



AGENDA

JUNE 2, 2026

REGULAR MEETING CITY COUNCIL CITY OF YUBA CITY

**5:00 P.M. CLOSED SESSION
SUTTER ROOM/VIRTUAL**

**6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL**

MAYOR	• Marc Boomgaarden
VICE-MAYOR	• Michael Pasquale
COUNCILMEMBER	• Toni Cole
COUNCILMEMBER	• Wade Kirchner
COUNCILMEMBER	• Dave Shaw
CITY MANAGER	• Robert Bendorf
CITY ATTORNEY	• Shannon L. Chaffin

**1201 Civic Center Blvd
Yuba City CA 95993**

Wheelchair Accessible

*The City has adopted a Reasonable Accommodations Policy that provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. Please visit [yubacity.net ADA & Accessibility Resources page](http://yubacity.net/ADA&AccessibilityResources). If you need assistance in order to attend the City Council meeting, or if you require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the City Council, the City is happy to help. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation; 72 hours in advance is suggested. Please contact City offices at (530) 822-4817 or **(TTY: 530-822-4732)**, so such aids or services can be arranged. Requests may also be made by email at cityclerk@yubacity.net or citymanager@yubacity.net or mail City Clerk, 1201 Civic Center Blvd, Yuba City, CA 95993.*

**AGENDA
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY
JUNE 2, 2026
5:00 P.M. CLOSED SESSION
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6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL**

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's office at 1201 Civic Center Blvd., Yuba City, during normal business hours. Such documents are also available on the City of Yuba City's website at www.yubacity.net, subject to staff's availability to post the documents before the meeting.

The Council Chambers will be open for public attendance and participation. The meeting will also be live streamed for public viewing, but not participation, at the following link: https://yubacity-net.zoom.us/webinar/register/WN_wlAj2GD_Tau4FLq2pOjj0A. Emailed comments sent to cityclerk@yubacity.net at least 24 hours before the meeting will be distributed to the City Council prior to the meeting. Please identify the Agenda item(s) addressed by the comments.

Public Comment:

Any member of the public wishing to address the City Council on any item listed on the closed session agenda, if any, will have an opportunity to present testimony to the City Council in the Council Chamber prior to the City Council convening into closed session. Comments from the public will be limited to three minutes. No member of the public will be allowed to be present once the City Council convenes into closed session.

Closed Session

- A. Conference with Legal Counsel – Existing Litigation (Government Code, § 54956.9(d)(1))
Name of Case(s): Larry Johnson
Claim No.1396610353

- B. Liability Claim
Claimant: Timothy Blakenship, Claim 26-21
Agency Claimed Against: City of Yuba City

- C. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Gov. Code section 54957.6.
Agency designated representatives: Gina Rowland, Chief Labor Negotiator

Employee Organizations: Public Employees' Union - Local 1/AFSCME 57, First Level Managers, Mid-Managers, Firefighters' Local 3793, Fire Management, Police Officers' Association, Police First Level Managers, Police Mid-Managers

Regular Meeting

Call to Order

Roll Call

- Mayor Boomgaarden
- Vice-Mayor Pasquale
- Councilmember Cole
- Councilmember Kirchner
- Councilmember Shaw

Invocation/Inspiration

Pledge of Allegiance to the Flag

City Attorney's Report on Closed Session Items, City Attorney Shannon Chaffin

Agenda Modifications

Ceremonial Presentations

- 1. Recognition of Police Volunteers in Policing Proclamation**
- 2. Right to Start Proclamation**
- 3. Dr. Tawny Dotson Distinguished Leadership and Service Proclamation**

Public Communication

4. Appearance of Interested Citizens

You are welcome and encouraged to participate in this meeting. Public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda will be considered at this time. Public comment is limited to three minutes per speaker. Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted five minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Consent Calendar

All matters listed under Consent Calendar are considered to be routine and can be enacted in one motion. There will be no separate discussion of these items prior to the time that Council votes on the motion unless members of the City Council request specific items to be discussed or removed from the Consent Calendar for individual action.

5. Minutes from the May 19th, 2026 Regular City Council Meeting

Recommendation: Approve the Minutes from the May 19th, 2026 Regular City Council Meeting

6. Special Investigation Unit Task Force MOU

Recommendation:

A. Approve the Memorandum of Understanding (MOU) between the City of Yuba City, Sutter County Sheriff's Department, Sutter

County Probation Department, and the Sutter County District Attorney's Office for the establishment of a Special Investigations Unit (SIU) task force

B. Authorize the Chief of Police to execute the agreement on behalf of the City and approve the MOU effective date of July 1, 2026

7. 2026 City Hall Holiday Closure

Recommendation: Adopt a Resolution authorizing the closure of City Hall from November 23, 2026 through Friday, November 27, 2026, Monday, December 21, 2026 through Friday, December 25, 2026, and Friday, January 1, 2027

8. Yuba City Landscape District No. 1 - Annual Levy Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Landscape Maintenance District No. 1, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972

9. Yuba City Lighting and Landscape District Nos. 2-4 - Annual Levy Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, and 4, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972

10. Yuba City Lighting and Landscape District Nos. 5-6 - Annual Levy Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 5-6, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972

11. Yuba City Residential Street Light Maintenance Districts - Annual Levy Initiation

Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Residential Street Light Maintenance Districts, to continue the Maintenance Districts pursuant to the Benefit Assessment Act of 1982 and Article XIID of the California Constitution

12. Prop 1 IRWM Grant Project #4 - North Gilsizer Detention Basin Improvements

Recommendation: Adopt a Resolution that authorizes the purchase of a Continuous Deflective System Unit (Model #CDS5678-10-C) from Contech Engineered Solutions, LLC in the amount of \$136,750.00, with a finding that it is in the best interest of the City, and authorizing a procurement contingency of \$13,675.00.

13. Market Street Traffic Calming and Safety Improvements (Award Contract Agreement)

Recommendation: Adopt a Resolution which takes the following actions:

A. Awards the construction contract to Quimu Contracting, Inc. of Dixon, California in the amount of their total bid of \$277,334.00,

authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$41,600.10 (15%)

B. Finds that CEQA was previously assessed for the project, a Class 1 Categorical Exemption (SCH#2026010750) was adopted, award of this construction contract is within the scope of the previously approved project, and no further environmental review is required under CEQA

C. Authorizes the Finance Director to make the following budget adjustments:

1. Transfer \$60,243.84 from Account No. 911051 to Account No. 911343

2. Increase appropriations in Account No. 951343 to \$207,450.00

14. Citywide Signal Hardware Upgrades (Construction Contingency Increase)

Recommendation: Adopt a Resolution which takes the following actions:

A. Authorizes contingency amounts of \$156,739.17 for CIP Account No. 1314 and \$80,784.71 for CIP Account No. 1317

B. Authorizes the Finance Director to increase appropriations in 911314-65501 to \$121,954.21 utilizing unallocated Transportation Development Act (TDA) funds and increase appropriations in 951314-65501 to \$695,586.13

C. Authorizes the Finance Director to decrease appropriations in 921317-65501 to \$0.00 and increase appropriations in 951317-65501 to \$299,297.46

15. Utilities 2026-2031 Rate Schedule and Ordinance Update

Recommendation: A. Continue the item to the next regular meeting of the City Council (June 16, 2026)

16. Fiscal Year 2026-2027 Citywide Sole Source and Professional Services Purchases

Recommendation: Adopt a Resolution pre-authorizing the City Manager or designee to perform citywide sole source and professional service purchases from July 1, 2026 through June 30, 2027, for specified items based on each purchase recommendation being in the best interest of the City

17. SB 1 Road Maintenance and Rehabilitation Account Project List 2026-27

Recommendation: Adopt a Resolution adopting a list of projects for Fiscal Year 2026-27 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017

Business Items

18. Status of Vacancies and Recruitment and Retention Efforts for FY 25-26 in Compliance with AB 2561

Recommendation: Receive the attached report from City staff on the status of vacancies and recruitment and retention efforts in compliance with AB 2561; and conduct a Public Hearing as required by Government Code Section 3502.3

19. 2025 Urban Water Management Plan and Water Shortage Contingency Plan

Recommendation: A. Conduct a Public Hearing; and
B. Adopt a Resolution adopting the 2025 Urban Water Management Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources
C. Adopt a Resolution adopting the Water Shortage Contingency Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources

20. Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings to implement Senate Bill No. 707

Recommendation: Adopt the Attached Resolution to Adopt a Policy Entitled “Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings” to implement Senate Bill No. 707

Future Agenda Items

21. Future Agenda Items

Reports and Communications

The following reports and communication items are provided for the Council’s information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

22. City Manager's Report

23. City Council Reports

Adjournment



Proclamation

of the City Council

Yuba City Police Department Volunteers In Policing

WHEREAS, Yuba City Police Department Volunteers in Policing Program was founded in 1996 to provide an opportunity for members of the community to partner with their Police Department by assuming numerous duties previously performed by full-time staff; and

WHEREAS, the Volunteers support the Department by providing essential services such as neighborhood patrols, vacation checks, traffic control assistance, administrative support, community outreach, and crime prevention education; and

WHEREAS, from April 1, 2025, to March 31, 2026, the Yuba City Police Department Volunteers have provided a total of 2,665 hours of volunteer service; the equivalent of \$66,525 in paid wages; and

WHEREAS, their dedication, exemplary service, and unwavering commitment to the Police Department embodies a generous spirit of serving our community; and

WHEREAS, the safety and well-being of our citizens is strengthened by the active involvement of dedicated individuals who willingly give their time and talents for the benefit of all; and

WHEREAS, it is fitting that we celebrate with great appreciation the extraordinary contributions of the Volunteers in Policing, whose efforts contribute to an improved quality of life for all residents.

NOW, THEREFORE, BE IT RESOLVED, that I, Marc Boomgaarden, Mayor of the City of Yuba City, on behalf of the entire Council and citizens we serve, do hereby recognize and honor the numerous hours of dedicated service the Yuba City Police Volunteers have contributed to our community.

