

YREKA CITY COUNCIL
AGENDA

August 6, 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 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.
2. 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.
 - Discussion/Possible Action – 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.
 - Discussion - Resolution adopting regulations and restrictions on the delivery and consumption of water within the city's service area.
 - Discussion/Possible Action: Authorize City Attorney to prepare a summary and display advertisement of one-quarter page for publication in the Siskiyou Daily News at least five days prior to the City Council meeting at which the proposed Ordinance is to be adopted and again within 15 days after adoption of the Ordinance.

3. 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.”
 - Discussion/Possible Action – 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.
 - Discussion/Possible Action - Authorize City Attorney to prepare a summary and display advertisement of one-quarter page for publication in the Siskiyou Daily News at least five days prior to the City Council meeting at which the proposed Ordinance is to be adopted and again within 15 days after adoption of the Ordinance.
4. Yreka Police Department new station retrofit project. Discussion/Possible Action:
 - 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.
 - Approve supplemental appropriation for the new Yreka Police Department Building and Building Contents.

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).

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 JULY 16, 2015

On the 16th day of July 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.

Mayor Mercier announced that the closed session has been pulled from the agenda.

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 June 18, 2015.
- b. Approval/ratification of payments issued from June 19, 2015 through July 16, 2015.

Following Council discussion, Councilmember Foster moved to approve the items 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.

Miner Street Grant Program Community Projects Application – Old Town Yreka Merchants – repaint the “Old Town Yreka” sign located at 111 S. Main Street.

Following Council discussion, Councilmember Foster moved to approve the grant application as submitted, authorizing City Staff to approve the final historic colors for the sign.

Councilmember Simmen 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 No 2015-24 approving requests associated with the Siskiyou County Law Enforcement and Veterans Memorial Association event to be held on July 18, 2015 known as the “Hot Rods for Heroes” Car and Motorcycle Show.

Mark Dean and Joe Schettino addressed the Council on behalf of the Siskiyou County Law Enforcement & Veterans Commission to answer any questions about the event.

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.

Adopt Resolution No. 2015-25 authorizing the City Manager to Award a Construction Contract for the Foothill Drive Rehabilitation Project, execute related documents, and appropriate construction funds from the water account.

Jeannette, Hook, Public Works Administrative Assistant, reported that on July 14, 2015, bids were opened for the Foothill Drive Rehabilitation project. The results of the bid opening are as follows:

<u>Name</u>	<u>Location</u>	<u>Total Bid</u> <i>(Basis of Award)</i>
Tullis, Inc.	Redding, CA	\$ 2,297,990.55
Hayes & Sons, Inc.	Happy Camp, CA	\$ 2,385,659.00
JF Shea, Inc.	Redding, CA	\$ 2,521,217.44
<i>Estimate of Construction Costs</i>		<i>\$ 2,430,386.00</i>

This project will reconstruct Foothill Drive and Juniper Drive between Foothill and State Route 3, complete repairs on aging water lines underground, and extend the sewer lines for service at the new County jail site. Several additive and deductive alternatives were included in the bidding to allow the City to award a project that best meets its needs within the available budget.

The sewer portion of the work (to be paid by the County) came in significantly higher than the budget the County has allocated. It is in the public interest for the sewer line to be installed now to avoid digging up the newly reconstructed street if the County moves forward with the new jail, therefore staff recommends making the award and authorizing the City Manager to negotiate contract changes as needed if County resources do not allow full construction of these improvements.

Permits for the railroad crossing work are still in progress with the California Public Utilities Commission. The resolution would authorize the City Manager to add this work when appropriate.

Staff recommends award of the base bid items, Schedule A, B, and C, in the amount of \$1,909,372. The low bidder's amount, proposed subcontractors, license status, references and insurance company information have been evaluated. The low bidder is not debarred from working on projects in California. Staff finds that the low bid is responsive, the low bidder is responsible, and recommends that the City award the contract to Tullis, Inc. There are no Yreka-based subcontractors identified in the bid proposal.

Public Works will need professional services contracts for the construction management, inspection, and testing for this project. Staff will provide administrative support during construction. The contract allows 90 days from the Notice to Proceed for the contractor to

complete construction. Public Works anticipates that this project will be completed before the end of the year.

The fiscal impact of awarding the base bid contract is \$1,909,372.00 (Schedules A, B, & C) plus an estimated \$80,000 for the related costs of inspection, survey, testing and contract administration.

- The road portion of the project bid for Foothill and S. Foothill (Schedules A & D) is \$1,588,466.55. The California Transportation Commission (CTC) appropriated \$2 million from the STIP program on May 28, 2015.
- The road portion of STIP-eligible crossing improvements (Schedule E) is \$229,250 plus STIP eligible work for the crossing improvements required to be completed by the railroad, estimated to be \$60,000 (i.e. electrical work, rails and crossing arms).
- The water portion (Schedule C) of the project bid is \$265,824.00. The City Council appropriated \$300,000 from the Water Enterprise fund on March 19, 2015.
- The sewer portion (Schedule B) of the project bid is \$214,450.00. The Siskiyou County Board of Supervisors appropriated \$100,000 on January 20, 2015.

In closing, Ms. Hook stated that Public Works is requesting the Council adopt the Resolution authorizing the City Manager to award a construction contract to Tullis, Inc. in the amount of \$1,909,372.00 for the base bid, and negotiate and execute related documents, for the Foothill Drive Rehabilitation project.

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

Councilmember Foster 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 No. 2015-26 designating Councilmember Joan Smith-Freeman as Voting Delegate and Councilmember Deborah Baird as Alternate Voting Delegate to the League of California Cities Annual Conference September 30 – October 2, 2015.

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

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

Mayor Mercier thereupon declared the motion carried.

Approval of the City of Yreka North Well and North Street Pump Station Improvements Supplemental Appropriation for the 2014-2016 bi-annual budget.

Finance Director Rhetta Hogan reported that Public Works is ready to solicit bids for the water system improvements for the North Well and the North Street Pump Station Improvements. Public Works projects estimates were included in the 2014-2015 and 2015-2016 bi-annual budget; however, those budget estimates were made prior to the completion of the engineering and project design specifications. Engineering estimates for the project are \$631,000 for the North Well and \$764,000 for the North Street Pump Station, which combined exceeds the appropriation of \$700,000, or \$400,000 and \$300,000 respectively.

The North Well facilities and pumps were constructed and installed in 1947, the building needs to be rebuilt, pumps replaced and treatment modernized. The North Street Pump Station building has design, location and structural defects and is located in front of two homes in a residential neighborhood. A simple replacement is not feasible and the single pump configuration would leave a water zone at risk in the event of a pump failure. The proposed design is below grade, and includes a two-pump design.

Finance is requesting approval of an additional appropriation from the 2015-2016 budget from the water funds capital reserves of \$695,000 based on the engineering estimates. Actual bids received and ultimate construction costs may vary up or down from those estimates. Both projects were included in the 2008 and 2013 Draft Utility Rate Study, and factored in the utility rate for capital outlay to improve and maintain the City's Water and Wastewater utilities.

Following Council discussion, Councilmember Foster moved to approve the supplemental appropriation in the amount of \$695,000 from the water funds capital reserves as requested.

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

Mayor Mercier thereupon declared the motion carried.

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

Attest:

John Mercier, Mayor
Minutes approved by Council
Motion August 6, 2015

Elizabeth E. Casson, City Clerk

Accounts Payable

Computer Check Proof List by Vendor

User: lysandra
 Printed: 07/29/2015 - 1:49PM
 Batch: 00011.07.2015



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 2271	ACCELA INC #774375			Check Sequence: 1	ACH Enabled: False
31286	INV 31286	287.00	06/30/2015	70-030-0000-526-100	
31286	INV 31286	287.00	06/30/2015	80-030-0000-526-100	
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Vendor: 1527	ACME COMPUTER			Check Sequence: 2	ACH Enabled: False
FPA-88684	INV FPA-88684	3,375.00	08/07/2015	01-050-0000-525-000	
	Check Total:	3,375.00			
Vendor: 1011	AMERICAN LINEN			Check Sequence: 3	ACH Enabled: False
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TRNG 8/31-9/2	TRNG 8/31-9/2 BETTS	60.00	08/07/2015	01-200-6506-513-004	
TRNG 8/31-9/2	TRNG 8/31-9/2 BOUTIN	60.00	08/07/2015	01-200-6506-513-004	
	Check Total:	180.00			
Vendor: 2211	APPLY-A-LINE INC			Check Sequence: 5	ACH Enabled: False
4186	INV 4186 - PAINT -1952 - (10) 5- GAL YELLO	1,923.75	08/07/2015	24-320-0000-416-001	
	Check Total:	1,923.75			
Vendor: 1080	ARAMARK UNIFORM SERVICES INC			Check Sequence: 6	ACH Enabled: False
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506-3842221	INV 506-3842221	45.68	06/30/2015	01-480-0000-525-001	
506-3856740	INV 506-3856740	45.68	06/30/2015	01-480-0000-525-001	
506-3871165	INV 506-3871165	45.68	06/30/2015	01-480-0000-525-001	
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6786898	INV 6786898	173.72	06/30/2015	01-020-0000-517-000	
6786898	INV 6786898	55.24	06/30/2015	01-030-0000-517-000	
6786898	INV 6786898	48.33	06/30/2015	01-040-0000-517-000	
6786898	INV 6786898	29.04	06/30/2015	01-060-0000-517-000	
6786898	INV 6786898	26.37	06/30/2015	01-210-0000-517-000	
6786898	INV 6786898	28.45	06/30/2015	01-220-0000-517-000	
6786898	INV 6786898	47.14	06/30/2015	01-300-0000-517-000	
6786898	INV 6786898	31.24	06/30/2015	01-350-0000-517-000	
6786898	INV 6786898	56.84	06/30/2015	01-370-0000-517-000	
6786898	INV 6786898	12.80	06/30/2015	01-470-0000-517-000	
6786898	INV 6786898	38.82	06/30/2015	01-480-0000-517-000	
6786898	INV 6786898	25.51	06/30/2015	24-320-0000-517-000	
6786898	INV 6786898	29.25	06/30/2015	70-510-0000-517-000	
6786898	INV 6786898	26.83	06/30/2015	80-560-0000-517-000	
6787014	INV 6787014	655.55	08/07/2015	01-200-0000-517-000	
6788084	INV 6788084	17.41	06/30/2015	01-350-0000-517-000	
6793996	INV 6793996	27.41	08/07/2015	01-200-0000-517-000	
6827670	INV 6827670	17.60	06/30/2015	01-300-0000-517-000	
6827671	INV 6827671	17.44	06/30/2015	80-560-0000-517-000	
6827675	INV 6827675	33.22	06/30/2015	01-020-0000-517-000	
6828390	INV 6828390	17.44	06/30/2015	70-510-0000-517-000	
6837874	INV 6837874	68.06	08/07/2015	01-210-0000-517-000	
6845496	INV 6845496	15.74	08/07/2015	70-510-0000-517-000	
6845497	INV 6845497	48.16	08/07/2015	70-510-0000-517-000	
6845500	INV 6845500	17.70	08/07/2015	70-510-0000-517-000	
	Check Total:	1,600.41			
Vendor: 1019	BASIC FENCING			Check Sequence: 8	ACH Enabled: False
12109	INV 12109 - TENSION BAR, BAND, BOLTS &	10.08	06/30/2015	01-400-0000-416-000	
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Vendor: 6021	BASIC LABORATORY INC			Check Sequence: 9	ACH Enabled: False
1505505	INV 1505505 - WKLY. EFFLUENT	135.40	06/30/2015	80-560-0000-416-001	
1505797	INV 1505797 - WKLY. EFFLUENT	135.40	06/30/2015	80-560-0000-416-001	
1505819	INV 1505819 - MO. EFFLUENT	249.00	06/30/2015	80-560-0000-416-001	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
1505822	INV 1505822 - MO. YREKA CREEK	996.00	06/30/2015	80-560-0000-416-001	
1506020	INV 1506020 - WKLY. EFFLUENT	135.40	06/30/2015	80-560-0000-416-001	
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Vendor: 1031	CHRIS BETTS			Check Sequence: 10	ACH Enabled: False
TRNG 8/31-9/2	TRNG 8/31-9/2 MCCLELLAN	431.00	08/07/2015	01-200-6506-513-004	
	Check Total:	431.00			
Vendor: 1041	RON BLACK			Check Sequence: 11	ACH Enabled: False
08/07/15	AUGUST 2015	682.00	08/07/2015	01-200-0000-521-004	
	Check Total:	682.00			
Vendor: 1034	RAY BOUTIN			Check Sequence: 12	ACH Enabled: False
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	Check Total:	431.00			
Vendor: 1423	ALICE BRANDON			Check Sequence: 13	ACH Enabled: False
11097	INV 11097 - COURIER FEES FOR DELIVERY	71.00	06/30/2015	80-560-0000-416-001	
	Check Total:	71.00			
Vendor: 2223	CALPO HOM & DONG ARCHITECTS INC			Check Sequence: 14	ACH Enabled: False
6-CHD02948	INV 6-CHD02948	9,370.00	08/07/2015	11-200-0911-525-000	
	Check Total:	9,370.00			
Vendor: 1057	CDW-G COMPUTING SOLUTIONS			Check Sequence: 15	ACH Enabled: False
WQ80166	INV WQ80166	207.20	08/07/2015	01-030-0000-516-000	
	Check Total:	207.20			
Vendor: 1027	CENTRAL VALLEY TOXICOLOGY INC			Check Sequence: 16	ACH Enabled: False
239205	INV 239205	78.00	06/30/2015	01-200-0000-526-000	
	Check Total:	78.00			
Vendor: 1906	STEVE CHEFFEY			Check Sequence: 17	ACH Enabled: False
4112	INV 4112	20.00	08/07/2015	01-350-0000-520-000	
	Check Total:	20.00			

