought conditions; and

WHEREAS, the State Water Resources Control Board has adopted emergency regulations for Urban Water Conservation at its meeting on July 15, 2014 and again at its meeting on March 17, 2015; and

WHEREAS, these emergency regulations set a requirement for Urban Water Suppliers to implement a stage of their Water Shortage Contingency Plans that have mandatory limits on outdoor irrigation with potable water; and

WHEREAS, on April 1, 2015, the Governor of the State of California issued Executive Order B-29-15 finding that California's water supplies continue to be severely depleted and that new expedited actions are needed to reduce the harmful impacts of the drought and requiring additional water use restrictions to achieve a 25% reduction in potable urban water usage through February 28, 2016; and

WHEREAS, On May 18, 2015, the state enacted revisions to the California Code of Regulations, Title 23, Sections 863, 864, 865 and 868, emergency regulations finding a drought emergency in California and imposing water conservation measures on individuals and water suppliers; and

WHEREAS, the State Urban Water Supplier Conservation Tiers requires City water users to decrease their water usage by thirty-two (32) percent when compared to the same month in 2013 in order to conserve 218,918,400 gallons of water; and

WHEREAS, in response to the emergency regulations adopted by the State Water Resources Control Board and the Governor's Executive Order B-29-15, the City Council adopted an ordinance enacting water limitations on August 20, 2015; and

WHEREAS, the City has determined that it is in the best interest of the City to adopt additional regulations and restrictions on the delivery and consumption of water within the City's service area that are needed to comply with the State Water Resources Control Board's emergency regulations and the Governor's Executive Order until the Water Shortage Contingency Plan can be revised; and

WHEREAS, notice of the time and place of a public hearing on August 6, 2015 by the City Council was duly given as required by law and all interested people were given an opportunity to be heard concerning the proposed declaration of regulations and restrictions on the delivery and consumption of water within the City's service area and to present their respective needs for water to the City Council and such public input has been dully received and considered by the City Council.

NOW, THEREFORE BE IT RESOLVED, in accordance with Yreka Municipal Code § 12.12.70(N), that the City Council of the City of Yreka does hereby issue a Stage 2 Water Alert and Restriction and adopts the following additional regulations and restrictions on the delivery and consumption of water within the City's service area as imposed by State Water Resources Control Board's emergency regulations and the Governor's Executive Order:

- A. Outdoor irrigation of ornamental landscaping and ornamental turf with potable water by the persons it serves shall be limited to no more than three days per week. Customers with street addresses that end with an odd number may irrigate only on Tuesdays, Thursdays and Saturdays. Customers with street addresses that end with an even number may irrigate only on Wednesdays, Fridays and Sundays.
- B. The use of potable water in a fountain or other decorative water feature is prohibited unless the water is part of a recirculating system.
- C. The application of potable water to outdoor landscaping during and up to 48 hours after measurable rainfall is prohibited.
- D. Hotel and motel operators shall provide guests with the option of not having towels or linens laundered daily and display a notice in each bathroom.
- E. The application of potable water on driveways and sidewalks is prohibited.
- F. The serving of drinking water other than upon request in eating or drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars, or other public places where food or drink are served and/or purchased is prohibited.
- G. Immediately upon this subdivision taking effect, all commercial, industrial and institutional properties that use a water supply any portion of which is from a source

other than not served by a water supplier meeting the requirements of Water Code section 10617 or section 350 subject to section 865 shall either:

- (1) Limit outdoor irrigation of ornamental landscapes or turf with potable water to no more than two days per week; or
 - (2) Reduce potable water usage by 25 percent for the months of June 2015 through February 2016 as compared to the amount used for the same months in 2013.
- H. The application of potable water to outdoor landscapes in a manner that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures is prohibited.
- I. Irrigation with potable water outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission is prohibited.

BE IT FURTHER RESOLVED that to the extent that these water regulations conflict with any less restrictive requirements identified in Ordinance No. 841 entitled "An Ordinance of the City Council of the City of Yreka Repealing Chapter 12.12 entitled enacting "Water Limitations" and Sections 12.04.280 And 12.04.290 of the Yreka Municipal Code, and Supplanting them with Chapter 12.12 entitled "Water Efficiency" and Finding the Adoption of this Ordinance to be Exempt from CEQA," these regulations shall prevail.

BE IT FURTHER RESOLVED that this resolution shall be in effect from its adoption through February 2016, unless sooner terminated.

PASSED AND ADOPTED this 20th day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

John Mercier, Mayor

Attest:

Elizabeth E. Casson, City Clerk