Done on this 2nd day of June 2026 in the City of Yuba City, County of Sutter, State of California.



Proclamation

of the City Council

America the Entrepreneurial

WHEREAS, as America marks its 250th startup birthday in 2026, we must celebrate the entrepreneurial spirit that built our nation, states, and cities, forged by starters, makers, doers, and dreamers who pursued a better future; and

WHEREAS, the American Dream is a risk, and because America belongs to the living generation, it is our turn to renew the nation's entrepreneurial spirit; and

WHEREAS, entrepreneurs are essential to fostering economic prosperity, creating homegrown jobs, raising incomes, generating wealth, building stronger communities, diversifying goods and services, and reducing inequality and poverty; and

WHEREAS, each of us has the power to be a Founder of our nation's future, and we encourage every resident to take action that builds a more perfect union; and

WHEREAS, entrepreneurs have played a critical role in revitalizing the City of Yuba City and it is fitting to publicly recognize and celebrate the vital contributions of entrepreneurs to the prosperity and well-being of our community.

NOW, THEREFORE BE IT RESOLVED, that I, Marc Boomgaarden, Mayor of the City of Yuba City, on behalf of the entire Council and Citizens we serve, do hereby proclaim that the City of Yuba City will join "America the Entrepreneurial and take actions to encourage more entrepreneurship across our city. The City of Yuba City shall celebrate its entrepreneurs and entrepreneurial spirit throughout 2026.

Done on this 2nd day of June 2026 in the City of Yuba City, County of Sutter, State of California.



Proclamation

of the City Council

Dr. Tawny Dotson

Distinguished Leadership and Service

WHEREAS, Dr. Tawny Dotson faithfully served as President of Yuba College from 2020 through 2026, providing visionary leadership, steadfast dedication, and a deep commitment to student success and institutional excellence; and

WHEREAS, during her tenure, Dr. Dotson guided the creation of a five-year plan to make the Marysville campus more sustainable, welcoming, and aesthetically pleasing; and

WHEREAS, she helped develop the Yuba College 2022–2025 Educational Master Plan, contributing to an increase in the conversion rate of applicants to enrolled students from 37.5 percent to 58.53 percent; and

WHEREAS, Dr. Dotson successfully guided the college through the unprecedented challenges of the COVID-19 pandemic period with resilience, compassion, and strategic leadership; and

WHEREAS, under her leadership, Yuba College quadrupled dual enrollment opportunities across twelve K–12 schools and academies, expanding access to higher education for students throughout the region; and

WHEREAS, during her presidency, Yuba College enrollment grew from 3,875 full-time equivalent students to 5,000 FTES, and today the college proudly serves more than 10,000 students; and

WHEREAS, in partnership with the Yuba Water Agency, Dr. Dotson helped create a watershed management certificate program, strengthening workforce development and environmental stewardship opportunities within the community; and

WHEREAS, Dr. Dotson honorably served her country for 23 years as a Lieutenant Colonel in the United States Air Force, Air Force Reserve, and Air National Guard. She is a distinguished graduate of the Aspen Institute Rising Presidents Fellowship, the Aspen Institute Presidents Fellowship, and the University of California, Davis Wheelhouse Institute.

NOW, THEREFORE, BE IT RESOLVED, that I, Marc Boomgaarden, Mayor of the City of Yuba City, on behalf of the entire Council and Citizens we serve, do hereby proclaim that the City of Yuba City hereby recognizes and honors Dr. Tawny Dotson for her extraordinary leadership, dedicated service, and lasting contributions to Yuba College, the community, and higher education throughout California.

Done on this 2nd day of June 2026 in the City of Yuba City, County of Sutter, State of California.

CITY OF YUBA CITY

Public Communication

Members of the public may address the City Council on items of interest that are within the City's jurisdiction. Individuals addressing general comments are encouraged to limit their statements.

Procedure

You are welcome and encouraged to participate in this meeting. Complete a Speaker Card located in the lobby and give to the Clerk, public comment is taken on action items appearing on the Consent Calendar or Business Items on the Agenda when they are called. Public comment on any other items within the scope of the City's jurisdiction, including items not listed on the Agenda, will be considered at this time.

When a matter is announced, wait to be recognized by the Mayor to provide your comments to the Council. Comments should begin by providing your name and place of residence. A three minute limit is requested when addressing Council.

Request for additional time to address Council

Members of the public submitting written requests at least 24 hours prior to the meeting will be allotted 5 minutes to comment per speaker. Repetitive comments may be limited, and large groups are encouraged to select representatives to express the opinions of the group.

Procedure

When requesting to comment, please indicate your name and the topic and mail to:

City of Yuba City
Attn: City Clerk
1201 Civic Center Blvd
Yuba City CA 95993

Or email to:
Ciara Wakefield, City Clerk
cityclerk@yubacity.net

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Minutes from the May 19th, 2026 Regular City Council Meeting
Recommendation: Approve the Minutes from the May 19th, 2026 Regular City Council Meeting
Fiscal Impact: None

Attachments:

1. 05-19-2026 Regular Meeting Minutes (DRAFT)

Prepared By:
Ciara Wakefield
City Clerk

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

MINUTES (DRAFT)
REGULAR MEETING
CITY COUNCIL - CITY OF YUBA CITY

MAY 19, 2026

6:00 P.M. REGULAR MEETING
COUNCIL CHAMBERS/VIRTUAL

Regular Meeting

Call to Order

The Regular Meeting of the City Council was called to order by Mayor Boomgaarden at 6:00 PM

Roll Call:

Present: Mayor Boomgaarden and Councilmembers Cole (Remote), Shaw, and Pasquale
[Councilmember Cole participated remotely via Zoom with just cause – Traveling on City Business]

Absent: Councilmember Kirchner

Invocation/Inspiration

Ron Fortenberry YCPD Chaplain

Pledge of Allegiance to the Flag

Vice-Mayor Pasquale

Agenda Modifications

None

Ceremonial Presentations

1. Proclamation for Alzheimer’s & Brain Awareness Month

The Mayor presented a proclamation to Elicia Stewart – Walk Manager for the Walk to End Alzheimer's

2. Proclamation for National Public Works Week

The Mayor presented a proclamation to Josh Wolffe, Director and the entire Public Works Crew

Public Communication

3. Appearance of Interested Citizens

Tony Farley spoke
Liz Cervantes spoke

Consent Calendar

[Item 9 was pulled and moved to Business Items]

Councilmember Shaw moved and Vice-Mayor Pasquale seconded the motion to approve Consent Calendar items 4-8 & 10-14:

4. **Minutes from the April 7th and May 5th, 2026 Regular City Council Meetings**
Approve the minutes from the April 7th and May 5th, 2026 Regular City Council Meetings
5. **Pedestrian Safety and Striping Improvements Project (Award Contract)**
Adopt **Resolution 26-055** which takes the following actions:
 - A. Awards the construction contract to Central Striping Service, Inc. of Rancho Cordova, CA in the amount of their total bid of \$499,759.50, authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$49,975.95 (10%)
 - B. Finds that CEQA was previously assessed for the Project, a categorical exemption (Class 1, SCH 2026040545) was adopted, approval of this contract is within the scope of the previously approved Project, and no further environmental review is required under CEQA
 - C. Authorize the Finance Director to make a budget transfer in the amount of \$431,000.00 from 911024 (Striping and Marking) to 911316 (Pedestrian Safety Crosswalk Upgrades)
6. **Presentation of Investment Report--Quarter Ended March 31, 2026**
Note & File Quarterly Investment Report
7. **ZC 26-01 Mobile, Open Air, and Sidewalk Vending Ordinance Update**
Adopt by title only and waive the second reading of **Ordinance 002-26** of the City Council of the City of Yuba City amending Article 53 of Chapter 5 of Title 8 of the Municipal Code regarding Mobile, Open Air, and Sidewalk Vending operations, including a finding Zoning Code Amendment 26-01 is not subject to environmental review pursuant to CEQA Guidelines Section 15061(b)(3)
8. **Prop 1 IRWM Grant Project #4 - Corp Yard Improvements**
Adopt **Resolution 26-056** which takes the following actions:
 - A. Authorize the purchase of two single slope cover structures from Borga Steel Buildings & Components in the amount of \$86,441.67 for Project #4 of the Prop 1 IRWM Project, with the finding that it is in the best interest of the City, and authorizes a procurement contingency of \$8,650 (10%)
 - B. Awards a Professional Services Agreement to Hewitt Consulting Group of Yuba City, CA for foundation design services in the amount of up to \$9,500

[Item 9 – Item moved to Business]

9. ~~**Sutter Bike Path Gap Closure (Contract Award)**~~
Adopt a ~~Resolution~~ which takes the following actions:

- ~~A. Awards the construction contract to McGuire and Hester of Sacramento, CA in the amount of their total bid of \$1,783,741.50, authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$178,375.00 (10%)~~
- ~~B. Finds that CEQA was previously assessed for the Project, a categorical exemption (Class 4, SCH #2016048118) was adopted, approval of this contract is within the scope of the previously approved Project, and no further environmental review is required under CEQA~~
- ~~C. Awards a Professional Services Agreement to Mark Thomas & Company, Inc. of Roseville, CA, for Construction Management and Inspection Services in the amount of up to \$280,125.00, subject to material terms, with the finding that is in the best interest of the City~~
- ~~D. Authorize the Finance Director to make the following budget adjustments:

 - ~~1. Increase appropriations in 911266-65501 to \$150,000, utilizing unallocated Transportation Development Act (TDA) funds~~
 - ~~2. Decrease appropriations in 941266-65501 to \$1,984,000~~
 - ~~3. Increase appropriations in 951266-65501 to \$153,000~~~~

10. SACOG System Preservation Program (Grant Application)

Adopt **Resolution 26-058** authorizing the Public Works Director to submit grant applications to SACOG requesting funding under the 2026 System Preservation Program