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Vendor: 3643	CITY OF YREKA - WATER DEPT			Check Sequence: 18	ACH Enabled: False
13279 7/15	013279-000 7/15	96.43	08/07/2015	80-560-0000-518-003	
13280 7/15	013280-000 7/15	78.12	08/07/2015	01-370-0000-518-003	
16150 7/15	016150-000 7/15	198.77	08/07/2015	01-400-0000-518-003	
16165 7/15	016165-000 7/15	229.86	08/07/2015	01-400-0000-518-003	
17683 7/15	017683-000 7/15	98.10	08/07/2015	01-400-0000-518-003	
17825 7/15	017825-000 7/15	47.40	08/07/2015	01-400-0000-518-003	
17826 7/15	017826-000 7/15	712.14	08/07/2015	01-400-0000-518-003	
17827 7/15	017827-000 7/15	714.52	08/07/2015	01-400-0000-518-003	
17890 7/15	017890-000 7/15	78.12	08/07/2015	01-400-0000-518-003	
17947 7/15	017947-000 7/15	94.12	08/07/2015	01-400-0000-518-003	
17948 7/15	017948-000 7/15	4.24	08/07/2015	01-400-0000-518-003	
17949 7/15	017949-000 7/15	1,283.46	08/07/2015	01-400-0000-518-003	
17950 7/15	017950-000 7/15	915.95	08/07/2015	01-400-0000-518-003	
17951 7/15	017951-000 7/15	87.66	08/07/2015	01-400-0000-518-003	
17952 7/15	017952-000 7/15	204.10	08/07/2015	01-400-0000-518-003	
17963 7/15	017963-000 7/15	40.81	08/07/2015	01-400-0000-518-003	
18636 7/15	018636-000 7/15	1,727.38	08/07/2015	01-400-0000-518-003	
19066 7/15	019066-000 7/15	1,495.46	08/07/2015	01-400-0000-518-003	
19244 7/15	019244-000 7/15	36.32	08/07/2015	01-400-0000-518-003	
5406 7/15	005406-000 7/15	31.60	08/07/2015	01-400-0000-518-003	
5407 7/15	005407-000 7/15	107.15	08/07/2015	01-400-0000-518-003	
6136 7/15	006136-000 7/15	50.28	08/07/2015	01-400-0000-518-003	
6327 7/15	006327-000 7/15	116.88	08/07/2015	01-200-0000-518-003	
6327-001 7/15	006327-001 7/15	84.09	08/07/2015	01-200-0000-518-003	
6404 7/15	006404-000 7/15	562.56	08/07/2015	01-210-0000-518-003	
6420 7/15	006420-000 7/15	78.60	08/07/2015	01-210-0000-518-003	
6427 7/15	006427-000 7/15	71.42	08/07/2015	01-400-0000-518-003	
6529 7/15	006529-000 7/15	41.08	08/07/2015	01-400-0000-518-003	
6531 7/15	006531-000 7/15	41.08	08/07/2015	01-400-0000-518-003	
7488 7/15	007488-000 7/15	99.18	08/07/2015	01-020-0000-518-003	
7599 7/15	007599-000 7/15	88.08	08/07/2015	01-400-0000-518-003	
7603 7/15	007603-000 7/15	136.34	08/07/2015	01-400-0000-518-003	
9919 7/15	009919-000 7/15	428.43	08/07/2015	01-400-0000-518-003	
9919-001 7/15	009919-001 7/15	83.45	08/07/2015	01-400-0000-518-003	
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64417	INV 64417	144.00	06/30/2015	01-200-0000-517-000	
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Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 3118 71834-IN	CROSS PETROLEUM INV 71834-IN	18.53	08/07/2015	Check Sequence: 20 01-350-0000-520-150	ACH Enabled: False
	Check Total:	18.53			
Vendor: 20056 SL150913	DEPT OF TRANSPORTATION INV SL150913 4-6/15	1,004.82	06/30/2015	Check Sequence: 21 24-320-0000-518-001	ACH Enabled: False
	Check Total:	1,004.82			
Vendor: 1116 2126906	DRY CREEK LANDFILL INC INV 2126906	2,609.64	06/30/2015	Check Sequence: 22 80-560-0000-420-006	ACH Enabled: False
	Check Total:	2,609.64			
Vendor: 1122 439609	FAIRCHILD MEDICAL CLINICS YFD EXAM - 06/15/15	119.00	06/30/2015	Check Sequence: 23 01-210-0000-525-000	ACH Enabled: False
	Check Total:	119.00			
Vendor: 1250 458966	FERGUSON ENTERPRISES INV 458966 - METER BOX EXTENSIONS (10	466.97	06/30/2015	Check Sequence: 24 70-500-0000-420-007	ACH Enabled: False
	Check Total:	466.97			
Vendor: 1916 191993	G & G HARDWARE (POLICE) INV 191993	5.13	08/07/2015	Check Sequence: 25 01-230-0000-416-000	ACH Enabled: False
	Check Total:	5.13			
Vendor: 1911 191135 191192 191198 191201 191207 191213 191339 191339 191339 191360 191369 191376 191387	G & G HARDWARE (PUBLIC WORKS) INV 191135 - QUICK SNAP & MULTI-TOOL INV 191192 - SINK LEAK @ YFD INV 191198 - SHOWER LEAK @ YFD INV 191201 - SHOWER LEAK @ YFD INV 191207 - PAINT, MALLETT, TAPE, & STAI INV 191213 - FASTNERS FOR MAIL SLOT R INV 191339 - PRY BARS & POST HOLE DIGC INV 191339 - PRY BARS & POST HOLE DIGC INV 191339 - PRY BARS & POST HOLE DIGC INV 191360 - PAINTING SUPPLIES FOR MIN INV 191369 - TEFLON PASTE, GAS LEAK DI INV 191376 - FIREMAN NOZZLE FOR PARK INV 191387 - TEES & DRIPPER FLAGS FOR	16.18 11.81 7.36 2.13 69.51 3.96 40.48 40.48 40.48 177.71 12.64 17.19 41.86	06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015 06/30/2015	Check Sequence: 26 01-400-0000-416-000 01-210-0000-421-000 01-210-0000-421-000 01-210-0000-421-000 01-400-0000-416-000 01-080-0000-521-000 01-400-0000-416-000 70-500-0000-416-000 80-550-0000-416-000 01-400-0000-416-000 01-480-0000-521-000 01-400-0000-416-000 01-400-0000-416-000	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
191424	INV 191424 - NIPPLES FOR METER VALVE I	7.83	06/30/2015	70-500-0000-420-009	
191450	INV 191450 - GORILLA TAPE, WIRE HOOK,	62.27	06/30/2015	01-400-0000-416-000	
191454	INV 191454 - FENDER WASH, FASTENERS, I	50.15	06/30/2015	01-400-0000-416-000	
191540	INV 191540 - WIRE & FLUOR LAMPHOLDEI	8.13	06/30/2015	01-080-0000-521-000	
191544	INV 191544 - POLY TUBING, CONNECTOR, I	38.74	06/30/2015	01-400-0000-416-000	
191562	INV 191562 - GORILLA TAPE & DRIPPER FL	23.62	06/30/2015	01-400-0000-416-000	
191573	INV 191573 - DRIPPER FLAGS FOR LAWREI	25.76	06/30/2015	01-400-0000-416-000	
191605	INV 191605 - BATTERIES FOR L. GREENHO	9.66	06/30/2015	01-400-0000-416-000	
191704	INV 191704 - RED SPRAY PAINT FOR BIKE I	16.09	08/07/2015	01-400-0000-416-000	
191706	INV 191706 - RED SPRAY PAINT FOR BIKE I	16.09	08/07/2015	01-400-0000-416-000	
191865	INV 191865 - PAINT THINNER, ROLLER, & I	26.83	08/07/2015	24-320-0000-416-000	
191867	INV 191867 - FLOOR FLANGE & GREEN SPI	22.56	08/07/2015	01-400-0000-416-000	
191878	INV 191878 - DEER & RABBIT REPELLANT	29.01	08/07/2015	01-400-0000-416-000	
191958	INV 191958 - KITCHEN FAUCET, BASKET S	126.23	08/07/2015	01-200-0000-521-000	
191966	INV 191966 - GAS MAP FOR TRUCK #342	13.96	08/07/2015	01-080-0000-516-000	
192041	INV 192041 - EPOXY SYRINGE FOR CAMPE	5.36	08/07/2015	70-500-0000-416-009	
192056	INV 192056 - EPOXY SYRINGE FOR CAMPE	5.36	08/07/2015	70-500-0000-416-009	
192067	INV 192056 - EPOXY SYRINGE FOR CAMPE	12.88	08/07/2015	70-500-0000-420-009	
192103	INV 192103 - GREASE CAP & VALVE FOR D	52.33	08/07/2015	01-400-0000-416-000	
192157	INV 192157 - CONNECTOR, BUSHINGS, NIP	8.98	08/07/2015	01-370-0000-521-000	
192269	INV 192269 - 5-GAL PAIL	9.66	08/07/2015	01-370-0000-521-000	
192304	INV 192304 - FLUOR YELLOW SPRAYPAINTI	15.03	08/07/2015	01-370-0000-516-000	
192430	INV 192430 - PLUMBER CLOTH FOR METEI	7.51	08/07/2015	71-500-0000-450-001	
192479	INV 192479 - RECIP. BLADES & SAWZALL E	30.08	08/07/2015	71-500-0000-450-001	
192496	INV 192496 - SUNYELLOW SPRAYPAINT FC	19.31	08/07/2015	01-370-0000-516-000	
192525	INV 192525 - HYDRANT BURY FOR SERV. C	91.36	08/07/2015	01-370-0000-516-000	
192542	INV 192542 - DISINFECTANT FOR PARK RE	55.86	08/07/2015	01-400-0000-416-002	
192557	INV 192557 - SPONGE, TOILET RING REMO	20.93	08/07/2015	01-370-0000-521-000	
	Check Total:	1,293.37			
Vendor: 1915	G & G HARDWARE (VEHICLE MAINT)			Check Sequence: 27	ACH Enabled: False
192390	INV 192390	17.19	08/07/2015	01-350-0000-520-000	
	Check Total:	17.19			
Vendor: 1902	G & G HARDWARE (WWTP)			Check Sequence: 28	ACH Enabled: False
190475	INV 190475 - PRESSURE MASTER HOSE & C	74.13	06/30/2015	80-560-0000-420-003	
	Check Total:	74.13			
Vendor: 2142	DOHN HENION			Check Sequence: 29	ACH Enabled: False
08/07/15	AUGUST 2015	1,250.00	08/07/2015	01-040-0000-525-001	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,250.00			
Vendor: 23080 47207	JIM WILSON MOTORS INV 47207	44.95	08/07/2015	Check Sequence: 30 01-200-0000-520-360	ACH Enabled: False
	Check Total:	44.95			
Vendor: UB*00208	WILLIAM JOHNSON Refund Check	596.04	08/07/2015	Check Sequence: 31 70-000-0000-950-000	ACH Enabled: False
	Check Total:	596.04			
Vendor: 1976 67622	K & L SALES & SERVICE INC INV 67622 - DISWASHER REPAIR AT COMM	183.00	06/30/2015	Check Sequence: 32 01-480-0000-521-000	ACH Enabled: False
	Check Total:	183.00			
Vendor: 1426 1205	LANCE KILLINGSWORTH INV 1205	340.38	08/07/2015	Check Sequence: 33 01-350-0000-520-000	ACH Enabled: False
	Check Total:	340.38			
Vendor: 2262 2007481-IN 2007794-CM 2007801-IN	LASERMAN INC INV 2007481-IN - WEEDSEAKER, 2 SENSOR CM 2007794-CM - WEEDSEAKER, 2 SENSOI INV 2007801-IN - WEEDSEAKER, 2 SENSOR	5,982.38 -5,982.38 5,950.13	06/30/2015 06/30/2015 06/30/2015	Check Sequence: 34 20-311-0000-650-000 20-311-0000-650-000 20-311-0000-650-000	ACH Enabled: False
	Check Total:	5,950.13			
Vendor: 1187 08/07/15 1407273	LIEBERT, CASSIDY & WHITMORE WEBINAR 7/13/15 INV 1407273	55.00 1,657.50	08/07/2015 06/30/2015	Check Sequence: 35 01-030-0000-513-000 01-200-0000-525-000	ACH Enabled: False
	Check Total:	1,712.50			
Vendor: 1400 08/07/15	MADRONE HOSPICE AUGUST 2015	5,625.00	08/07/2015	Check Sequence: 36 01-090-0000-560-004	ACH Enabled: False
	Check Total:	5,625.00			
Vendor: 1157 JUNE 2015	MAGIC RAIN CAR WASH INV JUNE 2015	24.00	06/30/2015	Check Sequence: 37 01-200-0000-520-001	ACH Enabled: False
	Check Total:	24.00			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 13Y6404 786321	MEEK'S (WWTP) INV 786321 - BUSHINGS	1.27	06/30/2015	80-560-0000-420-003	ACH Enabled: False
	Check Total:	1.27			
Vendor: 1212 362473	MT SHASTA SPRING WATER INV 362473 - DISTILLED WATER (5) 5-GAL I	45.35	06/30/2015	80-560-0000-420-003	ACH Enabled: False
	Check Total:	45.35			
Vendor: 1775 102605-IN	MUNICIPAL MAINTENANCE EQUIPMENT I INV 102605-IN	278.15	08/07/2015	01-350-0000-520-000	ACH Enabled: False
	Check Total:	278.15			
Vendor: 15025 6022	OHLUND'S OFFICE SUPPLY INV 6022	142.00	08/07/2015	01-200-0000-515-000	ACH Enabled: False
	Check Total:	142.00			
Vendor: 16014 24628 24629	PACE ENGINEERING INC INV 24628 INV 24629	5,068.00 12,158.00	06/30/2015 06/30/2015	80-560-0000-525-000 81-560-3024-425-000	ACH Enabled: False
	Check Total:	17,226.00			
Vendor: 16030 56810696 6/15	PACIFIC POWER 62665681-069 6 6/15	115.85	06/30/2015	01-200-0000-518-001	ACH Enabled: False
	Check Total:	115.85			
Vendor: 1247 416434 416435	PAPE' INV 416434 INV 416435	200.00 200.00	08/07/2015 08/07/2015	01-350-0000-520-000 01-350-0000-520-000	ACH Enabled: False
	Check Total:	400.00			
Vendor: 1253 08/07/15 08/07/15 08/07/15	PERFECTION CLEANING INC JULY 2015 JULY 2015 JULY 2015	425.00 680.00 400.00	08/07/2015 08/07/2015 08/07/2015	01-080-0000-526-001 01-200-0000-526-001 01-400-0000-426-003	ACH Enabled: False
	Check Total:	1,505.00			
Vendor: 2253	PERSONNEL EVALUATION INC			Check Sequence: 46	ACH Enabled: False

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
14653	INV 14653	20.00	06/30/2015	01-200-0000-516-000	
	Check Total:	20.00			
Vendor: 1769	POLICE			Check Sequence: 47	ACH Enabled: False
08/07/15	RENEW YPD - 2 YRS	45.00	08/07/2015	01-200-0000-511-000	
	Check Total:	45.00			
Vendor: 1261	JEREMY POTTER			Check Sequence: 48	ACH Enabled: False
TRNG 8/31-9/2	TRNG 8/31-9/2 MCCLELLAN	431.00	08/07/2015	01-200-6506-513-004	
	Check Total:	431.00			
Vendor: 17014	QUILL CORPORATION			Check Sequence: 49	ACH Enabled: False
5823291	INV 5823291	252.54	08/07/2015	01-200-0000-515-000	
5863035	INV 5863035	67.93	08/07/2015	01-200-0000-515-000	
5949533	INV 5949533	54.96	08/07/2015	01-200-0000-515-000	
	Check Total:	375.43			
Vendor: 1283	SC ECONOMIC DEVELOPMENT COUNCIL			Check Sequence: 50	ACH Enabled: False
08/07/15	AUGUST 2015	3,333.33	08/07/2015	01-090-0000-560-001	
	Check Total:	3,333.33			
Vendor: 2187	SEAGRAVE FIRE APPARATUS LLC			Check Sequence: 51	ACH Enabled: False
91912	INV 91912	117.93	08/07/2015	01-350-0000-520-000	
	Check Total:	117.93			
Vendor: 25035	MICHAEL SIMAS			Check Sequence: 52	ACH Enabled: False
40822	INV 40822	102.45	08/07/2015	01-220-0000-515-000	
40827	INV 40827	122.77	08/07/2015	01-200-0000-515-000	
	Check Total:	225.22			
Vendor: 1569	SIRCHIE			Check Sequence: 53	ACH Enabled: False
214618-IN	INV 214618-IN	51.65	08/07/2015	01-200-0000-416-000	
	Check Total:	51.65			
Vendor: 19100	SISKIYOU DAILY NEWS			Check Sequence: 54	ACH Enabled: False
8087	NEWS #8087	68.75	08/07/2015	01-060-0000-519-000	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	68.75			
Vendor: 19102	SISKIYOU DISTRIBUTING			Check Sequence: 55	ACH Enabled: False
339105	INV 339105 - MULTIFOLD TOWELS (2) CAS	62.52	06/30/2015	80-560-0000-420-003	
339570	INV 339570	14.34	08/07/2015	01-350-0000-520-000	
	Check Total:	76.86			
Vendor: 1299	STAPLES ADVANTAGE			Check Sequence: 56	ACH Enabled: False
3271677543	INV 3271677543	40.85	08/07/2015	01-350-0000-516-001	
3271677543	INV 3271677543	27.71	08/07/2015	01-350-0000-515-000	
	Check Total:	68.56			
Vendor: 1334	TRAVIS STRINGER			Check Sequence: 57	ACH Enabled: False
7211521501	INV 7211521501	106.21	08/07/2015	01-350-0000-522-000	
	Check Total:	106.21			
Vendor: 22015	SUBURBAN PROPANE			Check Sequence: 58	ACH Enabled: False
002022 7/15	1638-002022 7/15	8.00	08/07/2015	01-210-0000-518-002	
002535 7/15	1638-002535 7/15	8.00	08/07/2015	01-020-0000-518-002	
002543 7/15	1638-002543 7/15	47.40	08/07/2015	01-470-0000-518-002	
002551 7/15	1638-002551 7/15	422.31	08/07/2015	01-480-0000-518-002	
010421 7/15	1638-010421 7/15	8.00	08/07/2015	01-210-0000-518-002	
	Check Total:	493.71			
Vendor: 21027	UNITED PARCEL SERVICE			Check Sequence: 59	ACH Enabled: False
84V993255	INV 84V993255	67.71	06/30/2015	80-560-0000-420-003	
	Check Total:	67.71			
Vendor: 25090	USPS			Check Sequence: 60	ACH Enabled: False
08/07/15	AUGUST 2015	1,400.00	08/07/2015	70-030-0000-515-001	
	Check Total:	1,400.00			
Vendor: 23008	WAL-MART COMMUNITY			Check Sequence: 61	ACH Enabled: False
003457	INV 003457	54.62	08/07/2015	01-200-0000-516-000	
006456	INV 006456	30.63	08/07/2015	01-200-0000-515-000	
	Check Total:	85.25			

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: 23040	WELDON'S TIRE SERVICE			Check Sequence: 62	ACH Enabled: False
39711	INV 39711	12.00	08/07/2015	01-350-0000-520-000	
39712	INV 39712	208.05	08/07/2015	01-350-0000-520-200	
39722	INV 39722	12.00	08/07/2015	01-350-0000-520-000	
	Check Total:	232.05			
Vendor: 1360	WEST PAYMENT CENTER			Check Sequence: 63	ACH Enabled: False
832178016	INV 832178016	161.25	08/07/2015	01-200-0000-511-000	
	Check Total:	161.25			
Vendor: 1374	YREKA CHAMBER OF COMMERCE			Check Sequence: 64	ACH Enabled: False
08/07/15	AUGUST 2015	4,750.00	08/07/2015	01-090-0000-560-000	
	Check Total:	4,750.00			
Vendor: 25120	YREKA TRANSFER			Check Sequence: 65	ACH Enabled: False
005821 7/15	ACCT 005821 7/15	82.00	08/07/2015	01-210-0000-518-004	
024631 7/15	ACCT 024631 7/15	102.00	08/07/2015	01-200-0000-515-000	
054217 7/15	ACCT 054217 7/15	129.00	08/07/2015	01-480-0000-518-004	
254893	INV 254893 ACCT 47811	6,186.56	06/30/2015	80-560-0000-420-006	
	Check Total:	6,499.56			
	Total for Check Run:	90,823.09			
	Total of Number of Checks:	65			



**CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM**

To: Yreka City Council
Prepared by: Steve Baker, City Manager
Agenda Title: Discussion/Possible Action – Adopt Resolution extending the suspension of Section 13.76.010 of the Yreka Municipal Code allowing installation of banners on Fairlane Road.
Meeting Date: August 6, 2015.

Discussion:

On March 21, 2013, the City Council introduced a temporary ordinance allowing banners on Fairlane Road for a period of four months. This ordinance was subsequently adopted and went into effect on May 5, 2013. The four-month time-period could be extended for successive periods not to exceed four months by the City Council adopting a subsequent resolution.

Many banners have now been installed. Representatives from the County Veteran's Service office and Marine Corps League have indicated that they have had a very positive reception to this effort and would like to continue providing this recognition. They have requested another extension.

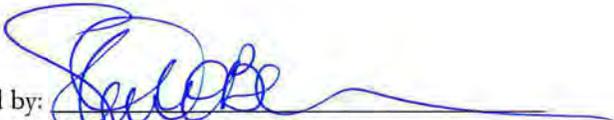
The resolution attached provides for a 4-month extension.

Fiscal Impact:

The costs of the banner program are covered by the requesting veteran's organizations.

Recommendation and Requested Action:

Adopt the Resolution extending the suspension of Section 13.76.010 of the Yreka Municipal Code, allowing Installation of Banners on Fairlane Road.

Approved by: 
Steven Baker, City Manager

RESOLUTION NO. 2015-27

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
EXTENDING THE SUSPENSION OF SECTION 13.76.010 OF THE
YREKA MUNICIPAL CODE, ALLOWING INSTALLATION OF
BANNERS ON FAIRLANE ROAD.

Whereas, On March 21, 2013, the City Council introduced Ordinance No. 834 Temporarily Suspending the Application of Section 13.76.010 of the Yreka Municipal Code on Fairlane Road for a Specified Time Period, and;

Whereas the Ordinance was adopted on April 4, 2013 and went into effect on May 5, 2013, and;

Whereas the Ordinance provides that the initial four month term may be extended for subsequent four month periods, and;

Whereas, the City has received a request for such extension,

NOW THEREFORE BE IT RESOLVED that the suspension of Section 13.76.010 of the Yreka Municipal Code on Fairlane Road for the installation of Banners is hereby extended to December 6, 2015.

Passed and adopted this 6th 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: Adopt Resolution approving requests associated with Special Event known as the Yreka Union High School District 2015 Yreka Elks Cross Country Invitational.
Meeting date: August 16, 2015

Discussion:

Pam Borg has submitted the attached request on the behalf of Yreka High School for the use of Lower Greenhorn Park and adjacent trails for their annual Yreka Elks Cross Country Invitational meet to be held September 11, 2015.

Fiscal Impact: Unknown. We do ask the High School to clean the areas after the event, however, the Public Works crew typically has to provide additional clean up after the event. The amount of time spent by public works on this additional clean up varies. Historically, all school events have been exempt from any fees and/or deposits relating to use of City Parks.

Recommendation and Requested Action:

City staff has reviewed the request and recommends that the Council adopt the Resolution approving the request for the event and setting terms and conditions for same.

Approved by: 
Steven Baker, City Manager

Yreka City Council

C/O Steve Baker, City Manager/ Liz Casson, Asst. City Manager

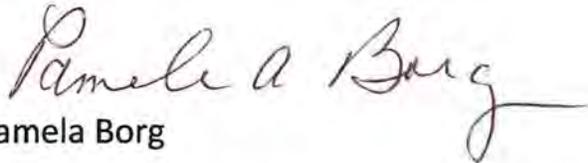
701 Fourth Street, Yreka, Ca.

Re: Placement on the next Agenda/ 2015 Yreka Elks Cross Country Invitational

I'd like to be placed on the next agenda of the City Council Meeting on August 6, 2015 to discuss the approval for the Yreka Elks Invitational to take place on Friday, September 11th, 2015 from 7:00am – 4:00pm on the lower Greenhorn Park. I will need the use of the lower fields and picnic area and the park areas designated in the attached course map. I expect about 300 athletes and 100 spectators. The Yreka Elks Lodge #1980 will be servicing us with their Chuck Wagon, selling food and drinks as our lone vendor. We will need the use of the bathrooms and outside electricity.

Also, I'd like to request that the water be shut off on the soccer field the night before and the day of the event.

Thank You.

A handwritten signature in cursive script that reads "Pamela Borg". The signature is written in black ink and is positioned above the printed name.

Pamela Borg

YHS CC Head Coach

905-0700/ 842-7759

Yreka Elks **XC** Invitational

When- September 11, 2015 (Friday)

Location- Greenhorn Park, lower parking entrance on Ranch Lane

Parking- on Ranch Lane

Coaches meeting: 9:15am at Computer Tent/Registration Table

Race schedule: **** Note race order changes -Varsity's first**

10:00 am	**Varsity girls (top 10) (5k)
10:40 am	**Varsity boys (top 10) (5k)
11:15 am	Junior varsity girls (4k)
11:50 am	Junior varsity boys (4k)
12:20pm	Elementary/middle school girls
12:50pm	Elementary/middle school boys

Team awards can be picked up after the results have been posted.

Individual awards will be handed out in the chute.

Course: The course starts and finishes on the grass. Mostly dirt trails with hills and creek bed crossings. Some pavement.

++ please take precautions against bee stings++

Registration: High school and Elementary school entries need to be entered through website Athletic.net, before September 7th-9:00pm

Entry fees: \$130 max per school or \$7.00 per individual/ \$5 Elementary/Junior High runners
No refunds

Make checks payable to: Yreka HS Cross Country
400 Preece Way, Yreka, CA.96097

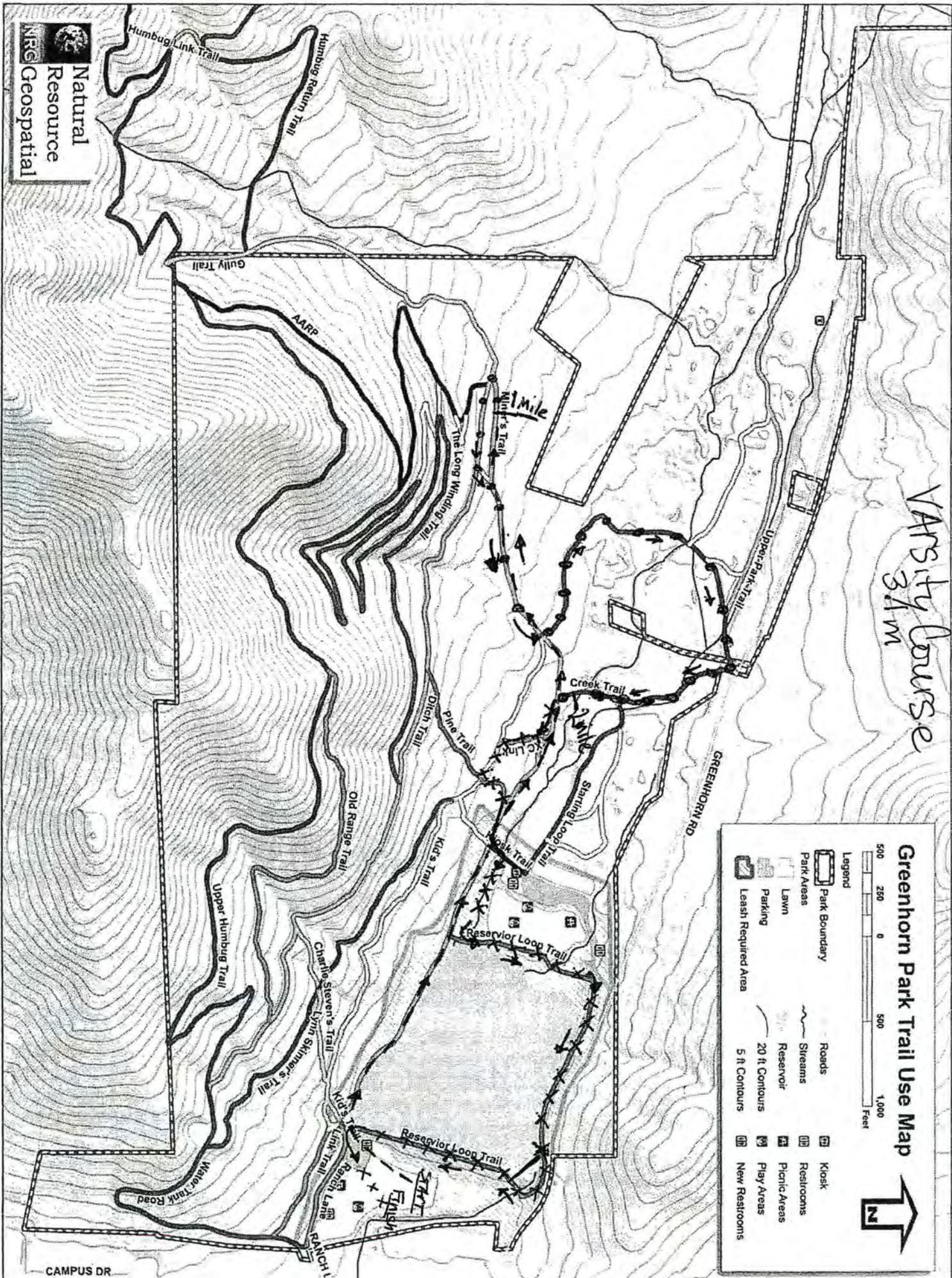
Yreka Elk's Chuck Wagon concession stand will be provided.