11. Amended/Restated Regional Housing Authority JPA - Adding Lake County

Authorize the Mayor to sign the Amended/Restated Regional Housing Authority Joint Powers Agreement to include Lake County

12. Approve Changes for Field Service Technician

Adopt **Resolution 26-059** taking the following actions effective May 16, 2026:

- A. Approve a title change for Field Service Technician to Property and Evidence Technician
- B. Approve an amendment to the Salary Schedule to add Senior Property and Evidence Technician with a salary range of \$5,013 to \$6,093 monthly
- C. Reallocate 1.0 vacant and funded Community Service Officer authorized position in Budget Unit 2140-Field Operations to 1.0 Senior Property and Evidence Technician in Budget Unit 2130-Investigation
- D. Reclassify incumbent Field Service Technician to Senior Property and Evidence Technician
- E. Authorize Human Resources to conduct a recruitment to fill the Property and Evidence Technician vacancy

13. Approve Side Letter Agreement for IT Standby Pay

Adopt **Resolution 26-060** approving a side letter agreement with the First Level Managers to incorporate Standby Pay for the Information Technology Division into the Memorandum of Understanding

14. Approve Changes for Environmental Compliance Specialist

Adopt **Resolution 26-061** taking the following actions effective May 16, 2026:

- A. Approve an amendment to the Salary Schedule to add Environmental Compliance Specialist with a salary range of \$6,452 to \$7,843 monthly
- B. Authorize Human Resources to conduct a recruitment to underfill the vacant Environmental Compliance Coordinator position with the new Environmental Compliance Specialist class

The motion was passed with 4 votes [Boomgaarden, Pasquale, Cole (Remote), & Shaw (Kirchner Absent)]

Business Items

[Item 9 – Item moved from Consent]

9. Sutter Bike Path Gap Closure (Contract Award)

Vice Mayor Pasquale moved and Councilmember Shaw seconded to motion to:

Adopt **Resolution 26-057** which takes the following actions:

- A. Awards the construction contract to McGuire and Hester of Sacramento, CA in the amount of their total bid of \$1,783,741.50, authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$178,375.00 (10%)
- B. Finds that CEQA was previously assessed for the Project, a categorical exemption (Class 4, SCH #2016048118) was adopted, approval of this contract is within the scope of the previously approved Project, and no further environmental review is required under CEQA
- C. Awards a Professional Services Agreement to Mark Thomas & Company, Inc. of Roseville, CA, for Construction Management and Inspection Services in the amount of up to \$280,125.00, subject to material terms, with the finding that is in the best interest of the City
- D. Authorize the Finance Director to make the following budget adjustments:
 - 1. Increase appropriations in 911266-65501 to \$150,000, utilizing unallocated Transportation Development Act (TDA) funds
 - 2. Decrease appropriations in 941266-65501 to \$1,984,000
 - 3. Increase appropriations in 951266-65501 to \$153,000

The motion was passed with 4 votes [Boomgaarden, Pasquale, Cole (Remote), & Shaw (Kirchner Absent)]

15. Utilities Proposition 218 Public Hearing and Ordinance Update

Mayor Boomgaarden opened the Protest Hearing

Katy Carpenter spoke
Leonarda Martinez spoke
Amaya Schroeder spoke
Leona Zabelin spoke
Anabelle Pinfado spoke

Swarnjit Boyal spoke
Tony Farley spoke
Andrew (no last name) spoke
Sarah Llamas spoke
Caroline Santadi spoke
Troy Winham spoke

Mayor Boomgaarden closed the Protest Hearing

RECESS to accommodate the final protest tabulation by the City Clerk
Mayor Boomgaarden called the meeting back to order

The City Clerk reported no majority protest received and declared the results of the Proposition 218 Protest Count (387 protests)

Councilmember Shaw moved and Vice-Mayor Pasquale seconded the motion to:

Adopt **Resolution 26-062** declaring the results of the Proposition 218 Protest Count for the Proposed Increases in Water and Wastewater for Fiscal Years 26-27 through 30-31, Inclusive

The motion was passed with 4 votes [Boomgaarden, Pasquale, Cole (Remote), & Shaw (Kirchner Absent)]

Vice-Mayor Pasquale moved and Councilmember Shaw seconded the motion to:

Introduce an Ordinance of the City Council of the City of Yuba City amending Chapter 5 (Wastewater Collection and Treatment) and Chapter 6 (Water System) of Title 6 of the Yuba City Municipal Code and waive the first reading [including the errata as presented]

The motion was passed with 4 votes [Boomgaarden, Pasquale, Cole (Remote), & Shaw (Kirchner Absent)]

Future Agenda Items

16. Future Agenda Items

Councilmember Pasquale requested recognition of outgoing Yuba College President, Tawni Dotson at the meeting on June 2, 2026

Reports and Communications

17. City Manager's Report

18. City Council Reports

- Councilmember Cole
- Councilmember Kirchner
- Councilmember Shaw
- Vice-Mayor Pasquale
- Mayor Boomgaarden

Adjournment

Mayor Boomgaarden adjourned the Regular Meeting of the City Council at 8:01 PM in memory of Larry Munger, Joseph Benetar, James Underhill, and Burt Ithaburn

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Police Department
Presentation By: Brent Slade, Police Commander

Summary

Subject: Special Investigation Unit Task Force MOU

Recommendation:

A. Approve the Memorandum of Understanding (MOU) between the City of Yuba City, Sutter County Sheriff's Department, Sutter County Probation Department, and the Sutter County District Attorney's Office for the establishment of a Special Investigations Unit (SIU) task force

B. Authorize the Chief of Police to execute the agreement on behalf of the City and approve the MOU effective date of July 1, 2026

Fiscal Impact:

The total annual cost associated with this MOU shall not exceed \$60,000. Costs are shared between the City of Yuba City and the County of Sutter on an annual basis. The City of Yuba City will fund operational expenses associated with joint enforcement activities, with up to \$30,000 reimbursed annually by the County of Sutter pursuant to the terms of the agreement. The annual cost share is structured at \$30,000 per agency, with the City's net annual fiscal responsibility not to exceed \$30,000, which is expected to be absorbed within the Police Department's existing budget

Purpose:

The purpose of this MOU is to establish a coordinated, multi-agency framework for addressing narcotic-related offenses, violent crimes, and other criminal activity within Sutter County. This agreement is intended to enhance collaboration between participating agencies through shared resources, intelligence, and enforcement strategies while promoting efficiency, accountability, and effective prosecution. This MOU also provides structured funding sources to support joint operations and ensure long-term sustainability.

Strategic Focus Area:

This item supports the City Council's Strategic Area of Public Safety.

Background:

The NET-5 Task Force has historically served as a multi-agency collaborative unit focused on narcotics and gang enforcement within Sutter and Yuba County. Participating agencies include Yuba County Sheriff's Department, Sutter County Sheriff's Department, Marysville Police Department, Sutter County Probation Department, Sutter County DA's office, and the Yuba City Police Department.

Over time, the operational demands, enforcement priorities, and investigative strategies of participating agencies have evolved. While NET-5 has provided value in addressing narcotic and gang-related offenses, the participating agencies have identified the need for a more flexible, efficient, and intelligence-driven model that better aligns with current public safety priorities, including broader violent crime trends, drug trafficking patterns, and quality of life concerns.

As a result, partner agencies have evaluated the structure and effectiveness of NET-5 and determined that transitioning to the SIU model will better serve the Sutter County community.

Analysis:

The proposed MOU establishes a revised partnership model between the Yuba City Police Department, Sutter County Sheriff's Department, Sutter County Probation Department, and the Sutter County District Attorney's Office. This will enhance Interagency coordination while providing greater flexibility in addressing emerging crime trends.

Key Components of the MOU include:

SIU Task Force Structure:

The SIU will operate as a collaborative unit composed of personnel from participating agencies. Personnel will remain employees of their respective agencies and investigative priorities will be determined collaboratively based on case severity and community impact.

Shared Intelligence and Resources:

Participating agencies will maintain a strong information sharing practice to support coordinated enforcement efforts.

Agency Autonomy with Coordinated Support:

Each agency will retain operational control over its personnel while contributing to joint investigations and enforcement efforts.

Prosecutorial Collaboration:

The District Attorney's Office will provide legal guidance, assist with case preparation, and support successful prosecution of cases generated by the SIU.

Fiscal Impact:

The total annual cost associated with this MOU shall not exceed \$60,000. Costs are shared between the City of Yuba City and the County of Sutter on an annual basis. The City of Yuba City will fund operational expenses associated with joint enforcement activities, with up to \$30,000 reimbursed annually by the County of Sutter pursuant to the terms of the agreement. The annual cost share is structured at \$30,000 per agency, with the City's net annual fiscal responsibility not to exceed \$30,000,

which is expected to be absorbed within the Police Department's existing budget.

Alternatives:

- 1. Do not approve the MOU
- 2. Request modifications to proposed MOU

Recommendation:

A. Approve the Memorandum of Understanding (MOU) between the City of Yuba City, Sutter County Sheriff's Department, Sutter County Probation Department, and the Sutter County District Attorney's Office for the establishment of a Special Investigations Unit (SIU) task force.

B. Authorize the Chief of Police to execute the agreement on behalf of the City and approve the MOU effective date of July 1, 2026.

Attachments:

- 1. SIU MOU

Prepared By:
Brent Slade
Police Commander

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) to establish the Yuba City/Sutter County Special Investigation Unit is entered into by the following participating agencies.