Contact: Meet Dir- Pamela Borg

Home (530) 842-7759 (530) 905-0700 cell

School -530-842-6151 ext. 280

School fax: 530) 841-0740



*Varsity Course
3.1m*

Greenhorn Park Trail Use Map

500 250 0 500 1,000
Feet

Legend

- Park Boundary
- Roads
- Streams
- Reservoir
- Leash Required Area
- 20 ft Contours
- 5 ft Contours
- Kiosk
- Restrooms
- Picnic Areas
- Play Areas
- New Restrooms
- Lawn
- Parking

CITY OF YREKA - 701 FOURTH ST - YREKA, CA 96097
APPLICATION TO RESERVE "PICNIC AREA"

Name : Pamela Berg Daytime Phone No. 842-7759
Address: 1103 Terrace Dr, Yreka, CA

The undersigned is requesting permission to reserve picnic area of:

- Upper Greenhorn Park trails Miner Street Park
 Lower Greenhorn Park Picnic Soccer field Miner Street Park Tennis Courts
 Discovery Park Ringe Memorial Park

Estimated number of people attending 300

ok
If more than 25 people are expected to attend, applicant shall provide their own additional trash containers and remove all trash at the conclusion of the reservation.

On 9/11/15 *From 7:00 AM To 4:00 PM
(Date) (Time) (Time)

*Please include any additional time needed for set-up and clean-up

In conjunction with the reservation of the picnic area, please reserve:

- Volleyball & Horseshoe Set Gazebo at Upper Greenhorn

I understand that the equipment may be picked up at City Hall by 5 p.m. on the Friday prior to my reservation (unless it is a holiday) and I agree to return said equipment to City Hall prior to 5 p.m. on the Monday following my reservation.

I understand that this reservation is for the **PICNIC AREA ONLY**; no vehicles are allowed on the lawn areas; it is unlawful to build any fire outside of the barbecue pits; and I agree to abide by all posted rules and regulations. I further understand that approval will be contingent upon full compliance with Chapter 9.50 of the Yreka Municipal Code entitled "Park Regulations" and Resolutions No. 1324, 1797, and 2169. **Inflatable bouncy structures are not permitted.**

Special requests: Yreka Elks Food truck - Plug in @ old bathroom electrical

- Permission to use sound-amplifying devices. (Connection to power source must be coordinated with the Maintenance Manager prior to event).

Need power source at Soccer field pole.

Pamela Berg 6/15/15
Signature of Applicant Date

Waived City Council?

Park Reservation Fee - \$25.00 Paid: Date _____ Time _____ cash check

If you have any questions or need further information regarding your reservation, please contact City Hall at 841-2386. For maintenance issues, please contact the Department of Public Works at 841-2370.

Signature of City Staff

RESOLUTION NO. 2015-28

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA
APPROVING REQUESTS ASSOCIATED WITH SPECIAL EVENT KNOWN AS
THE YREKA HIGH SCHOOL DISTRICT
2015 YREKA ELKS CROSS COUNTRY INVITATIONAL**

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, Yreka High School, hereinafter referred to as “event sponsor” desires to sponsor the 2015 Yreka Elks Cross Country Invitational, on Friday September 11, 2015, from 7 am to 4 p.m. at Lower Greenhorn Park, which is City property; and,

WHEREAS, event sponsor desires the exclusive use of Lower Greenhorn Park and adjacent trails for the 2015 Yreka Elks Cross Country Invitational event, and waiver of any use fees; and,

WHEREAS, the following provisions of the Yreka Municipal Code [YMC] are implicated by this event:

Vehicle controls- YMC Chapter 10.73
Sound Amplifying Devices-YMC Chapter 9.28
Temporary Signs-YMC Section 13.16.020(d)
Business License- YMC Section 5.04

WHEREAS, pursuant to YMC Section 9.50.120, in order to promote the safety, comfort and convenience of persons using any park or recreation area, the City Council may from time to time by resolution adopt rules and regulations not inconsistent with the provisions of Chapter 9.50 of the Yreka Municipal Code, and make the same applicable generally or to a particular park or recreation area or portion thereof. Such rules and regulations may include regulating the speed of vehicles, establishing campsites, parking areas and areas where parking or driving of vehicles is prohibited, areas where certain games or activities are prohibited, and such other rules and regulations as in the opinion of the council are necessary for the safety, comfort and convenience of persons using such park or recreation area; and,

WHEREAS, this event will not include the installation of any structures; and,

WHEREAS, there do not appear to be any restraints or use permits required for this activity under the zoning ordinance, as this is not a “use” as contemplated by the zoning law; and,

WHEREAS, the Chief of Police has been consulted and is available for appropriate determinations and arrangements with the Yreka High School under Section 10.73.050 in connection with this event; 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 on the terms and conditions set forth hereafter.

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 hereby orders:

- a) Yreka High School, as event sponsor of the 2015 Yreka Elks Cross Country Invitational is granted the exclusive use of Lower Greenhorn Park and adjacent trail areas depicted on the map provided by the event sponsor, on September 11, 2015, from 7 am to 4 p.m., subject to the terms and conditions as set forth hereafter. Event sponsor shall sign an Encroachment Agreement to that effect prior to any use.
 - b) The event sponsor shall clean up the premises of Greenhorn Park including all parking lots after the event, and shall comply with such other and further direction as may be given by the Public Works Maintenance Manager or his designee in connection with the event, or as provided in the Encroachment Agreement;
 - c) Permission is granted for the **Yreka Elks Lodge** and other food and beverage vendors if approved in writing by Yreka High School (event sponsor) to obtain daily business licenses to sell in a recreation area for this event. All vendors, including non-profit organizations, are required to obtain a City of Yreka Daily Business License for this specific event. The business license fee is \$5.00 per day. Non-profit organization/service groups may be eligible for a "fee waiver". Event sponsor will be responsible and hold harmless the City for acts of the vendors.
- All other vendors must submit written approval from event sponsor giving permission to sell at the event along with proof of non-profit status or copy of a letter from a non-profit organization acknowledging vendor's pledge to donate a percentage (1-100%) of the proceeds to the non-profit organization.
- d) The event sponsor shall provide the City with proof of general liability insurance of not less than \$1,000,000 along with a separate endorsement naming the City of Yreka as additional insured specific to the event dates and location.
 - e) All special requests such as connection to power source and or placement of vendors must be coordinated with and at the discretion of the Public Works Maintenance Manager, or his designee.
 - f) At the direction of the Public Works Maintenance Manager, event sponsor shall provide additional trash receptacles as may be needed for the event.
 - g) The event is subject to the terms and conditions of the Encroachment Agreement regarding the event and 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, the Chief of Police, the Director of Public Works, the Public Works Maintenance Manager or his designee.
 - h) 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; the Director of Public Works, the Public Works Maintenance Manager 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 effect the purposes of this Resolution and the transactions herein authorized.

Section 6. This resolution shall take effect immediately upon its passage.

Passed and adopted this 6th 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: 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

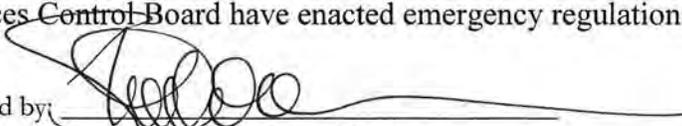
Discussion:

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 conservations 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.

NOTICE OF PUBLIC HEARING & Summary of Proposed Ordinance

Notice is hereby given that the Yreka City Council will hold a public hearing at its regular meeting 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." All interested persons are invited to attend the meeting, including all persons owning property within the City of Yreka's water service area, to appear and be heard as to: 1) Your opinion about the ordinance generally; 2) Whether the proposed fees and service to reimburse the city actual costs incurred and any other charges are discriminatory or excessive, or will not be sufficient under Government Code §§ 66016, 54354.5 and Health and Safety Code § 5471 or will not comply with other provisions of California law, or will not comply with any other provisions or covenants of any outstanding revenue bonds of the local agency payable from revenues of the enterprise, or on any other matter relating to said proposed ordinance of the rates or charges proposed therein, at the following time and place:

TIME OF HEARING: 6:30 p.m.

DATE OF HEARING: Thursday, August 6, 2015

**PLACE OF HEARING: Council Chambers at 701 Fourth Street,
Yreka, California**

If a ratepayer desires to challenge the determination of the Yreka City Council in court they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Yreka at the meeting or to 701 Fourth Street, Yreka, CA 96097 prior to the meeting. Any legal action contesting this ordinance, if passed, must be filed with the court within the time specified by Government Code § 66022.

The State of California has declared a statewide drought emergency and imposed a requirement that the customers of the City of Yreka's water system reduce their consumption by 32% when compared to same month in 2013 in order to conserve 218,918,400 gallons of water. The State has also adopted a number of drought water restrictions and requires the city to impose those restrictions of its water customers or have those same customers fined the sum of \$10,000 per day. In response, the City Council will be considering whether to adopt an ordinance that would also declare the existence of a water emergency and impose the state's water restrictions as well as tiered water conservation measures. The ordinance would impose a service charge reimbursing the City for its reasonable costs and attorney's fees incurred in providing work or services to install a water restriction device and fees for processing applications for waiver of the water restrictions.

The ordinance creates five water conservation stages. Each stage has additional water restrictions intended to achieve a needed amount of water savings. The estimated amount of water to be saved at each stage is: Stage one- no water savings; Stage Two – 10%; Stage Three – 20%; Stage Four – 35%; and Stage Five – 50%. Depending on the stage the number of days a customer can irrigate landscape is set. All hoses will have to have automatic shut-off devices. Run off from a customers property will be prohibited. Water containing enclosures will be required to be leak-proof and refilling them may be prohibited. The washing of streets, and hardscape surfaces may be prohibited. Vehicles may be required to be washed at commercial establishments using recycled water. Use of water for construction purposes may be limited or

prohibited. The ordinance also contains enforcement authority which includes fines, the right to install a flow restrictor or to terminate water services to the property. The ordinance also allows the City to develop and implement further regulations and procedures for the administration of the ordinance and to impose the state drought water restrictions. The ordinance will provide for a customer to apply for a waiver of the requirements and for appeal in the event of the waiver's denial.

The full text of this ordinance as well as information indicating the current amount of cost or estimated cost to provide the service for which the fee or service charge that would be levied is available for public inspection and copying in accordance with the California Public Records Act at the office of the City Clerk at 701 Fourth Street, Yreka, California. The full text of the ordinance will additionally be posted on the city's website along with the meeting agenda and may also be reviewed by you and printed out by at no cost to you. No fee or service charge shall exceed the estimated amount required to provide the service for which the fee or charge is levied.



ORDINANCE NO.

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 water shortage
115 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.

244

245

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.

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

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

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

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

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

12.12.80 Determination of Water Conservation Stages

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

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.

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.

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

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

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

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

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

c. No irrigation is permitted on Mondays.

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

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

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

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

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

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.

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

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:**

761
762 The City Clerk is directed to publish a summary of this ordinance as required by Water
763 Code Sections 352 and 376.

764
765 **SECTION 9.** **Codification:**

766
767 The City Clerk is directed and authorized to instruct the publisher of the City of Yreka
768 Municipal Code that codification of this Ordinance is limited to Sections 2 and 3.

769
770 **SECTION 10.** **Execution:**

771
772 The Mayor and City Clerk are authorized to subscribe this ordinance where indicated
773 below to evidence its approval.

774 Introduced at a regular meeting of the City Council held August 6, 2015, and adopted as
775 an ordinance of the City of Yreka at a regular meeting of the City Council held on _____
776 _____, 2015 by the following vote:

- 777
778
779 AYES:
780 NOES:
781 ABSENT:

782
783 _____
784 John Mercier, Mayor

785 APPROVED AS TO FORM Attest:

786
787 _____
788 Dohn Henion, City Attorney Elizabeth E. Casson, City Clerk

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. - 2015 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



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Steven W. Baker, City Manager
Dohn Henion, City Attorney
Agenda title: Public Hearing.

Discussion/Possible Action: Introduction of an 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.

Meeting date: August 6, 2015

Discussion: 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.

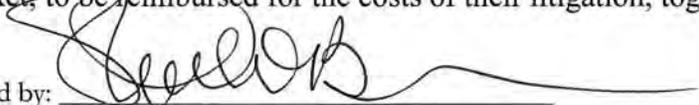
The city sewer system sometimes overflows when heavy rainfall exceeds the storage capacity of sewer pipes and/or wastewater treatment plants, and, as a result, discharge could allow untreated sewage and storm water into local creeks and rivers. These overflows are called sanitary sewer overflows ("SSOs") 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

Approved by: 
Steven Baker, City Manager

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

When drafting the ordinance it appeared prudent to also provide an effective enforcement process and for the recovery of the City's costs when pursuing enforcement or remediation. This fee component requires a specific statutory process to be followed and we are following that procedure.

Note that adoption of the ordinance requires a 2/3rds vote (4 out of 5 councilmembers)

Recommended action: That 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, California Establishing the Private Lateral Inspection and Repair Ordinance*", and waive the reading of the body of the Ordinance.

NOTICE OF PUBLIC MEETING & Summary of Proposed Ordinance

Notice is hereby given that the Yreka City Council will hold a public hearing at its regular meeting 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." All interested persons are invited to attend the meeting, including all persons owning property within the City of Yreka's wastewater service area, to appear and be heard as to whether the proposed fees and service charges are discriminatory or excessive, or will not be sufficient under Government Code §§ 66016, 54354.5 and Health and Safety Code § 5471 or will not comply with other provisions of California law, or will not comply with any other provisions or covenants of any outstanding revenue bonds of the local agency payable from revenues of the enterprise, or on any other matter relating to said proposed ordinance of the rates or charges proposed therein, at the following time and place:

TIME OF HEARING: 6:30 p.m.

DATE OF HEARING: Thursday, August 6, 2015

**PLACE OF HEARING: Council Chambers at 701 Fourth Street,
Yreka, California**

If a ratepayer desires to challenge the determination of the Yreka City Council in court they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Yreka at the meeting or to 701 Fourth Street, Yreka, CA 96097 prior to the meeting. Any legal action contesting this ordinance, if passed, must be filed with the court within the time specified by Government Code § 66022.

City Council will be considering whether to adopt an ordinance that would impose a service charge reimbursing the City for its reasonable costs and attorney's fees incurred in providing work or services to remove any blockage, effect repair or otherwise work on a private lateral sewer line which is the responsibility of the property receiving wastewater treatment services.

The ordinance would require a property owner to maintain its sanitary sewer lateral free from blockages and keep the line in good repair so that it is watertight. It would also require the property owner to employ a plumber to inspect, test and provide the City with a certification that the property owners connection to the sewer main is, among other things, unobstructed, watertight and free of structural defects. The certification is required to be provided upon the happening of certain specified events. For example upon title transfer; the structure's extensive remodeling; when the lateral or sewer main is replaced; when two or more sanitary sewer overflows caused by the lateral occur within two years; when the use of a structure changes; when the structure has been vacant for more than three years; and from time to time when the lateral is more than 1000 feet in length. It would also require common interest developments and other parcels or parcel groups having a private lateral sewer lines longer than 1000 feet to periodically inspect and provide the required certification. The ordinance also contains enforcement authority which includes the right to terminate wastewater services to the property. The ordinance also allows the City to develop and implement further regulations and procedures for the administration of the ordinance.

The full text of this ordinance as well as information indicating the current amount of cost or estimated cost to provide the service for which the fee or service charge that would be levied is available for public inspection and copying in accordance with the California Public Records Act

at the office of the City Clerk at 701 Fourth Street, Yreka, California. No fee or service charge shall exceed the estimated amount required to provide the service for which the fee or charge is levied.

1 12.16.035.020 **Purpose.** This Private Lateral Inspection and Repair
2 Ordinance establishes regulations for the inspection, testing, repair,
3 replacement, and ongoing maintenance of Private Sewer Laterals. The
4 purpose of this Ordinance is to provide for the operation and
5 maintenance of wastewater conveyance and treatment facilities in a
6 reliable and serviceable manner and to reduce infiltration and inflow
7 into the Public Sewer system.

8
9 12.16.035.030. **Definitions.**

10
11 (1) **City.** The City of Yreka, California.

12
13 (2) **Cleanout.** A pipe fitting and associated piping connected to a
14 Private Sewer Lateral that provides access to the Private Sewer
15 Lateral for purposes of flushing, rodding, cleaning, and other
16 maintenance and diagnostic purposes.

17
18 (3) **Common Interest Development.** A development managed or
19 governed by a Homeowners' Association. Examples of Common
20 Interest Developments may include condominium projects, planned
21 unit developments, community apartment projects (in which the
22 individual units are owned), and stock cooperatives.

23
24 (4) **Compliance Certificate.** Certificates issued by the City upon its
25 determination that all Private Sewer Laterals associated with a
26 parcel have demonstrated compliance with applicable standards by
27 passing a Verification Test.

28
29 (5) **Director.** The Director of Public Works of the City of Yreka, or his
30 or her designated representative.

31
32 (6) **Exemption Certificate.** A certificate issued by the City as
33 described in Section 12.16.035.090. A Property Owner who holds an
34 Exemption Certificate for a given parcel need not obtain a

1 Compliance Certificate for that parcel during the period the
2 Exemption Certificate remains valid.

3
4 **(7) FOG.** Fats, oils and grease.

5
6 **(8) General Waiver.** A status that applies to a Property Owner that
7 relieves the Property Owner from the requirement to perform work
8 on and testing of the Private Sewer Lateral, or a specified portion of
9 it, where a Satellite presents the City with sufficient evidence that
10 the entire Private Sewer Lateral was Replaced by the Satellite at
11 any time during the 20 year period preceding a Triggering Event.

12
13 **(9) Homeowners' Association.** A nonprofit corporation or
14 unincorporated association created for the purpose of managing or
15 governing a Common Interest Development and that operates in
16 accordance with governing documents, whether or not the
17 corporation or association is formally designated or commonly
18 referred to as a Homeowners' Association.

19
20 **(10) Limited Waiver.** A document with a definite expiration date
21 issued by a Satellite to a Property Owner for any reason other than
22 the Satellite's prior Repair or Replacement of the Private Sewer
23 Lateral that relieves the Property Owner from the requirement to
24 perform work and testing on the Private Sewer Lateral, or a
25 specified portion of it, until the Limited Waiver's expiration date.

26
27 **(11) Lineal Consanguinity Relationship.** A person is in a Lineal
28 Consanguinity Relationship with another person if, and only if, one
29 person is a direct descendent of the other person. The following are
30 examples of Lineal Consanguinity Relationships: parent and child,
31 grandparent and grandchild, and great-grandparent and great-
32 grandchild.

1 Persons are not in a Lineal Consanguinity Relationship if neither
2 person is directly descended from the other, even if both persons
3 are descended from a common ancestor.

4
5 The following are not Lineal Consanguinity Relationships: aunt and
6 niece, uncle and nephew, siblings, and cousins of any degree.

7
8 (12) **Local Ordinance Requirements.** All standards or requirements
9 duly adopted by the City, Satellite or a department of a Satellite
10 that relate to the maintenance or condition of Private Sewer
11 Laterals.

12
13 (13) **Non-Sanitary Sewer Connection.** Anything that directly or
14 indirectly conveys storm water, surface water, roof runoff,
15 intercepted groundwater or subsurface drainage into the Sanitary
16 Sewer, including, but not limited to, down spouts, yard drains, sump
17 pumps, or other sources of storm water, run-off or groundwater.

18
19 (14) **Ordinance.** This Private Sewer Lateral Ordinance.

20
21 (15) **Parcel Group.** Two or more contiguous or directly adjacent
22 parcels of real property under common ownership.

23
24 (16) **Permitting Authority.** A city, city department, county or special,
25 Indian Tribe including a Satellite but excluding the City, that
26 regulates buildings, construction, land use, and/or sewers within
27 any portion of the City's wastewater service area.

28
29 (17) **Private Sewer Lateral.** A pipe or pipes and appurtenances that
30 carry wastewater, sewage and/or liquid waste from the Structure(s)
31 served, whether the Structure(s) is or are publicly or privately
32 owned, to the Sewer Main and including the connection to the
33 Sewer Main. A Private Sewer Lateral is associated with a parcel if
34 it, or any portion of it, is located upon the parcel or conveys sewage

1 and liquid waste from any Structure located on that parcel. More
2 than one Private Sewer Lateral may be associated with an
3 individual parcel.

4
5 If the parcel contains a sewer pipe system or multiple Private Sewer
6 Laterals, the entire sewer pipe system, including manholes and
7 other appurtenances, and all Private Sewer Laterals are part of the
8 Private Sewer Lateral to the extent they are located on that parcel.

9
10 If a Private Sewer Lateral connects to a rear or side yard Sewer
11 Main located in an easement, or to a manhole, the entire Private
12 Sewer Lateral, including the connection to the Sewer Main or
13 manhole, is a Private Sewer Lateral.

14
15 (18) **Property Owner.** A person that owns a parcel of real property, or
16 that person's authorized representative including a tenant or
17 contractor. As used in this paragraph, "person" means an individual,
18 trust, corporation, nonprofit organization, Homeowners' Association,
19 partnership, Indian Tribe, firm, joint venture, limited liability
20 company, or association. The City of Yreka is not a Property Owner
21 for purposes of this Ordinance. Any person expressly required by
22 applicable Local Ordinance Requirements to obtain a Compliance
23 Certificate from the City or pursuant to this Ordinance is a Property
24 Owner for purposes of this Ordinance.

25
26 (19) **PSL.** Has the same meaning as "Private Sewer Lateral" and is
27 used interchangeably with that term.

28
29 (20) **Remodeling.** Any significant improvement, addition,
30 construction, reconstruction, remodeling, modification or alteration
31 of or to an existing or previously existing Structure with a valuation
32 of Ninety Thousand Dollars (\$90,000) [the "Valuation Amount"] or,
33 without respect to the permit's valuation, the installation of
34 additional plumbing fixtures that produce, in the opinion of the

1 Director, a major increase in sewage flows. The Valuation Amount
2 is based on the value of building costs in the year 2013, the base
3 year of valuation, which valuation will be increased annually in
4 January, based on the previous December, by the estimated costs
5 of the public improvements in accordance with the San Francisco
6 region engineering construction cost index compiled, as published
7 by Engineering News Record, for any increase in building costs
8 from the period from 2013 to the year that an application for a
9 building permit is received by the City.

10
11 (21) **Repair.** Construction activities performed to bring a Private
12 Sewer Lateral into compliance with this Ordinance and/or applicable
13 Local Ordinance Requirements consisting of the correction of less
14 than the entire Private Sewer Lateral, except a Replacement of the
15 entire Private and Private Sewer Lateral is a Replacement and not a
16 Repair if the Property Owner holds General Waiver status.

17
18 (22) **Replacement.** Construction activities performed to bring a
19 Private Sewer Lateral into compliance with this Ordinance and/or
20 applicable Local Ordinance Requirements consisting of the
21 replacement or lining of the complete length of the Private Sewer
22 Lateral, or the complete length of the Private Sewer Lateral if the
23 Property Owner holds General Waiver status. "Replaced" has the
24 same meaning as "Replacement" where used in this Ordinance.

25
26 (23) **Sanitary Sewer.** Sewer pipes that convey wastewater from a
27 Structure and to which storm water, groundwater or surface water is
28 not intentionally admitted. The Sanitary Sewer includes Sewer
29 Mains and Private Sewer Laterals.

30
31 (24) **Satellite.** A city, special district or Indian Tribe that owns and
32 operates a sanitary sewer collection system to which a Private
33 Sewer Lateral is connected within the City's wastewater service
34 area. Satellites include the Karuk Indian Tribe.

1
2 (25) **Section.** A section of this Ordinance unless otherwise specified.

3
4 (26) **Sewer Main.** A publicly owned Sanitary Sewer that receives
5 flows from Private Sewer Laterals. The Sewer Main does not include
6 any portion of a Private Sewer Lateral.

7
8 (27) **State of Emergency.** A State of Emergency exists while there is
9 in effect a declaration of emergency within the City's service area or
10 any portion thereof, made by City's governing body or by any
11 person to whom the City Council has expressly delegated that
12 authority, or by any person authorized to declare an emergency of
13 any degree under the California Emergency Services Act (Gov.
14 Code, § 8550 et seq.) a Moratorium or other authorized act of the
15 City or under Federal law.

16
17 (28) **Structure.** Any building or facility that is required to be provided
18 with public sewer service, or that is actually provided with public
19 sewer service, or that is served by a Private Sewer Lateral.

20
21 (29) **Time Extension Certificate.** A certificate issued by the City in
22 connection with a Title Transfer transaction to a Property Owner, or
23 to a transferee, that extends the deadline to obtain a Compliance
24 Certificate for 180 days from the date the Time Extension
25 Certificate is issued.

26
27 (30) **Title Transfer.** The sale or transfer of an entire real property
28 estate or the fee interest in that real property estate, excluding the
29 sale or transfer of partial interest such as a leasehold. The
30 following are not Title Transfers for purposes of this Ordinance:

- 31 (A) a transfer to an heir by a fiduciary in the course of the
32 administration of a decedent's estates, guardianship,
33 conservatorship, or trust;

- 1 (B) a transfer from one co-owner to one or more other co-
2 owners, or from one or more co-owners into or from a revocable
3 trust, if the trust is for the benefit of the grantor or grantors;
- 4 (C) a transfer made by a trustor to fund an inter vivos (“living”)
5 trust;
- 6 (D) a transfer made to a spouse, or to a registered domestic
7 partner as defined in Section 297 of the Family Code, or to a
8 person or persons in a Lineal Consanguinity Relationship with
9 one or more of the transferors;
- 10 (E) a transfer between spouses or registered domestic
11 partners resulting from a decree of dissolution of marriage or
12 domestic partnership, or resulting from a decree of legal
13 separation or from a property settlement agreement incidental to
14 a decree; and
- 15 (F) a transfer from a Property Owner to a financial institution
16 as a result of a foreclosure or similar process. A transfer from a
17 financial institution to a new Property Owner is a Title Transfer
18 for purposes of this Ordinance.

19
20 (31) **Triggering Event.** Any event described in Section 12.16.035.050
21 that, upon the occurrence of the event and subject to the exceptions
22 listed in that Section, imposes an obligation on a Property Owner to
23 obtain a Compliance Certificate.
24

25 (32) **Verification Test.** A test witnessed by the City’s authorized
26 representative(s) to verify that all PSLs associated with the parcel
27 comply with this Ordinance and applicable Local Ordinance
28 Requirements.
29

30 12.16.035.040. **Responsibility and Standards for Maintenance of**
31 **Private Sewer Laterals.**

1 (1) The property owner at property owner's expense shall maintain all
2 Private Sewer Laterals, including, but not limited to, the building
3 drain, Private Sewer Lateral to the cleanout wye connection or to
4 the City sanitary sewer main as provided below, building cleanout,
5 sidewalk cleanout frame and cover, backflow protection and back-
6 flow relief equipment. The property owner shall provide all
7 maintenance of the Private Sewer Lateral, including the wye
8 connection to a City sanitary sewer main, to ensure unobstructed
9 flow of sewage from the property to the City sanitary sewer main.
10 The property owner shall be responsible for clearing all obstructions
11 in the Private Sewer Lateral immediately upon discovery or
12 notification by the City. When clearing any obstructions in the
13 Private Sewer Lateral or performing any maintenance to the Private
14 Sewer Lateral, the property owner must install a temporary trap
15 downstream of the Private Sewer Lateral to ensure any roots, debris
16 or other items dislodged from the sewer lateral do not flush into the
17 City's sanitary sewer system.