YUBA CITY POLICE DEPARTMENT (YCPD)

SUTTER COUNTY SHERIFF'S OFFICE (SCSO)

SUTTER COUNTY PROBATION DEPARTMENT (SCPD)

SUTTER COUNTY DISTRICT ATTORNEY'S OFFICE (SCDA)

PURPOSE

The purpose of this memorandum is to establish a joint **Special Investigations Unit (SIU) Task Force** to collaboratively investigate, suppress, and dismantle organized criminal activity within Yuba City and Sutter County jurisdictions, including but not limited to:

- Narcotics trafficking
- Firearms and weapons violations
- Violent crime and criminal enterprises
- Repeat offenders and probation/parole violators

The SIU Task Force is intended to enhance interagency cooperation, maximize limited resources, improve investigative effectiveness, and produce measurable public-safety outcomes

1. MISSION

The mission of the joint **Special Investigations Unit (SIU) Task Force** is to collaboratively identify, investigate, and dismantle organized criminal activity impacting Yuba City and Sutter County through intelligence-led policing, proactive investigations, and coordinated interagency enforcement. By leveraging the combined resources and expertise of the **Yuba City Police Department, Sutter County Sheriff's Office, Sutter County Probation Department, and the Sutter County District Attorney's Office**, the SIU Task Force is committed to reducing violent crime, disrupting narcotics and firearms trafficking, and holding repeat offenders accountable while upholding constitutional policing, professional standards, and public trust. The effectiveness of the SIU Task Force will be measured through quantifiable outcomes, including investigations completed, arrests made, contraband and weapons seized, and cases submitted for prosecution, ensuring transparency, accountability, and meaningful public-safety impact.

2. AGENCY DESIGNATIONS

Funding Agency - A "Funding Agency" is an agency that provides direct budgetary funding to the SIU Task Force through departmental budgeting and/or allocated grant funds. These agencies are responsible for the direction, decisions, and day-to-day management of SIU. The Funding agencies for this agreement are:

The Yuba City Police Department
The Sutter County Sheriff's Office

Participating Agency - A "Participating Agency" is an allied state, federal, or local law enforcement agency that has made a commitment of resources and manpower for an agreed upon time period. These agencies will be responsible for investigations and all associated investigative functions. The Participating agencies for this agreement are:

- **The Yuba City Police Department**
- **The Sutter County Sheriff's Office**
- **The Sutter County Probation Department**
- **The Sutter County District Attorney's Office**

3. TASK FORCE SUPERVISION, DIRECTION, AND POLICY AUTHORITY

The SIU Task Force shall be supervised by a **Task Force Sergeant**, who shall be a **Yuba City Police Department Sergeant assigned to the Task Force, unless otherwise determined by the Chief and Sheriff**. The Task Force Sergeant shall be responsible for the **day-to-day supervision, coordination, and operational oversight** of SIU personnel and investigations. The Task Force Sergeant shall work under the **direction of the designated Yuba City Police Department's Investigations Lieutenant with additional guidance provided by the Sutter County Investigations Lieutenant**, who shall provide strategic guidance, oversight, and interagency coordination as necessary.

SIU personnel shall operate under the **operational supervision of the Task Force Sergeant** while assigned to the unit; however, all personnel shall remain employees of their respective home agencies and shall **continue to be governed by the policies, procedures, rules, and standards of conduct of their home agency**, including any restrictions related to authority, training, or assignment.

Investigative workloads shall be **prioritized collaboratively** based on the **severity of offenses, threat to public safety, complexity of investigations, availability of resources, and prosecutorial considerations**. In the event of a policy conflict affecting assigned personnel, the employee shall adhere to the policy of their **home agency**, and the matter shall be elevated through the Task Force Sergeant and the designated Investigations Lieutenants for resolution to ensure lawful, consistent, and effective operations.

The Task Force Sergeant will be compensated through the Yuba City Police Department in accordance with their existing salary.

4. BUDGET

Each Funding Agency shall be **individually responsible for all costs associated with its assigned personnel and equipment**, including, but not limited to, salaries, benefits, overtime, training, vehicles, standard-issue equipment, and routine operational expenses.

In addition, the Funding Agencies agree to jointly support the SIU Task Force's operational needs by contributing a total not to exceed **Thirty Thousand Dollars (\$30,000) per fiscal year**, per agency, to fund **undercover buys, confidential expenditures, and specialized equipment necessary for SIU operations**. The Yuba City Police Department will invoice the Sutter County Sheriff's Office on a quarterly basis with a breakdown of the actual cost sharing expenses. Any increase/decrease to the operational costs shall be mutually agreed upon by the Chief of Police and Sheriff.

The **Yuba City Police Department** shall serve as the fiscal administrator for these shared funds and shall **invoice the Sutter County Sheriff's Office on a quarterly basis with a breakdown of the actual cost sharing expenses and the total annual invoicing not to exceed Thirty Thousand Dollars (\$30,000) per fiscal year** unless additional funding is **mutually agreed upon in writing** by the **Chief of Police** and the **Sheriff**.

Notwithstanding the foregoing, it is mutually agreed that if, for the current fiscal year and/or any subsequent fiscal years covered by this MOU, insufficient funds are appropriated to make the contributions called for by this MOU, this MOU shall be of no further force and effect. In this event,

the Funding Agencies shall have no obligation to make a future contribution whatsoever under this MOU and shall not be obligated to perform any further services under this MOU. The parties acknowledge and agree that the limitations set forth herein are required by Article XVI, section 18 of the California Constitution. The parties acknowledge and agree that Article XVI, section 18 of the California Constitution supersedes any conflicting law, rule, regulation or statute.

5. TRAINING

Each funding and participating agency shall be **individually responsible for sending its assigned personnel** to the following required courses: basic two-week **narcotic investigations course, ICI Core Course, and Interview and Interrogations**. Training shall be handled by each agency in accordance with its **individual budgetary constraints, departmental requirements, and training approval processes**. Assigned personnel shall report to their home agencies as directed for other required training (i.e. CLETS, CPR, PSP, etc.).

6. RESOURCES

Each of the below listed agencies have agreed, by virtue of the signature of the department head affixed to this MOU, to contribute the following personnel and/or resources to the **SIU Task Force** in each year of this agreement.

The officer/deputy assigned to the **SIU Task Force** as a permanent member of the unit will have, as a minimum standard of acceptance, a basic POST certificate and have completed his/her entry level probationary period. This shall not include any officer/deputy assigned on a temporary basis for special assignment, training, etc., nor shall it include the Sutter County Probation Officer assigned to the task force.

The officer/deputy assigned to the **SIU Task Force** shall generally be obligated to a three-year commitment with a fourth-year option.

Yuba City Police Department

- Two police officers
- One police sergeant
- Three undercover vehicles with radios
- One-half contribution of operational funds
- Evidence storage at YCPD
- Standard complement of investigative and safety equipment
- Provide accounting services for accounts payable and asset forfeiture proceeds.
- One CI vehicle

Sutter County Sheriff's Office

- Two sheriff's deputies
- One-half contribution of operational funds
- Evidence storage at SCSO
- Standard complement of investigative and safety equipment

- Two undercover vehicles and two radios
- One Tactical Van

Sutter County Probation Department

- One (armed) Probation Officer at approximately 20 hours per week
- Standard complement of investigative and safety equipment
- Undercover vehicle with radio

Sutter County DA's Office

- One (armed) Investigator at approximately 20 hours per week
- Standard complement of investigative and safety equipment
- Legal support and case prosecution
- Undercover vehicle with radio

7. FACILITIES, EQUIPMENT AND PROPERTY

Any and all property, including equipment, furniture, furnishings of whatever kind or description, purchased or acquired shall be the property of each Funding Agency (Yuba City Police Department and Sutter County Sherriff's Office) and at the termination of the MOU and whereupon no new agreement or MOU is reached, all said property shall be divided up, and assigned to specific Funding Agencies by mutual agreement.

Any equipment under the control of the **SIU Task Force** purchased with task force funds, seized and placed into service, or provided by a participating agency which is damaged, broken, misplaced, lost or stolen, through gross negligence, wrongful act, or omission of an officer or agent assigned to the SIU Task Force, shall be repaired or replaced by the agency of the responsible employee at the determination of the two Funding Agencies.

8. ASSET FORFEITURE

All asset proceeds derived from the **SIU Task Force** activities will be deposited into the operations account previously identified and maintained by the Yuba City Finance Department.

The following distribution of assets will be implemented, one half to the Yuba City Police Department and one-half to the Sutter County Sherriff's Office. Each agency shall follow its respective procurement and purchasing guidelines when acquiring items with asset forfeiture funds.

All vehicles and property will be sold at auction with the proceeds directed to the respective district attorney's office for distribution pursuant to the Health and Safety Code asset forfeiture laws. All proceeds directed to the **SIU Task Force** will be deposited into the **SIU Task Force** asset forfeiture account.

All proceeds distributed to the SIU Task Force will be placed in the SIU Task Force account and those funds that exceed the anticipated operating expenses of the task force may be divided as per agreement. A reasonable reserve shall be established by the Chief and Sheriff. Modifications

to the asset forfeiture agreement require approval by the Chief and Sheriff.

9. ADMINISTRATION AND AUDIT

Any and all records pertaining to the **SIU Task Force** shall be readily available for examination and audit by any Participating Agency and their authorized representatives. In addition, all such records and reports shall be maintained until audits and examinations are completed and resolved, for a period that follows the agencies' records and retention guidelines.

A formal administrative inspection of the **SIU Task Force** will be performed as directed by the Chief and Sheriff. The Chief and Sheriff will determine when an inspection will be conducted, who will conduct the inspection, and what areas will be inspected. A report will be completed by the person(s) conducting the inspection, and the completed report will be presented to the Chief and Sheriff within 30 days of the completion of the inspection.

The parties shall be subject to the examination and audit of the State Auditor, at the request of a party or as part of any audit of the party. This section shall survive the expiration or termination of this Agreement.

10. NONDISCRIMINATION CLAUSE

All participating agencies will comply with Title VI of the Civil Rights Act of 1964 and all requirements imposed or pursuant to the regulations of the U.S. Department of Justice (CFR, Part 42, Subparts C and D) issued pursuant to Title VI relating to discrimination on the grounds of race, color, creed, sex, age or national origin and equal employment opportunities.