18
19 The City may require property owners to remove roots from Private
20 Sewer Lateral that are growing into the sewer main. Where this
21 condition occurs, the City may promptly notify the private property
22 owner. Within thirty days from City's notification, the private
23 property owner shall remove the roots from the Private Sewer
24 Lateral, and will make all necessary repairs to the Private Sewer
25 Lateral to prevent a reoccurrence of root intrusion that reaches the
26 City's sewer main.

27
28 Any Private Sewer Lateral blockage that cannot be mitigated
29 through implementation of reasonable measures by the property
30 owner and/or a licensed professional sanitary sewer cleaning
31 contractor shall be reported to the public works department
32 immediately.

33 At the City's direction, the property owner shall be responsible for

1 having the Private Sewer Lateral inspected internally by a closed
2 circuit television camera and to provide those results to the City. If
3 the City determines that any portion of the Private Sewer Lateral is
4 defective and does not meet City's requirements, the property
5 owner shall be required to perform all repairs necessary to bring the
6 condition of the lateral up to City standards. Property owner must
7 obtain an encroachment permit from the City prior to performing any
8 required repairs on the City's right-of-way.

9 Where a property owner, or tenant in the absence of action by the
10 property owner, refuses to mitigate a condition that causes sewage
11 to leak from the Private Sewer Lateral after discovery or notification
12 by the City, or if action is not effective, the City has the option to
13 either make the repairs itself or hire a licensed contractor, all at the
14 owner's expense, to mitigate the condition. If the owner does not
15 make payment, the City may impose a property tax lien to recover
16 all of its costs associated with repairing the leakage.

17 (2) All Private Sewer Laterals must meet the following standards:

18 (A) The Private Sewer Lateral shall be kept free from roots,
19 grease deposits, and other solids that may impede or obstruct
20 the flow.

21 (B) All joints shall be watertight and all pipes shall be sound.

22 (C) The Private Sewer Lateral shall be free of any structural
23 defects such as fractures, cracks, breaks, openings, or missing
24 portions.

25 (D) All Cleanouts shall be securely sealed with a proper cap or
26 approved overflow device at all times.

27 (3) There shall be no Non-Sanitary Sewer Connections to the Private
28 Sewer Lateral or to any plumbing that connects thereto. Property
29 Owners must maintain all Private Sewer Laterals associated with
30 their parcels to the extent necessary to ensure the Private Sewer
31 Laterals meet the standards of this Section and comply with all

1 other requirements of this Ordinance and all applicable Local
2 Ordinance Requirements. Property Owners must perform any Repair
3 or Replacement necessary to ensure the Private Sewer Laterals
4 meet those standards and requirements.

5
6 **12.16.035.050. When a Compliance Certificate is Required.**

7 (1) All Property Owners must obtain a Compliance Certificate at the
8 time and in the manner required by this Section, except for the
9 following:

10 (A) Property Owners entitled to an Exemption Certificate under
11 Section 12.16.035.090;

12 (B) Property Owners within certain Common Interest
13 Developments governed by Section 12.16.035.100; and

14 (C) Property Owners of any parcel or Parcel Group with Private
15 Sewer Laterals totaling greater than 1000 feet, which are
16 governed by Section 12.16.035.110.

17 (2) **Title Transfer.** If no inspection/replacement of the sewer lateral has
18 occurred within 20 years, before completing a Title Transfer
19 associated with a parcel containing any Structure, either the
20 transferor or the transferee, as negotiated between them shall
21 obtain a Compliance Certificate under Section 12.16.035.060,
22 unless a Time Extension Certificate is obtained as provided in
23 Section 12.16.035.080. After the Title Transfer is complete, the
24 transferee is solely responsible for obtaining a Compliance
25 Certificate. The requirement to obtain Compliance Certificate before
26 Title Transfer in no way affects the legality of the transfer of title in
27 the underlying property transaction.

28 (3) **Construction or Remodeling.** Whenever a Property Owner submits
29 an application to a Permitting Authority for any permit or other
30 approval needed for the installation of additional plumbing fixtures
31 that produce a major increase in sewage flows from the house,
32 building, property or other structure served or for Remodeling of an

1 existing or previously existing Structure, the Property Owner shall
2 obtain a Compliance Certificate under Section 12.16.035.060 before
3 obtaining a final permit or approval from the Permitting Authority.
4 This paragraph applies to construction and Remodeling if the cost
5 of the permitted work exceeds \$90,000.00, as adjusted.

6 (4) **Private Sewer Lateral Replacement/Repair.** Upon replacement or
7 repair of any part of the Private Sewer Lateral, or upon significant
8 repair or replacement of the City owned main sewer line connected
9 to the lateral, where evidence exists of issues related to the
10 connected lateral (e.g., roots from the private lateral visible in the
11 Private Sewer Lateral or main sewer line, visible offsets or
12 damage), the Property Owner shall obtain a Compliance Certificate
13 under Section 12.16.035.060.

14 (5) **Reoccurrences of SSOs.** Whenever the occurrence of two or more
15 SSOs caused by the same private sewer lateral within two years.

16 (6) **Change of use.** Whenever the use of the Structure served changes
17 from residence to business, commercial, or other non-residential,
18 non-restaurant, non-commercial, non-industrial to restaurant,
19 commercial or industrial use.

20 (7) **Vacancy.** Upon the re-initiation of service where the Structure has
21 been vacant/unoccupied for more than three years.

22 12.16.035.060. **How to Obtain a Compliance Certificate.**

23 (1) Whenever a Compliance Certificate is required under this
24 Ordinance, or at any time a Property Owner voluntarily requests a
25 Compliance Certificate, a Property Owner who does not hold a valid
26 Compliance Certificate shall do the following at the Property
27 Owner's expense:

28 (A) **Condition Assessment and Repair or Replacement.** The
29 Property Owner shall take steps to assess the condition of all
30 Private Sewer Laterals associated with the parcel to determine
31 whether the PSLs comply with the standards set forth in Section
32 12.16.035.040, all other requirements of this Ordinance, and all

1 applicable Local Ordinance Requirements. If the PSLs are not in
2 compliance, the Property Owner shall obtain any required
3 permits and perform all Repair or Replacement work needed to
4 bring the PSLs into compliance.

5 (B) **Verification Testing.** After the Property Owner determines
6 through any combination of inspection, Repair and/or
7 Replacement that the PSLs associated with the parcel are in
8 compliance with this Ordinance and applicable Local Ordinance
9 Requirements, and upon payment of the required Compliance
10 Certificate fee and any other applicable fees, the Property Owner
11 shall perform a Verification Test in accordance with the City's
12 procedures in the presence of the City's authorized
13 representative. The City will issue a Compliance Certificate if its
14 authorized representative determines that the Verification Test
15 confirms that all PSLs associated with the parcel are in
16 compliance with this Ordinance and applicable Local Ordinance
17 Requirements, except that Compliance Certificates issued within
18 certain Common Interest Developments under Section
19 12.16.035.100 will be issued on the conditions set forth in that
20 Section.

21 (2) **Procedures for Verification Testing of Private Sewer Laterals.**

22 The Director will maintain written procedures for Verification
23 Testing. The procedures shall be made available upon request.

24 (3) **Effect of General Waiver.** A Property Owner who holds General
25 Waiver status may obtain a Compliance Certificate without
26 performing condition assessment, Repair or Replacement work, or
27 Verification Testing on the Private Sewer Lateral.

28 (4) **Effect of Limited Waiver.** If the City has issued a Limited Waiver
29 for the Private Sewer Lateral or a portion of it, the Property Owner
30 may obtain a Compliance Certificate without performing condition
31 assessment, Repair or Replacement work or Verification Testing on
32 the Private Sewer Lateral, except such work and testing is required
33 for any portion of the Private Sewer Lateral not covered by the

1 Limited Waiver.

2 (5) **Voluntary Certification.** The City shall provide a Compliance
3 Certificate to any Property Owner or Public Entity who requests one
4 and passes a Verification Test conducted pursuant to this Section,
5 including but not limited to a Property Owner or Public Entity who
6 receives notice from the City or a Satellite that the Private Sewer
7 Lateral is damaged, deteriorating, defective, or in any other way
8 fails to comply with Section 12.16.035.040.

9 12.16.035.070. **Compliance Certificate Term Limits.**

10 (1) **Term Limit.** A Compliance Certificate obtained as a result of
11 Replacement of all PSLs associated with the parcel shall be valid
12 for 20 years from the date of issuance. All other Compliance
13 Certificates shall be valid for 7 years from the date of issuance,
14 except as provided in paragraphs (2) and (3) in Section
15 12.16.035.100 and Section 12.16.035.110(3).

16 (2) **Effect of General Waiver.** A Compliance Certificate obtained by a
17 Property Owner while the Property Owner holds General Waiver
18 status shall be valid for a specified period as follows:

19 A Compliance Certificate obtained as a result of Replacement of the
20 entire Private Sewer Lateral shall be valid for 20 years from the
21 date the Compliance Certificate is issued; and

22 All other Compliance Certificates shall be valid for 7 years from the
23 date the Compliance Certificate is issued, except as provided in
24 Sections 12.16.035.100(3) and 12.16.035.110(3).

25 (3) **Effect of Limited Waiver.** If the City has issued a Limited Waiver
26 for the Private Sewer Lateral, or a portion of it, the Compliance
27 Certificate shall be valid for the same period as the Limited Waiver
28 and shall expire on the Limited Waiver's expiration date, provided
29 that the Compliance Certificate shall in no case be valid beyond 7
30 years from the date it is issued.

31

1 12.16.035.080. **Time Extension Certificates.**

2 (1) **Availability.** If a Compliance Certificate cannot be obtained before
3 Title Transfer, the transferor, transferee, or other interested party
4 or parties may obtain a Time Extension Certificate from the City.
5 Time Extension Certificates are issued in connection with Title
6 Transfer transactions only.

7 (2) **Deposit.** The Time Extension Certificate shall be completed and
8 submitted to the City along with a refundable \$2,000.00 deposit and
9 any nonrefundable fee that the City may require. The deposit will be
10 refunded after a Compliance Certificate is issued.

11 (3) **Validity Period.** A Time Extension Certificate expires 180 days
12 after it is issued.

13 (4) **Obligation of Property Owner or Transferee.** During the 180-day
14 validity period of a Time Extension Certificate, the Property Owner
15 or transferee must complete any necessary Repair or Replacement
16 and obtain a Compliance Certificate. Property Owners are
17 responsible for the full cost of compliance with this Ordinance and
18 that cost may exceed the deposit.

19 (5) **Forfeiture of Deposit.** If a Compliance Certificate is not obtained
20 before a Time Extension Certificate expires, the deposit may be
21 forfeited and the current Property Owner is subject to enforcement
22 action as provided by this Ordinance. The Property Owner may
23 apply to the City for release of forfeited funds, less the City's costs.
24 The City will not release forfeited funds unless the Property Owner
25 first demonstrates full compliance with this Ordinance.

26 (6) **No Renewal.** Time Extension Certificates are not renewable.

27 (7) **Transferability.** The Director may authorize and regulate the
28 transferability of Time Extension Certificates. Transfers, if
29 authorized, shall not extend the Time Extension Certificate's
30 expiration date.

31

1 12.16.035.090. **Exemption Certificates.**

2 (1) **Generally.** An Exemption Certificate issued in connection with a
3 parcel excuses the Property Owner of that parcel, while the
4 Exemption Certificate remains valid, from any requirement to obtain
5 a Compliance Certificate upon the occurrence of a Triggering Event.
6 An Exemption Certificate also documents to third parties that no
7 Compliance Certificate is required. Grounds for Exemption
8 Certificates are specified in this Section. The City may require a
9 Property Owner to submit specified supporting documentation for
10 review before an Exemption Certificate will be issued.

11 (2) **Exemption for Documented Prior Work on Private Sewer Lateral.**

12 (A) A Property Owner may request an Exemption Certificate
13 from the City if all Private Sewer Laterals associated with the
14 Property Owner's parcel had been inspected prior to a Title
15 Transfer, met applicable standards at the time of the inspection
16 or replacement.

17 (B) A Property Owner may request an Exemption Certificate
18 from the City, agency or Tribe having jurisdiction over the
19 Private Sewer Lateral issued a dated and approved final building
20 or sewer permit indicating that all Private Sewer Laterals
21 associated with the Property Owner's parcel were Replaced or
22 newly constructed. The Exemption Certificate expires twenty
23 years after the date the final permit was issued that provides the
24 basis for the Exemption Certificate.

25 (3) **Other Exemptions.**

26 (A) **Grounds.** A Property Owner may request a short-term
27 Exemption Certificate on any of the following grounds:

- 28 i) an entire real property estate, or the fee interest in that real
29 property estate, has been sold or transferred, and the City is
30 provided documentation showing the sale or transfer is not a
31 Title Transfer as defined by this Ordinance;

- 1 ii) no Private Sewer Lateral ever existed on the parcel;
- 2 iii) no Private Sewer Lateral associated with the parcel is
- 3 connected to the public sewer system; or
- 4 iv) all Private Sewer Laterals associated with the parcel are
- 5 pressurized.

6 **(B) Expiration.** An Exemption Certificate issued on any

7 grounds provided by paragraph (3)(A) will expire as follows:

- 8 (i) six months after issuance, if issued on the grounds provided
- 9 in paragraph (3)(A) (1) and before the sale or transfer is
- 10 recorded; and
- 11 (ii) one month after issuance in all other cases.

12 **(4) Common Interest Developments.** A Property Owner of an

13 individual unit within a Common Interest Development need not

14 obtain and will not be issued an Exemption Certificate if the

15 Homeowners' Association has assumed responsibility to maintain all

16 Private Sewer Laterals within the Common Interest Development.

17 12.16.035.100. **Common Interest Developments.**

18 **(1) Compliance Certificate Requirement.** Compliance Certificates

19 must be obtained with respect to Common Interest Developments as

20 described in this Section.

21 **(2) Responsibility of Homeowners' Associations and Individual Unit**

22 **Owners.**

23 (A) The Homeowners' Association and the Property Owner of

24 an individual unit within the Common Interest Development are

25 each responsible to obtain a Compliance Certificate to the same

26 extent each party is responsible to maintain PSLs within the

27 Common Interest Development. The division of responsibility for

28 PSL maintenance between the Homeowners' Association and the

29 Property Owners of individual units may be described in any

30 document but is typically described in the Covenants, Conditions

31 and Restrictions applicable to Common Interest Developments or

1 the parcels in them. In some Common Interest Developments,
2 the Homeowners' Association has assumed responsibility to
3 maintain all PSLs. In other Common Interest Developments, the
4 owner of each individual unit is responsible to maintain the PSLs
5 associated with the unit he or she owns, and the Homeowners'
6 Association is responsible to maintain the remaining PSLs within
7 the Common Interest Development.