11. PRESS RELEASES

The only individuals authorized to make press releases concerning the activity of the **SIU Task Force** are the designees of the Chief of Police and the Sheriff.

12. CLANDESTINE LABORATORY INVESTIGATIONS

Allied agency department employees, including those assigned to a drug task force, shall not enter a "confined space" (as defined in Title 8, Section 5156 of the California Code of Regulations, General Industry Safety Orders) unless properly trained and equipped pursuant to Title 8, Section 5157 et seq.

13. POLICY AND PROCEDURE MANUAL

It is agreed that all members of the task force shall abide by the applicable policies and procedures as expressed in the **Task Force** manual, which is specific in content to the needs, objectives and goals of the **SIU Task Force**. If for some reason the task force manual contradicts the agent's own policy and procedures, then the agent will follow their own agencies' policy and procedures.

14. INDEMNIFICATION

To the fullest extent permitted by law, each of the Parties shall indemnify, defend and hold harmless each of the other Parties, their respective governing boards, officers, directors, officials, employees, and authorized volunteers and agents from and against any and all claims, demands, actions, losses, liabilities, damages, and all expenses and costs incidental thereto (collectively "Claims"), including cost of defense, settlement, arbitration, and reasonable attorneys' fees, resulting from injuries to or death of persons, including but not limited to employees of any Party hereto, and damage to or destruction of property or loss of use thereof, including but not limited to the property of any Party hereto, arising out of, pertaining to, or resulting from the acts or omissions of the their respective governing boards, officers, directors, officials, employees, volunteers, agents, or contractors.

It is the intention of the Parties that the provisions of this indemnity be interpreted to impose on each Party responsibility to the other for the acts and omissions of their governing boards, officers, directors, officials, employees, volunteers, agents or contractors. It is also the intention of the Parties that, where comparative fault is determined to have been contributory, principles of comparative fault will be followed and each Party shall bear the proportionate cost of any Claims attributable to the fault of that Party, its governing board, officers, directors, officials, employees, volunteers, agents, or contractors.

This indemnity shall not be limited by the types and amounts of insurance or self- insurance maintained by the Parties. Nothing in this Indemnity shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party. The provisions of this Indemnity shall survive the expiration or termination of the Agreement.

15. INSURANCE

Each Party, at its sole cost and expense, shall carry insurance, or self-insure, its activities in connection with this MOU, and obtain, keep in force and maintain, insurance or equivalent programs of self-insurance, for general liability, workers compensation, and business automobile liability, adequate to cover its potential liabilities hereunder. Each Party agrees to provide the others 30 days' advance written notice of any cancellation, termination, or lapse of any of the insurance or self-insurance coverages.

16. TERM OF AGREEMENT

This agreement shall commence on July 1, 2026 and shall remain operational until one party terminates the MOU. Any party may terminate its participation in this agreement by submitting advance 90-day written notice with or without cause to the Yuba City Police Department or Sutter County Sheriff's Office Department Head (Chief/Sheriff) prior thereof. If the party's withdrawal will affect budgetary decisions or division of assets, the Chief and Sheriff will meet and develop an equitable solution. **Both Funding Agencies** will only be responsible for financial obligations incurred during the term of this agreement.

17. AUTHORIZATION

The Participating Agencies, by their duly authorized officials, have executed this MOU on the respective dates indicated below.

SIGNATURES:

Yuba City Police Department

By: _____

Name: _____

Title: _____

Date: _____

Sutter County Sheriff's Office

By: _____

Name: _____

Title: _____

Date: _____

Sutter County Probation Department

By: _____

Name: _____

Title: _____

Date: _____

Sutter County District Attorney's Office

By: _____

Name: _____

Title: _____

Date: _____

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Human Resources Department
Presentation By: Aricka Espinoza, Administrative Analyst

Summary

Subject: 2026 City Hall Holiday Closure
Recommendation: Adopt a Resolution authorizing the closure of City Hall from November 23, 2026 through Friday, November 27, 2026, Monday, December 21, 2026 through Friday, December 25, 2026, and Friday, January 1, 2027
Fiscal Impact: None

Purpose:

To provide advance notice to the public and City staff to plan for the holiday periods:

1. Thanksgiving: Monday, November 23, 2026 through Friday, November 27, 2026
2. Christmas: Monday, December 21, 2026 through Friday, December 25, 2026
3. New Year's Day: Friday, January 1, 2027

Strategic Focus Area:

This item addresses the Strategic Focus area of Workforce Excellence by allowing employees an opportunity to take extra time off before the end of the calendar year while customer service demands are low. It also allows advanced notice of closures to the public.

Background:

Historically, the numbers of City Hall's routing counter service requests and utility bill payments the week of Thanksgiving and the time between Christmas and New Year's Day are low. Since 2011, City Hall has been closed the week of Christmas and on New Year's Day.

Since 2020, the holiday closure has also included Thanksgiving week. Beginning in 2024, the week of Thanksgiving became a recognized paid holiday for the Public Employees' Union, Local 1/AFSCME 57, First Level Managers, and Mid-Managers bargaining units as well as the Confidential Employees unit. Employees that are required to work during the week of Thanksgiving have the option to take those holiday hours off during the months of October, November, or December. Those employees in these bargaining units not required to work use Thanksgiving holiday hours during the week of

Thanksgiving.

Beginning in February 2025, the office hours for City Hall changed to Monday through Thursday, 8am to 5pm, and Friday by appointment only. Friday holiday closures will not impact the current business hours of City Hall.

The proposed time periods to close City Hall are:

1. Thanksgiving Week:

Monday, November 23	Tuesday, November 24	Wednesday, November 25	Thursday, November 26	Friday, November 27	Saturday, November 28	Sunday, November 29	Monday, November 30
Holiday	Holiday	Holiday	Holiday	Holiday			
Closure	Closure	Closure	Closure	Regular Closure			Open

2. Christmas Week: The Christmas Float Holiday falls on Thursday, December 24, 2026.

Monday, December 21	Tuesday, December 22	Wednesday, December 23	Thursday, December 24	Friday, December 25
Holiday	Holiday	Holiday	Float Holiday	Obs. Holiday
Closure	Closure	Closure	Closure	Regular Closure

3. New Year's Day: The New Year's Eve Float Holiday falls on Thursday, December 31, 2026.

Monday, December 28	Tuesday, December 29	Wednesday, December 30	Thursday, December 31	Friday, January 1	Saturday, January 2	Sunday, January 3	Monday, January 4
			Float Holiday	Obs. Holiday			
Open	Open	Open	Open	Regular Closure			Open

This holiday closure provides an opportunity for employees to take extra time off before the end of the calendar year while customer service demands are low. Employees may elect to work during the Christmas and New Year's Day holiday closure or may utilize accrued discretionary leave time.

These holiday closures do not impact emergency services or other facilities such as the Corporation Yard, Water Treatment Facility or Wastewater Treatment Facility. Also, inspection services will remain available.

Analysis:

The Local 1, First Level Managers, and Mid-Managers bargaining units as well as the Confidential unit have been notified of the recommended closures.

The Holiday Closures will be well advertised to the public to ensure advance and thorough notification. If approved, a news release would be published to the City's website. Notices of the closure will be posted at City Hall as well as on the City's social media accounts.

Fiscal Impact:

There is no fiscal impact on the General Fund.

Alternatives:

Do not close City Hall for Thanksgiving week, Christmas week, or New Year's Day.

Recommendation:

Adopt a Resolution authorizing the closure of City Hall from Monday, November 23, 2026 through Friday, November 27, 2026, Monday, December 21, 2026 through Friday, December 25, 2026, and Friday, January 1, 2027.

Attachments:

1. Attachment 1 - Resolution

Prepared By:
Aricka Espinoza
Administrative Analyst

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
APPROVING THE CITY HALL HOLIDAY CLOSURES FROM NOVEMBER 23,
2026 – NOVEMBER 27, 2026, DECEMBER 21, 2026 – DECEMBER 25, 2026,
AND JANUARY 1, 2027**

WHEREAS, given reduced City Hall public service needs during holiday periods, the City is providing employees at City Hall the opportunity to take time off over the below described holiday periods with minimal impact to the public;

WHEREAS, the City Hall Holiday Closures have been successful and well received by the public since 2011;

WHEREAS, non-City Hall operations function during the holiday periods in accordance with normal operational schedules and time off policies;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

City Hall shall be closed to the public from Monday, November 23, 2026 through Friday, November 27, 2026, Monday, December 21, 2026 through Friday, December 25, 2026, and Friday, January 1, 2027. The Christmas Float Holiday is on Thursday, December 24, 2026 and the New Year's Eve Float Holiday is on Thursday, December 31, 2026.

The forgoing Resolution of the City Council of the City of Yuba City was duly introduced, passed and adopted at a regular meeting thereof held on the 2nd day of June 2026.

AYES:

NOES:

ABSENT:

Marc Boomgarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

Ian Sangster
Kronick, Special Counsel

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Yuba City Landscape District No. 1 - Annual Levy Initiation
Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Landscape Maintenance District No. 1, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972
Fiscal Impact: Receipt of assessments and expenditure of funds for lighting and landscape maintenance districts throughout the City

Purpose:

To continue to provide lighting and landscape maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

Strategic Focus Area:

Levying Yuba City Landscape Maintenance District No. 1 (LLMD 1) addresses the City Council's Strategic Focus Area of Infrastructure, as levying LLMD No. 1 will ensure that street lighting, landscaping, and other items included in the Districts are maintained and in operation.

Background:

The City annually levies and collects special assessments in order to maintain and service landscaping and lighting improvements that provide special benefit to the parcels identified in LLMD 1 (District). The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the District was formed.

LLMD 1 includes the Stabler Lane area (Zone of Benefit A) and Garden Highway Area (Zones of Benefit B, B_1, and B_2). Zones of Benefit A and B do not have provisions for a cost of living adjustment (COLA) and have historically been charged the maximum levy allowed in order to cover their annual expenses. Zones B_1 and B_2 are recently formed zones of benefit and do have provisions for a COLA, which is based on the Consumer Price Index from January to January.

Analysis:

The proposed action of ordering the Engineer of Work to file reports for the District is the first step in the

annual levy process. This step allows staff to review expenses and revenues for the District, determine how to best levy the District such that revenues meet or exceed expenditures and appropriate reserve balances are maintained, and ultimately file reports that will be reviewed and approved by Council. Once the reports are approved by Council, a Public Hearing will be held for the District's annual levies.

Fiscal Impact:

Staff time and consultant expenditures within budgeted administration amounts will be required to prepare and file the reports. The proposed assessments for Fiscal Year 2026-27 will be available for review and analyzed in depth at the time of the Annual Report Approval.

Alternatives:

Do not order the Engineer of Work to file reports for the District. This will result in delays to the annual levy process, ultimately causing the City to file with the County Auditor after the legal deadline.

Recommendation:

Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Landscape Maintenance District No. 1, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.

Attachments:

1. Resolution - LLMD 1 Initiation

Prepared By:
Joshua Wolffe
Public Works Director

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DESCRIBING IMPROVEMENTS AND ORDERING THE ENGINEER OF WORK TO FILE A
REPORT WITH REGARD TO YUBA CITY LANDSCAPE MAINTENANCE DISTRICT NO. 1
(STABLER LANE/GARDEN HIGHWAY AREA) FOR THE 2026-27 FISCAL YEAR**

WHEREAS, the City of Yuba City is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the review of annual assessment of existing Districts; and

WHEREAS, Landscape Maintenance District No. 1 has been formed pursuant to the Landscaping and Lighting Act of 1972, and has been brought into compliance with Proposition 218; and

WHEREAS, the City Council of the City of Yuba City desires that assessments be levied and collected in said assessment district for the 2026-27 Fiscal Year in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council wishes to secure an Engineer's Report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. There are no proposed new improvements or any substantial changes in existing improvements for Landscape Maintenance District No. 1. The City Engineer is hereby ordered to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California for Fiscal Year 2026-27 Landscape Maintenance District No. 1 assessments.
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd Day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Yuba City Lighting and Landscape District Nos. 2-4 - Annual Levy Initiation
Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, and 4, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972
Fiscal Impact: Receipt of assessments and expenditure of funds for lighting and landscape maintenance districts throughout the City

Purpose:

To continue to provide lighting and landscape maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

Strategic Focus Area:

Levying Yuba City Lighting and Landscape Maintenance District Nos. 2-4 (LLMD's 2-4) addresses the City Council's Strategic Focus Area of Infrastructure, as levying LLMD's 2-4 will ensure that street lighting, landscaping and associated items, block walls, detention ponds, and street-end barricades included in the Districts are maintained and in operation.

Background:

The City annually levies and collects special assessments in order to maintain and service landscaping and lighting improvements that provide special benefit to the parcels identified in LLMD 2, 3, and 4 (Districts). The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the Districts were formed.

LLMD No. 2 (Town Square Area), and LLMD Nos. 3 and 4 (13 subdivisions located throughout Yuba City) have provisions for Cost of Living Adjustments, which are based on the Consumer Price Index from January to January.

Analysis:

The proposed action of ordering the Engineer of Work to file reports for the Districts is the first step in the annual levy process. This step allows staff to review expenses and revenues for the Districts,

determine how to best levy the Districts such that revenues meet or exceed expenditures and appropriate reserve balances are maintained, and ultimately file reports which will be reviewed and approved by Council. Once the reports are approved by Council, a Public Hearing will be held for the Districts' annual levies.

Fiscal Impact:

Staff time and consultant expenditures within budgeted administration amounts will be required to prepare and file the reports. The proposed assessments for Fiscal Year 2026-27 will be available for review and analyzed in depth at the time of the Annual Report Approval.

Alternatives:

Do not order the Engineer of Work to file reports for the Districts. This will result in delays to the annual levy process, ultimately causing the City to file with the County Auditor after the legal deadline.

Recommendation:

Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, and 4, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.

Attachments:

1. Resolution - LLMD 2-4 Initiation

Prepared By:
Joshua Wolffe
Public Works Director

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY DESCRIBING IMPROVEMENTS AND ORDERING THE ENGINEER OF WORK TO FILE A REPORT REGARDING YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 2 (TOWN CENTER) AND YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NOS. 3 AND 4 (13 SUBDIVISIONS THROUGHOUT YUBA CITY) FOR THE 2026-27 FISCAL YEAR

WHEREAS, the City of Yuba City is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the review of annual assessment of existing Districts; and

WHEREAS, Lighting and Landscape Maintenance District Nos. 2, 3, and 4 have been formed pursuant to the Landscaping and Lighting Act of 1972, and have been brought into compliance with Proposition 218; and

WHEREAS, the City Council of the City of Yuba City desires that assessments be levied and collected in said assessment districts for the 2026-27 Fiscal Year in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council wishes to secure Engineer's Reports in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. There are no proposed new improvements or any substantial changes in existing improvements for Lighting and Landscape Maintenance District Nos. 2, 3, and 4. The City Engineer is hereby ordered to prepare and file reports in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California for Fiscal Year 2026-27 Lighting and Landscape Maintenance District Nos. 2, 3, and 4 assessments.
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd Day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Yuba City Lighting and Landscape District Nos. 5-6 - Annual Levy Initiation
Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 5-6, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972
Fiscal Impact: Receipt of assessments and expenditure of funds for lighting and landscape maintenance districts throughout the City

Purpose:

To continue to provide lighting and landscape maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

Strategic Focus Area:

Levying Yuba City Lighting and Landscape Maintenance District Nos. 5 and 6 (LLMD 5 and 6) addresses the City Council's Strategic Focus Area of infrastructure, as levying LLMD 5 and 6 will ensure that street lighting, landscaping and associated items, block walls, detention ponds, and street-end barricades included in the Districts are maintained and in operation.

Background:

The City annually levies and collects special assessments in order to maintain and service landscaping and lighting improvements that provide special benefit to the parcels identified in LLMD 5 and 6 (Districts). The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the Districts were formed.

LLMD 5 (64 subdivisions located throughout Yuba City) and 6 (Commercial District) have provisions for a Cost of Living Adjustment based on the Consumer Price Index from January to January.

Analysis:

The proposed action of ordering the Engineer of Work to file reports for the Districts is the first step in the annual levy process. This step allows staff to review expenses and revenues for the Districts, determine how to best levy the Districts such that revenues meet or exceed expenditures and

appropriate reserve balances are maintained, and ultimately file reports which will be reviewed and approved by Council. Once the reports are approved by Council, a Public Hearing will be held for the Districts' annual levies.

Fiscal Impact:

Staff time and consultant expenditures within budgeted administration amounts will be required to prepare and file the reports. The proposed assessments for Fiscal Year 2026-27 will be available for review and analyzed in depth at the time of the Annual Report Approval.

Alternatives:

Do not order the Engineer of Work to file reports for the Districts. This will result in delays to the annual levy process, ultimately causing the City to file with the County Auditor after the legal deadline.

Recommendation:

Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports regarding Yuba City Lighting and Landscape Maintenance District Nos. 5 and 6, to continue the Maintenance Districts pursuant to the Landscaping and Lighting Act of 1972.

Attachments:

1. Resolution - LLMD 5-6 Initiation

Prepared By:
Joshua Wolffe
Public Works Director

Submitted By:
Robert Bendorf
Interim City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DESCRIBING IMPROVEMENTS AND ORDERING THE ENGINEER OF WORK TO FILE
REPORTS REGARDING YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT NOS. 5 (64 SUBDIVISIONS THROUGHOUT YUBA CITY) AND 6 (COMMERCIAL
DISTRICTS) FOR THE 2026-27 FISCAL YEAR**

WHEREAS, the City of Yuba City is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the review of annual assessment of existing Districts; and

WHEREAS, Lighting and Landscape Maintenance District Nos. 5 and 6 have been formed pursuant to the Landscaping and Lighting Act of 1972, and have been brought into compliance with Proposition 218; and

WHEREAS, the City Council of the City of Yuba City desires that assessments be levied and collected in said assessment district for the 2026-27 Fiscal Year in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council wishes to secure Engineer's Reports in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. There are no proposed new improvements or any substantial changes in existing improvements for Lighting and Landscape Maintenance District Nos. 5 and 6. The City Engineer is hereby ordered to prepare and file reports in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California for Fiscal Year 2026-27 Lighting and Landscape Maintenance District Nos. 5 and 6 assessments.
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd Day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Yuba City Residential Street Light Maintenance Districts - Annual Levy Initiation
Recommendation: Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Residential Street Light Maintenance Districts, to continue the Maintenance Districts pursuant to the Benefit Assessment Act of 1982 and Article XIIID of the California Constitution
Fiscal Impact: Receipt of assessments and expenditure of funds for lighting and landscape maintenance districts throughout the City

Purpose:

To initiate proceedings for the continuation of the levy of Assessments for Fiscal Year 2026-27 within the Residential Street Light Maintenance Districts, pursuant to the provisions of the Benefit Assessment Act of 1982 and Article XIIID of the California Constitution.

Strategic Focus Area:

Levying Yuba City Residential Street Light Maintenance Districts (RSLMDs) addresses the City Council's Strategic Focus Area of infrastructure, as levying of the RSLMDs will ensure that street lighting remains operational.

Background:

The City annually levies and collects special assessments in order to maintain and service streetlights in the Walton Area and Tierra Buena Area (Districts). The Districts were formed when the areas were under the County's jurisdiction, and the City took over the administration of the Districts when they were annexed into the City.

Analysis:

The proposed action of ordering the Engineer of Work to file reports for the Districts is the first step in the annual levy process. This step allows staff to review expenses and revenues for the Districts, determine how to best levy the Districts such that revenues meet or exceed expenditures and appropriate reserve balances are maintained, and ultimately file reports which will be reviewed and approved by Council. Once the reports are approved by Council, a Public Hearing will be held for the Districts' annual levies.