8 (B) If the Homeowners' Association has assumed responsibility
9 to maintain all PSLs within the Common Interest Development,
10 the Homeowners' Association must obtain Compliance
11 Certificates under Section 12.16.035.060 on or before July 12,
12 2021 for all parcels within the Common Interest Development,
13 except that the Homeowners' Association must comply with
14 Section 12.16.035.110 if the total combined length of PSLs
15 within the Common Interest Development exceeds 1000 feet.

16 (C) If the Property Owners of individual units and the
17 Homeowners' Association share responsibility to maintain PSLs
18 within the Common Interest Development, the parties' respective
19 responsibility to obtain Compliance Certificates is as follows:

20 i) The Property Owner of the individual unit must obtain a PSL
21 Compliance Certificate at the time and in the manner required
22 by Section 12.16.035.050 and notwithstanding paragraph
23 12.16.035.050(1)(B) of that Section, provided that the City will
24 require Verification Testing only of those PSLs or portions of
25 PSLs that are the responsibility of the Property Owner of the
26 individual unit before issuing a Compliance Certificate.

27 ii) The Homeowners' Association must obtain a Compliance
28 Certificate under Section 12.16.035.060 on or before July 12,
29 2021 for all parcels associated with any PSL that is the
30 Homeowners' Association's responsibility to maintain,
31 provided that the City will require Verification Testing only of
32 those PSLs or portions of PSLs that are the responsibility of
33 the Homeowners' Association before issuing a Compliance

1 Certificate.

2 iii) The issuance of a Compliance Certificate under paragraph
3 12.16.035.060 of this Section to either a Property Owner of an
4 individual unit or to a Homeowners' Association, with respect
5 to a specific parcel within a Common Interest Development,
6 does not relieve another party that shares responsibility to
7 maintain PSLs associated with the same parcel of its
8 obligation under paragraph 12.16.035.060 of this Section to
9 obtain a Compliance Certificate for that parcel.

10 (3) A Compliance Certificate issued to a Homeowners' Association
11 under this Section shall be valid for 20 years from the date it is
12 issued. The Homeowners' Association must obtain a new
13 Compliance Certificate under Section 12.16.035.060 upon the
14 expiration of the previously issued Compliance Certificate.

15 (4) **Developments Where No Homeowners' Association Exists.** For
16 the purposes of this Ordinance, any development without a
17 Homeowners' Association is not a Common Interest Development,
18 even if the development is classified in county records as
19 condominiums, residential planned unit developments, or similar.
20 This Section does not apply to such developments. Individual unit
21 owners within such developments must obtain a PSL Compliance
22 Certificate at the time and in the manner required by Section
23 12.16.035.050.

24 12.16.035.110. **Parcels or Parcel Groups With Private Sewer**
25 **Laterals Exceeding 1000 Feet.**

26 (1) **Condition Assessment Plan.** On or before July 12, 2020, the
27 Property Owner of any parcel or any Parcel Group with Private
28 Sewer Laterals exceeding 1000 feet in total combined length within
29 the parcel or Parcel Group shall submit for City approval a
30 Condition Assessment Plan. The Condition Assessment Plan shall
31 include a schedule for the performance of testing to assess the
32 condition of all PSLs associated with the parcel or Parcel Group.

1 (2) **Corrective Action Work Plan.** On or before July 12, 2023, a
2 Property Owner subject to this Section shall complete all condition
3 assessment testing and submit a Corrective Action Work Plan for
4 City approval. The Corrective Action Work Plan shall describe the
5 type, quantity and schedule of work needed to bring all PSLs
6 associated with the parcel or Parcel Group into compliance with the
7 standards set forth in Section 12.16.035.040, all other requirements
8 of this Ordinance. The City shall approve the Corrective Action
9 Work Plan if it determines the proposed work will result in full
10 compliance within a reasonable time.

11 (3) **Compliance Certificate.** After the Property Owner completes the
12 work described in the approved Corrective Action Plan, the Property
13 Owner must obtain a Compliance Certificate under Section
14 12.16.035.060(1)(B) for the parcel or parcels. The Compliance
15 Certificate(s) shall be valid for 20 years from the date issued, and
16 upon expiration, the Property Owner must obtain new Compliance
17 Certificate(s) under Section 12.16.035.060.

18 12.16.035.120. **Enforcement.**

19 (1) The Director shall have the discretion to enforce this Ordinance.
20 Enforcement of Local Ordinance Requirements is the responsibility
21 of the Satellite that adopted the Local Ordinance Requirements.

22 (2) Violations of this Ordinance include, but are not limited to:

23 (A) Failure to obtain a Compliance Certificate when one is
24 required, including after the expiration of a Time Extension
25 Certificate;

26 (B) Failure to obtain a Time Extension Certificate if a
27 Compliance Certificate is not obtained or to timely perform all
28 required work after receiving a Time Extension Certificate;

29 (C) Failure to comply with the City's requirements for Repair,
30 Replacement and Verification Testing;

31 (D) Falsifying facts to obtain an Exemption Certificate or a

1 Compliance Certificate; and/or

2 (E) Presenting a false Exemption Certificate or Compliance
3 Certificate.

4 (3) Enforcement

5 (A) When the Director finds that a person violates or threatens
6 to violate this Ordinance, the Director may notify the person in
7 writing. Within 30 days of the mailing of that notification, the
8 notified person must submit for approval by the Director a
9 detailed time schedule of specific actions the person shall take
10 in order to correct or prevent a violation of this Ordinance. The
11 person shall take the actions within 90 days of the mailing date
12 of the Director's notification.

13 (B) The Director may take enforcement action against a person
14 who violates the provisions of this Ordinance or fails to perform
15 any act required by this Ordinance, including but not limited to
16 initiating court action to obtain an injunction requiring the work to
17 be done and/or terminating service. The City may recover from
18 any person in violation of this Ordinance the costs it incurs in
19 connection with enforcing this Ordinance, including staff time,
20 and may seek attorneys' fees in any court action or proceeding.

21 12.16.035.130. **Requests for Relief or Reconsideration.**

22 (1) **Requests for Relief.** Any person or entity unable to comply with the
23 requirements of this Ordinance, or any person affected by any City
24 decision, action, or determination related to this Ordinance, may
25 submit to the City a written request for relief setting forth in detail
26 the facts supporting the request. The City Manager shall designate
27 a City officer or employee with managerial authority who will
28 consider the matter without a hearing and decide whether to grant
29 relief. The City Manager's designee may request additional
30 information. The City Manager's designee may decide the matter
31 within fifteen (15) business days from the receipt of the request, or,
32 if additional information is requested and received within fifteen

1 (15) business days from the receipt of the request, then fifteen (15)
2 business days from the date the City receives all additional
3 requested information. If the City Manager's designee does not
4 decide the matter within the above-stated time period, the request
5 for relief shall be deemed denied on the first day following that time
6 period. Notice of any decision will be mailed to the person or entity
7 requesting relief.

8 **(2) Requests for Reconsideration.**

9 (A) Within 30 days after the date of mailing of written notice of
10 any City decision granting or denying relief under paragraph (1)
11 of this Section, or within 30 days after the date the request for
12 relief is deemed denied, any person or entity affected by the
13 requirements, decision, action or determination that was the
14 subject of the request for relief may submit to the City Manager a
15 written request for reconsideration. The City Manager shall
16 personally consider all requests for reconsideration. The request
17 for reconsideration must set forth in detail the facts supporting
18 the request.

19 (B) The City Manager may act on the request for
20 reconsideration with or without a hearing in any manner, the City
21 Manager deems reasonable and shall thereafter issue a final
22 written determination concerning the request for reconsideration.
23 If the City Manager fails to act upon the request for
24 reconsideration within fifteen (15) business days of receipt of the
25 request for reconsideration, the request shall be deemed denied.
26 The decision, action or determination shall remain in effect
27 during the period of review by the City Manager.

28 (C) The City Manager's decision shall become final and
29 binding at the time the City Manager acts on the request or fails
30 to act within the time specified by this paragraph (B). If the City
31 Manager acts on the request for reconsideration, notice of the
32 City Manager's action will be mailed to the person or entity
33 requesting reconsideration within five (5) business days of the

1 action.

2 (D) Any person or entity affected by a decision, action or
3 determination related to this Ordinance who wishes to appeal or
4 challenge the decision, action or determination must request
5 reconsideration using the process specified in this paragraph (b).
6 This requirement is jurisdictional. The failure to seek
7 reconsideration shall be deemed a failure of the person or entity
8 subject to the decision, action or determination to exhaust
9 administrative remedies.

10 12.16.035.140. **Fees and Regulations.**

11 (1) **Fees.** The City may establish fees in the Water and Wastewater
12 System Schedule of Rates and Charges and Fees for administration
13 of this Ordinance and may modify those fees from time to time.

14 (2) **Regulations.** The Director may develop and maintain written
15 regulations, procedures and guidance materials for administration of
16 this Ordinance and shall make them available upon request.

17 **SECTION THREE - INCONSISTENCIES REPEALED.**

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

21 **SECTION FOUR - PUBLICATION OF CODIFICATION.**

22 The repeal of the former provisions and the text of the provisions
23 hereby substituted in Chapter 12.16.035 the Yreka Municipal Code are
24 the sole portions of this ordinance that require publication in the
25 codification of the Yreka Municipal Code.

26 **SECTION FIVE - IMPLEMENTATION.**

27 The City Council hereby authorizes and directs the City Manager
28 to take any action and sign any documents necessary to implement
29 this Ordinance.

30

1 **SECTION SIX - EXECUTION.**

2 The Mayor and City Clerk are authorized to subscribe this
3 ordinance where indicated below to evidence its approval by the City
4 Council.

5 **SECTION SEVEN - SEVERABILITY.**

6 If any section, sentence, clause or phrase of this Chapter is for
7 any reason held to be invalid or unconstitutional by a decision of any
8 court of competent jurisdiction, such decision shall not affect the
9 validity of the remaining portions of this Chapter. The City Council
10 hereby declares that it would have passed this ordinance and adopted
11 this Chapter and each section, sentence, clause or phrase thereof,
12 irrespective of the fact that any one or more sections, subsections,
13 sentences, clauses or phrases were to be declared invalid or
14 unconstitutional.

15 **SECTION EIGHT - EFFECTIVE DATE; PUBLICATION.**

16 At least five (5) days prior to its adoption and within fifteen (15)
17 days after its adoption, a summary of this ordinance, in a form
18 approved by the City Attorney, shall be published once in a newspaper
19 of general circulation printed and published in the County of Siskiyou.
20 This ordinance shall be effective thirty-one (31) days from and after its
21 adoption.

22
23 Passed duly and regularly passed and adopted by the City
24 Council of the City of Yreka this day of ,
25 2015, after a first reading at a regular meeting before the City Council
26 on the sixth day of August 2015, on the following polled vote:
27
28

1 AYES:
2 NOES:
3 ABSTAIN:
4 ABSENT

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John Mercier, Mayor

APPROVED AS TO FORM

Attest:

Dohn Henion, City Attorney

Elizabeth E. Casson, City Clerk



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Brian Bowles, Chief of Police
Agenda title: Discussion/Possible Action – Adopt Resolution of the City Council of the City of Yreka Approving Request for Additional Funding for the Yreka Police Department New Station Retrofit Project and Authorizing the Project Advertisement for Public Bid.
Meeting date: August 6, 2015

Discussion/Possible Action:

On September 11, 2013, the Yreka City Council allocated \$1,800,000 for the new Yreka Police Department project. Of that amount, \$1,300,000 was from the Crandall Fund restricted reserves (Fund 04) and \$500,000 from the general fund capital reserves (Fund 09). To date, 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 based on architectural building and contents furnishings estimates.

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 departmental 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, with additional costs for furniture, equipment and other expenses.

At the June 18, 2015, City Council meeting, the Council requested staff to come up with options for reducing the project cost. Staff will present three options for your consideration. **Option A** is the option presented at the Council meeting with a total project cost of \$2,700,000 (an additional \$900,000 over the originally allocated amount). **Option B** is a reduction to a total project cost of \$2,491,000 and **Option C** is a reduction to a total project cost of \$2,429,000.

Options B and C have some trade-offs that staff will detail at the meeting and detail information on each option is attached.

Fiscal Impact:

The fiscal impact depends on the above option selected. The funding source for the additional funds would be from the Crandall Fund restricted reserves, or/and General Fund undesignated and capital reserves. See the separate memo on the funding sources.

Recommendation:

That the Council Adopt Resolution of the City Council of the City of Yreka Approving Request for Additional Funding for the Yreka Police Department New Station Retrofit Project and Authorizing the Project Advertisement for Public Bid.

Attachments:

Yreka Police Department – Options Evaluation
Yreka Police Department – Building Cost breakdown.

Approved by: 
Steven Baker, City Manager

RESOLUTION NO. 2015-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YREKA APPROVING
REQUEST FOR ADDITIONAL FUNDING FOR THE YREKA POLICE
DEPARTMENT NEW STATION RETROFIT PROJECT
AND AUTHORIZING THE PROJECT ADVERTISEMENT FOR PUBLIC BID

WHEREAS, the city has allocated funding in the amount of \$1,800,000 for the purchase and architectural services for the project; and

WHEREAS, the city realizes that additional funding is necessary for the code requirements, modernization, furnishings, and equipment essential to operate a modern police facility efficiently well into the future; and

WHEREAS, an allocation of additional funding is needed to complete this project; and

WHEREAS, placing the project out to public bid when the city plan check is completed is required.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Yreka that it does hereby resolve, determine and order as follows:

Section 1. Approve the allocation of (to be determined) in additional funding for the Yreka Police Department New Station Retrofit project. (To be determined amount) to be taken out of the Crandall fund restricted reserves, 04 and (to be determined amount) out of the general fund capital reserves, fund 09.

Section 2. Authorize the advertisement of the project for public bid.

Section 3. The City Manager or his designee is 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 effect the purposes of this resolution and transactions herein authorized.

Passed and adopted this 6th day of August 2015, by the following vote:

AYES:

NAYS:

ABSENT:

John Mercier, Mayor

Attest: _____
Elizabeth E. Casson, City Clerk

City staff has provided three options for the building that are as follows:

Option A:

Total additional costs to the existing budget: \$900,000 total cost \$2,700,000.