Fiscal Impact:

Staff time and consultant expenditures within budgeted administration amounts will be required to prepare and file the reports. The proposed assessments for Fiscal Year 2026-27 will be available for review and analyzed in depth at the time of the Annual Report Approval.

Alternatives:

Do not order the Engineer of Work to file reports for the Districts. This will result in delays to the annual levy process, ultimately causing the City to file with the County Auditor after the legal deadline.

Recommendation:

Adopt a Resolution describing improvements and ordering the Engineer of Work to file a report regarding Yuba City Residential Street Light Maintenance Districts, to continue the Maintenance Districts pursuant to the Benefit Assessment Act of 1982 and Article XIID of the California Constitution..

Attachments:

1. Resolution - RSLMD Initiation

Prepared By:
Joshua Wolffe
Public Works Director

Submitted By:
Robert Bendorf
City Manager

■

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ORDERING THE ENGINEER OF WORK TO FILE REPORTS FOR THE ANNUAL
ASSESSMENT FOR FISCAL YEAR 2026-27 FOR THE YUBA CITY RESIDENTIAL STREET
LIGHT MAINTENANCE DISTRICT (WALTON AREA) AND YUBA CITY RESIDENTIAL
STREET LIGHT MAINTENANCE DISTRICT (TIERRA BUENA AREA)**

WHEREAS, the City Council of the City of Yuba City previously formed Yuba City Residential Street Light Maintenance District (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) (“Districts”), pursuant to the provisions of the Benefit Assessment Act of 1982, California Government Code Division 2, Chapter 6.6, Section 54703 et seq. (hereafter referred to as the “Act”); and

WHEREAS, a Report (hereafter referred to as the “Formation Report”) was prepared, filed and approved by the City Council in connection with each of the Districts and the levy of said assessments, pursuant to Section 54716 of said Act; and

WHEREAS, the City Council conducted property owner protest proceedings relating to the improvements and services described in the Formation Report and the levy and collection of annual assessments and an assessment range formula related thereto, including cost of living adjustments (COLAs) for each of the Districts in accordance with the provisions of the California Constitution Article XIID (Proposition 218); and

WHEREAS, the Council desires to direct and authorize the City Engineer to assist with the calculation and establishment of the assessments and to prepare and file a budget report(s) (hereafter referred to as the (“Engineer’s Report”) with the City Clerk, generally describing how the Districts were formed, the improvements and services within the Districts, the method of apportionment and dispensation of the benefits, and the budget containing the costs and proposed levy amounts for funding the benefits and the assessment roll.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. There are no proposed new improvements or any substantial changes in existing improvements for Yuba City Residential Street Light Maintenance District (Walton Area) and Yuba City Residential Street Light Maintenance District (Tierra Buena Area) (“Districts”). The City Engineer is hereby ordered to prepare and file Engineer’s Reports for the annual assessment for Fiscal Year 2026-27 for the Districts.
2. This Resolution shall take effect immediately.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd Day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Prop 1 IRWM Grant Project #4 - North Gilsizer Detention Basin Improvements
Recommendation: Adopt a Resolution that authorizes the purchase of a Continuous Deflective System Unit (Model #CDS5678-10-C) from Contech Engineered Solutions, LLC in the amount of \$136,750.00, with a finding that it is in the best interest of the City, and authorizing a procurement contingency of \$13,675.00.
Fiscal Impact: \$150,425 – Account No. 951296-65501 (N Gilsizer Detention Basin Improvement Project)
 \$136,750 – Procurement of Materials
 \$13,675 – Procurement Contingency (10%)

Purpose:

To minimize adverse water quality impacts from point sources to surface and groundwater and to improve and protect riparian and fish habitat, and fish passage by removing trash and debris from stormwater runoff before it enters the North Gilsizer Detention Basin (Detention Basin).

Strategic Focus Areas:

The project aligns with the City Council's Focus Area regarding Improving Infrastructure.

Background:

The City of Yuba City is a stakeholder in the North Sacramento Valley (NSV) Integrated Regional Water Management (IRWM) region, which includes Butte, Colusa, Glenn, Shasta, Sutter, and Tehama Counties.

In 2019, Butte County was the lead agency for the NSV IRWM Proposition 1 Round 1 grant funding application. Butte County examined various stakeholder's projects that have been identified in approved Storm Water Resource Plans (SWRP). Two of the City's SWRP projects were selected to be included in Butte County's NSV IRWM Proposition 1 Round 1 grant application: Project 4 Gilsizer North Detention Basin Improvement Project (Project 4) and Project 5 Lincoln Road Trash Capture Project in Gilsizer Slough at Lincoln Road (Project 5). The City's projects were awarded funding by DWR in the amount of \$970,700 on July 3, 2020. On July 20, 2021, Council authorized the City Manager to enter into a Subrecipient Agreement with Butte County allowing allocation of the grant funds for these

projects.

Project 4 involves improvements to the detention basin east of the City's Corporation Yard, and constructing structures to cover the existing fuel station and bulk material storage areas at the Corporation Yard.

On April 5, 2022, Council authorized the City Manager to execute a Professional Services Agreement with West Yost and Associates, Inc. (West Yost) to facilitate environmental documents, permitting, and design of the projects. West Yost is near completion of the final plans, specifications, and cost estimate for the trash capture device at the detention basin. After several design alternatives were evaluated and numerous discussions with Sutter County staff overseeing the Gilsizer Drainage District, the final design consists of a single Continuous Deflective Separation (CDS) Unit (Model #CDS5678-10-C) at the north inlet to the detention basin.

Analysis:

Contech Engineered Solutions, LCC is the sole supplier of the required CDS unit. Due to the estimated 6–10 week procurement lead time for the CDS unit and grant timeline requirements, staff recommends authorizing early purchase of the CDS unit to expedite the construction schedule and reduce contractor markup costs associated with procurement.

Staff will advertise for the installation of the CDS unit in accordance with the City's Purchasing Policy and applicable provisions of the California Public Contract Code, and bring award of a construction contract for the installation to Council at a later date.

Environmental:

Staff has performed a preliminary environmental assessment of the installation of a trash capture device in the Detention Basin and have determined that it falls within the Class 1 Categorical Exemption set forth in CEQA Guidelines section 15301 as this work involves a minor alteration to an existing public facility involving negligible or no expansion of existing use. Furthermore, none of the exceptions to Categorical Exemptions set forth in the California Environmental Quality Act (CEQA) Guidelines, section 15300.2 applies to this project.

Fiscal Impact:

This Project will not impact the General Fund. The total estimated cost for the detention basin improvements is approximately \$150,425, which consists of the following components:

Procurement of Materials:	\$136,750
<u>Procurement Contingency (10%):</u>	<u>\$ 13,675</u>
Total Estimated Cost:	\$150,425

There are sufficient funds in Project 4's account (No. 951296) for the procurement of materials and procurement contingency. Once construction is completed, the costs related to procurement and installation of the CDS unit will be reimbursed through the Prop 1 IRWM grant. Fiscal impacts of the installation of the CDS unit will be presented to Council at a later date.

Alternatives:

There is no reasonable alternative to authorizing this purchase. If Council desires not to authorize the purchase, the project will be terminated and any grant funds will be forfeited.

Recommendation:

Adopt a Resolution that authorizes the purchase of a Continuous Deflective System Unit (Model #CDS5678-10-C) from Contech Engineered Solutions, LLC in the amount of \$136,750.00, with a finding that it is in the best interest of the City, and authorizing a procurement contingency of \$13,675.00.

Attachments:

1. Resolution
2. Attachment 1 - Exhibit A - Contech Quote

Prepared By:

William Jow
Assistant Engineer

Submitted By:

Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY ADOPTING A CEQA CLASS 1 CATEGORICAL EXEMPTION AND AWARDED THE PURCHASE OF A CONTINUOUS DEFLECTIVE SYSTEM UNIT TO CONTECH ENGINEERED SOLUTIONS, LLC OF CLACKAMAS, OR IN THE AMOUNT OF \$136,750 FOR THE PROP 1 IRWM PROJECT NO. 4 PROJECT

WHEREAS, the City of Yuba City (City) has identified the need for trash capture improvements at the North Gilsizer Detention Basin located immediately east of the City's Corporation Yard; and

WHEREAS, the proposed project includes the purchase and installation of a Continuous Deflective Separation (CDS) unit; and

WHEREAS, Contech Engineered Solutions of Clackamas, Oregon (Contech), is the sole supplier of CDS units and has provided a quote for the purchase of the CDS unit in the amount of \$136,750; and

WHEREAS, the City has determined that procurement of the CDS unit from Contech represents the most cost-effective option that best aligns with the project schedule and available grant funding; and

WHEREAS, staff anticipate procuring a contractor for installation of the CDS unit in accordance with the City's Purchasing Policy and applicable provisions of the California Public Contract Code; and

WHEREAS, the City Council finds that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301.b (Existing Facilities), as the project consists of minor alterations to existing public facilities involving negligible or no expansion of existing use; and

WHEREAS, the City Council finds that adoption of this Resolution is in the best interests of the City and supports continued improvements to drainage system operations and infrastructure.

NOW, THEREFORE, the City Council of the City of Yuba City resolves as follows:

1. The foregoing recitals are true and correct and are hereby incorporated herein.
2. The City Council finds that the proposed action is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301.b.
3. The City Council hereby authorizes the purchase of a CDS Unit to Contech Engineered Solutions in the amount of One Hundred and Thirty-Six Thousand Seven Hundred Seventy-Five Dollars (\$136,750).

4. The City Council hereby approves and authorizes an additional \$13,675 (10%) procurement contingency in connection with the proposed action and authorizes the City Engineer to modify the scope of work, either through change orders or amendment to the contract, to address changes of quantities or unforeseen circumstances arising during procurement of the CDS Unit within the contingency amount.