Complete Police building that will take us many years into the future including \$100,000 in contingency budget.

Cuts: None

Potential issues: None

Option B: (Staff recommends)

Total additional costs to the existing budget: \$691,000 total cost \$2,491,000.

Police Building keeping \$50,000 in contingency budget.

Cuts: Removal of the car port for police vehicles. Limited computer upgrade. Eliminate dispatch furniture. Reallocate funds for the radio console at dispatch. Reuse gate at YPD at new building.

Potential issues: Will require contract/city personnel to move all emergency vehicles and plow snow when necessary. Will delay mass emergency response in inclement weather. Move existing computer equipment with required items. No ability to store mobile videos. Will use YPD vehicle budget (2015-2016) to purchase needed radio console for dispatch, this will cause a vehicle issue later. Elimination of dispatch future therefore will lose the ability to take on regional dispatching in the future. Chain link and gate opener may not work with new equipment.

Option C:

Total additional costs to the existing budget: \$629,000 total cost \$2,429,000.

Police Building with \$30,000 contingency budget.

Cuts (in addition to the above cuts): Computers/ Servers moved by YPD staff. Use chain link fencing instead of a tilt up cement wall surrounding the parking lot, generator and propane tank. Have staff move the computers, servers and UPC's. Cuts to furniture budget. EOC/Dispatch TV's/monitors eliminated.

Potential issues: Limited contingency fund-may have to go back to council for additional funding if the project has problems. Substandard computer system. Public will see the propane tank and generator in the middle of our parking lot possible officer safety issue. Elimination of EOC/Dispatch TV's monitors will pose some issues in training and monitoring.

Cuts to the YPD retrofit building are as follows:

Option B:

• Contingency fund cut	\$50,000
• Covered parking eliminated	\$30,000
• Reuse old electric gate, saving	\$10,000
• New dispatch furniture eliminated	\$30,000
• Radio console eliminated	\$41,000
• Computer upgrade reduction (9k upgrade now)	\$48,000
Total Cuts	\$209,000

Option C: (In addition to Option B)

• Contingency fund, second cut	\$20,000	
• Tilt up cement wall eliminated	\$10,000	
• Add chain link fence to replace wall		\$ 4,000 Additional cost
• EOC/Dispatch TV monitors eliminated	\$ 4,000	
• Computer upgrades eliminated/move only	\$10,000	
• Building furniture cuts to the following:		
1. Secure evidence storage		
2. Chiefs office		
3. Lt. Office		
4. Admin. Secretary office		
5. Emergency Operations Center		
6. Armory		
7. Outside areas	\$22,000	
Total Cuts	\$271,000	

Y.P.D. New Building

Building Retrofit		Cost		
Project	Who	A	B	C
Construction, walls, wiring, plumbing	To Bid			
Electrical main	To Bid			
Radio tower pad, wall plates	To Bid			
Records storage units	To Bid			
M & F wall lockers	To Bid			
Pad for parking lights wiring (water)	To Bid			
Water for public kennels	To Bid			
Run electric for generator	To Bid			
Covered parking	Deduction alt	30,000	0	0
Water fountains	To Bid			
Rough in, for door buzzers, proximity readers	Coordinate/IT			
Rough in for interview rooms 3	To Bid			
Flag pole mount, install flag pole	To Bid			
Toilets, facuets	To Bid			
Lockers, mirrors	To Bid			
Pavement	To Bid			
Dispatch - bullet proof	To Bid			
Bullet proof glass, speaker hole	To Bid			
Cabinets - lobby	To Bid			
Paint	Determine color			
Camera pole mounted on water building	To Bid			
Ceiling fans	To Bid			
Heating & Air	To Bid			
LED lighting - indirect	To Bid			
Sink, counter	To Bid			
Emergency lighting	To Bid			
Landscaping/Prep work	To Bid			
Fencing/kennels	To Bid			
2 Gates/electric	Deductive alt	20,000	10,000	

Cement wall	Deductive alt	10,000	10,000	0
Chain link fencing	Deductive alt			Add 4,000
Parking lot/bumpers/stripping	To Bid			
Generator	Deductive alt			
Generator throw switch	To Bid			
Propane tank/Pad	Lease or buy			
Install appliances	To Bid			
Window covering	To Bid			
Fire extinguishers	To Bid			
Rough in, for phones	To Bid			
Door striker	To Bid			
Rough in, video	To Bid			
Bike rack	To Bid			
White board walls, patrol/EOC	To Bid			
Rough in for fire alarm system	To Bid			
Stove hood	To Bid			
Parking lot mount and wiring & poles	To Bid			
Gun room gates	To Bid			
Flooring	determine color/type			
IT low voltage wiring, phone, proximity reader, door locks, camera system, fire alarm, speaker system, computer, network, printers & radiator console wires. Cat 6	To Bid			
Install all items above				
Landscaping/Prep work	To Bid			
Building plaque	determine wording			
		1,350,000.00	1,310,000.00	1,304,000.00
Deductive Alt =cost for this specific item.				

Y.P.D. New Building

Furniture/Contents		Cost		
Project	Who	A	B	
Furniture - all chairs, tables, file cabinets	Furniture, State bid	144,000	144,000	122,000
Dispatch corner unit & install	Furniture, State bid	30,000	0	0
Décor	Chief	2,500		
Refridgerator	Sears	600		
Microwave	Sears	200		
Stove	Sears	500		
Dishwasher	Sears	400		
Radio console - 30 yoa 25 - 124k	Day wireless	41,000	0	0
Scanner, speaker system hardware	County radio	1,300		
Radio move & install	County radio	9,000		
IT low voltage plan check & review hours	Rob	3,000	0	0
IT computer system/plan/check/review hours	Com. Logs.	5,000		
IT, computer system/move/upgrade	Com. Logs. 24 - 92k	73,000	25,000	15,000
IT racks/5 racks	Rhetta	5,000		
Wireless network	Computer Logs.	500		
Building camera system 6-10k	SLUS	6,000		
YPD Exterior sign	YPD	5,000		
Phones	State bid	500		
Phone system	Use existing	0		
Total		327,500	205,500	173,500

Y.P.D. New Building

Moving Expenses

Project	Who	Cost
911 Move 60-80 hours x 2, \$180 hr	AT&T	14,400
ATT&T phone system move 30 x \$70 per line	AT&T / Punch down board	2,100
Verizon	Verizon	1,600
CLETS / DOJ	Computer Logs.	
IT computers	Computer Logs.	X
Dispatch	Furniture Co.	in furniture bid
LVR	YPD	0
Amber Alert lines	AT&T	300
Fiber 3 year contract	Cal Ore	0
Moving company	TBA	
Evidence move	Department	X
Dumpsters	Yreka Transfer	1,000
Move metal carport	City Yard	500
Move YPD Gate Motor	?	500
		20,400

Y.P.D. New Building

Stuff

Project	Who	Cost		
2 Big screen tv's EOC	Wal Mart/Best Buy	2,000	0	0
2 Dispatch tv's	Wal Mart/Best Buy	2,000	0	0
Interview rooms - cameras		1,000		
4 White boards	Quill	600		
Letterhead - change address	Gold Nugget	500		
Business cards - change address	Gold Nugget	500		
Envelopes - change address	Gold Nugget	500		
Total		7,100	3,100	3,100



CITY COUNCIL AGENDA MEMORANDUM

TO: Yreka City Council
PREPARED BY: Rhetta Hogan, Finance Director
AGENDA TITLE: Supplemental Appropriation for the YPD Building and Building Contents
MEETING DATE: Thursday, August 6, 2015

Discussion:

Chief Brian Bowles has presented three different cost scenarios for the completion of construction and furnishing building contents for the YPD building.

Council has expressed an interest in preserving some portion of the Crandall funds in appropriating funds for the construction remodel and building furnishing and contents.

The Council may select, and modify, from several options for funding the YPD building:

1. Fixed allocation from Crandall reserves to complete the project.
 - a. For example, Council would determine a fixed amount not to exceed (e.g. \$250,000) from Crandall reserves, with the balance to be appropriated from GF Capital and or Unallocated Reserves
2. Percentage allocation from Crandall reserves and GF Capital and or Unallocated Reserves
 - a. The Council may select to fund the actual building costs using percentage allocation method,
 - b. or a percentage allocation with a ceiling (e.g. 50/50 but not to exceed \$500,000 in the Crandall with anything in excess of the ceiling going to GF Unallocated Reserves.
3. Lease Financing options for Equipment Office Furniture
 - a. Direct staff to explore and issue a Request For Proposals for a lease/purchase financing of certain of office furniture and equipment with a ceiling, e.g. not to exceed \$250,000.
 - i. Staff would bring back equipment financing options, and suggest from the general fund cash flow streams for repayment.
 - b. The portion not leased, construction and other direct costs, would be appropriated immediately based on the funding level selected from option 1 or 2.

All of these options presented are within authority of the Council to appropriate and structured financing through a lease purchase arrangement does require voter approval.

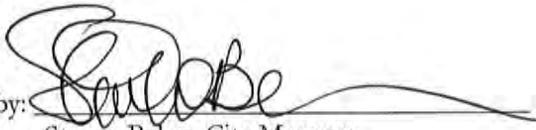
Finance is not recommending any one particular proposal over another as all of these can be reasonably accommodated up to **\$530,333** from the Crandall funds, the available cash balance. Remaining Crandall assets would be two loans receivable of \$124,417,76 that are not liquid assets, however the City could interfund borrow against that balance.

Fiscal Impact:

Depending on the proposal selected, expenditure from reserves as specified, up to \$900,000.

Recommendation and Requested Action:

Approval by Yreka City Council of the City of Yreka a Supplemental Appropriation for Yreka Police Building Rehabilitation and Remodel for the 2014-16 bi-annual budget in the amount of \$ _____ or in the % of, from _____ (not to exceed _____) and the amount of \$ _____ or in the % of, from _____ (not to exceed).

Approved by: 
Steven Baker, City Manager

Attachment: Life to Date Crandall and Stewart Funds

City of Yreka
Crandell and Stewart Trust
Summary Analysis
(as of 6/30/15)

Springbrook Fund 04

	<i>As of 6/30/2015</i>					
	2014-15	2013-14	2012-13	2011-12	2010-11	2009-10
Investment Revenue						
801.0400.005.002	7,864.68	10,301.94	5,792.89	7,294.74	9,193.99	13,283.12
Hi-Ridge Leases (Grazing/FG Parcel) 04-630-1019-831-000	2,300.00	100.00	200.00	200.00	200.00	
Smith Barney - Unrealized Gain/Loss 801.0400.005.005				-	2,187.51	(5,462.45)
North St. Property Rental Revenue 801.0400.005.007		3,080.84	14,853.57	23,086.90	26,431.57	25,397.20
Stewart Trust Cash & Proceeds 04-610-1018-882-000					-	156,646.71
Gain/Loss on Sale of Real Property* 04-630-1019-831-000		215,950.82				
Total Revenue	<u>10,164.68</u>	<u>229,433.60</u>	<u>20,846.46</u>	<u>30,581.64</u>	<u>38,013.07</u>	<u>189,864.58</u>
Expenses						
Maintenance North Street Property 801.0002.516.002/(Resource 1017)		997.66	22,583.46	13,588.59	6,079.24	8,025.67
Black's Property Maintenance 801.0002.516.004 (Resource 1016)		207.53	6,031.54	1,775.29	1,247.67	-
Black's Property Prof Services Feas 04-610-1016-525-000						12,462.40
Downtown Revitalization 04-610-0000-525-001				20,000.00 (2)		
General Plan Update 801.0006.550.001/801.0006.525.006						800.00
Stewart French St Prop Exp. 04-610-1018-526-000						438.33
Stewart Miner St Comm Grant Alloc 04-610-1018-560-000	4,468.55	11,504.39	41,767.21	16.09		
High Ridge Property Prof Services 04-630-1019-525-000	3,567.45	1,720.00	2,514.15			
High Ridge Property Prop Taxes 04-630-1019-534-000	1,799.92	1,799.28	1,796.48	2,502.30		
High Ridge Land Acquisition 04-630-1019-610-000					175,090.73	9,507.00
Community Theatre Siding 04-470-0000-620-100	71,065.55					
Crandall - Transfer to Grants/Capital 801.0099.000.650/04-000-0000-760-060					869.40 (1)	
Crandall - Transfer to YPD Building Fund 04-000-0000-760-011		1,300,000.00				
Total Expense	<u>80,901.47</u>	<u>1,316,228.86</u>	<u>74,692.84</u>	<u>37,882.27</u>	<u>183,287.04</u>	<u>31,233.40</u>
Excess of Revenue over Expense	<u>(70,736.79)</u>	<u>(1,086,795.26)</u>	<u>(53,846.38)</u>	<u>(7,300.63)</u>	<u>(145,273.97)</u>	<u>158,631.18</u>
Original Bequest 1999						2,175,455.52
Net Activity from 1999-6/30/2010						(216,930.67)
Beginning Fund Balance	823,939.79	1,910,735.05	1,964,581.43	1,971,882.06	2,117,156.03	1,958,524.85
Excess of Revenue over Expense	(70,736.79)	(1,086,795.26)	(53,846.38)	(7,300.63)	(145,273.97)	158,631.18
Ending Fund Balance	<u>753,203.00</u>	<u>823,939.79</u>	<u>1,910,735.05</u>	<u>1,964,581.43</u>	<u>1,971,882.06</u>	<u>2,117,156.03</u>
Crandall	654,750.86	721,019.10	1,796,309.97	1,808,389.14	1,815,673.68	1,960,947.65
Stewart	98,452.14	102,920.69	114,425.08	156,192.29	156,208.38	156,208.38
Cash Balance (Crandall and Stewart)	631,285.24	684,572.81	1,912,761.11	1,963,730.75	1,969,720.88	1,053,310.89
Note/Investments - (real property notes)	124,417.76	138,742.97	-	-	-	1,062,812.49
Total Cash and Investment	<u>755,703.00</u>	<u>823,315.78</u>	<u>1,912,761.11</u>	<u>1,963,730.75</u>	<u>1,969,720.88</u>	<u>2,116,123.38</u>
Net AR (or AP if negative)	(2,500.00)	624.01	(2,026.06)	850.68	2,161.18	1,032.65

(1) 418 South Oregon St. - Courthouse match
(2) Required Match RZ Greenhorn Park Grant

PL TO BS ENDING FB PROOF