5. The City Manager, or designee, is hereby authorized to take all actions necessary to implement this Resolution, including execution of agreements and related documents, in accordance with the City's Purchasing Policy and applicable provisions of the California Public Contract Code.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June 2026.

AYES:

NOES:

ABSENT:

ATTEST:

Marc Boomgaarden, Mayor

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):
Exhibit A – Contech CDS Unit Quote and Standard Detail

EXHIBIT A

William Jow

From: Adam Elizarraga <Adam.Elizarraga@ContechES.com>
Sent: Monday, April 20, 2026 2:15 PM
To: Sean Williams; Kelsey Erkert
Cc: Neil Erickson
Subject: RE: [EXTERNAL] RE: Contech: Yuba City's Trash Capture Projects [807428]
Attachments: CDS5678-10-C-DTL.pdf; Offline CDS-C Layout Bypass Vault Structure.pdf



Hi Sean and Kelsey,

Thanks for the call and going over your project details with us.

I have included a standard detail of the CDS we discussed along with the offline layout detail Neil showed.

As requested, I'm also providing a budget estimate for the CDS we discussed with the estimated elevations of 66' for the RIM/FG and 48' for the inlet/outlet invert. The pricing below includes the additional 10' above our standard sizing.

Pricing below is for estimating purposes only, delivered FOB Jobsite.

CDS5678-10-C w/ depth adder = \$136,750

Please reach out with any additional questions you may have.

Thank you and have a nice day.

Adam Elizarraga

Staff Engineer

Contech Engineered Solutions LLC

12901 SE 97th Avenue, Suite 400, Clackamas, OR 97015

Office: 503-258-3165

Adam.Elizarraga@ContechES.com

www.ContechES.com

From: Sean Williams <swilliams@westyost.com>

Sent: Wednesday, April 15, 2026 4:35 PM

To: Adam Elizarraga <Adam.Elizarraga@ContechES.com>

Cc: Kelsey Erkert <kerkert@westyost.com>; Neil Erickson <Neil.Erickson@ContechES.com>

Subject: RE: [EXTERNAL] RE: Contech: Yuba City's Trash Capture Projects [807428/807429]

Yes please, thanks!

Sean Williams, PE

Associate Engineer I

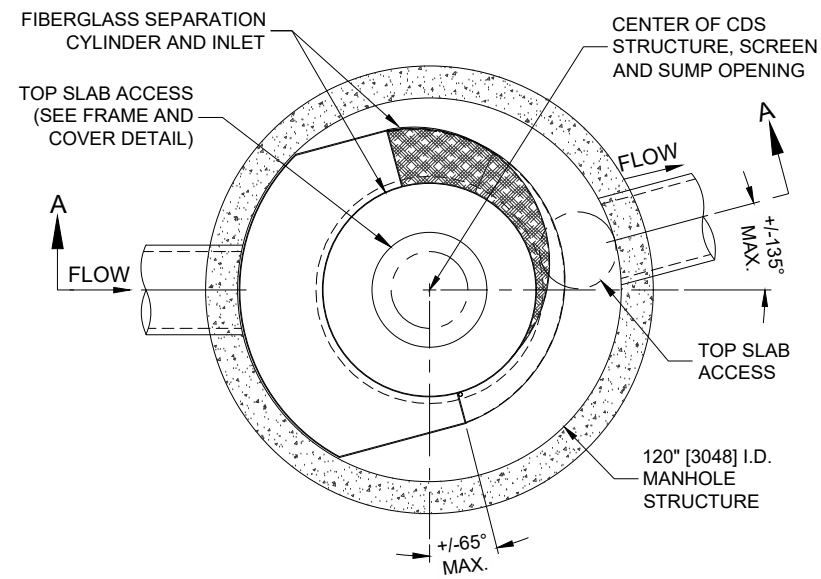
JOIN OUR TEAM

WEST YOST

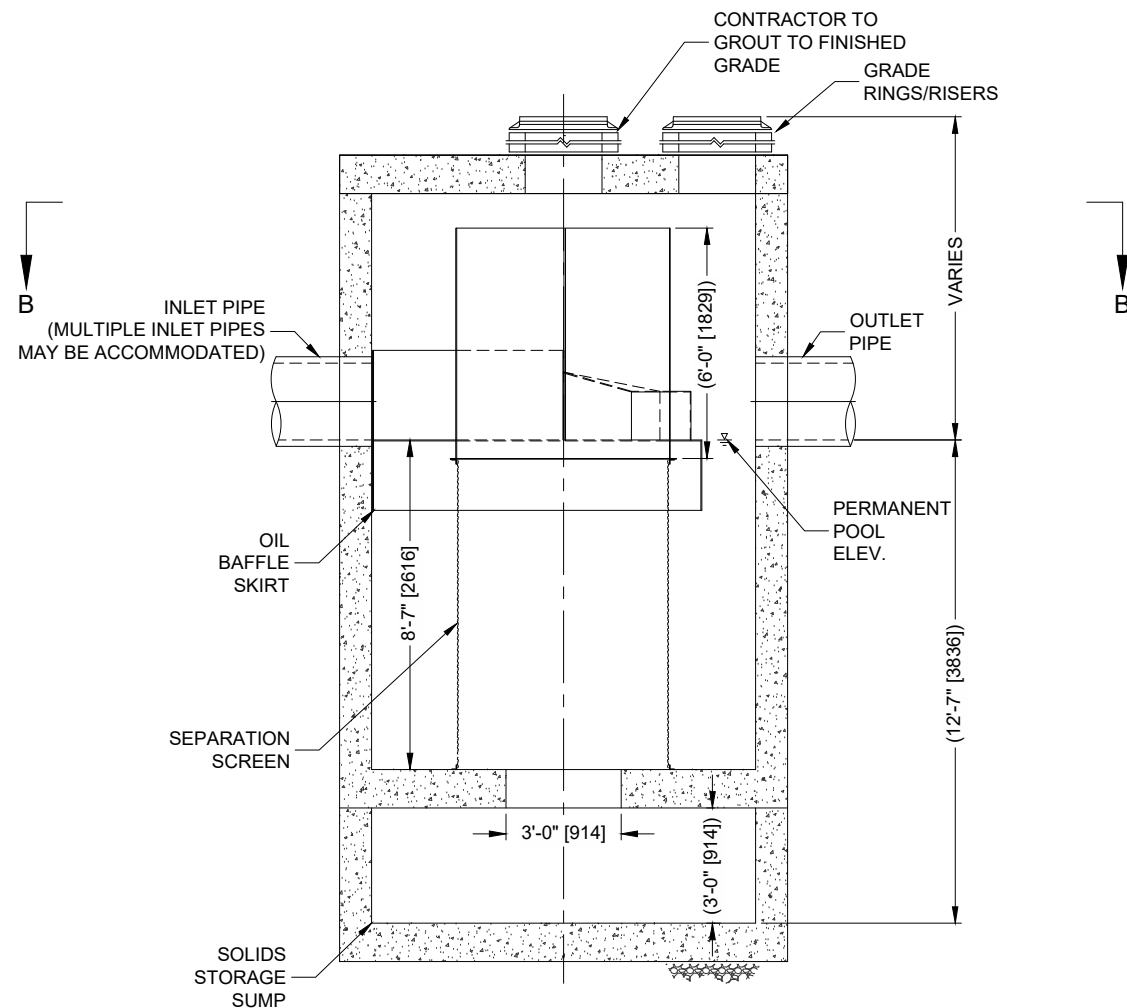
direct: [19713665058](tel:19713665058)

CDS5678-10-C DESIGN NOTES

CDS5678-10-C STANDARD CONFIGURATION IS SHOWN.



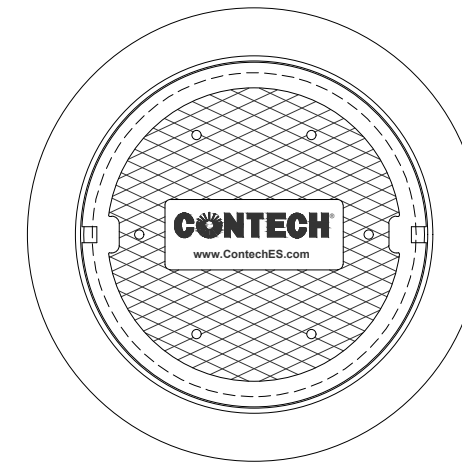
PLAN VIEW B-B
NOT TO SCALE



ELEVATION A-A
NOT TO SCALE



THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENTS: 5,788,848; 6,841,722; 6,911,902; 6,981,783. RELATED FOREIGN PATENTS, OR OTHER PATENTS PENDING.



FRAME AND COVER
(DIAMETER VARIES)
NOT TO SCALE

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID				
WATER QUALITY FLOW RATE (CFS OR L/s)				*
PEAK FLOW RATE (CFS OR L/s)				*
RETURN PERIOD OF PEAK FLOW (YRS)				*
SCREEN APERTURE (2400 OR 4700)				*
PIPE DATA:	I.E.	MATERIAL	DIAMETER	
INLET PIPE 1	*	*	*	
INLET PIPE 2	*	*	*	
OUTLET PIPE	*	*	*	
RIM ELEVATION				*
ANTI-FLOTATION BALLAST	WIDTH	HEIGHT		
	*	*		
NOTES/SPECIAL REQUIREMENTS:				
* PER ENGINEER OF RECORD				

GENERAL NOTES

- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
- FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.ContechES.com
- CDS WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
- STRUCTURE SHALL MEET AASHTO HS20 LOAD RATING, ASSUMING EARTH COVER OF 0' - 2', AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO..
- IF REQUIRED, PVC HYDRAULIC SHEAR PLATE IS PLACED ON SHELF AT BOTTOM OF SCREEN CYLINDER. REMOVE AND REPLACE AS NECESSARY DURING MAINTENANCE CLEANING.
- CDS STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.

INSTALLATION NOTES

- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE CDS MANHOLE STRUCTURE.
- CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
- CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.



www.contechES.com
9025 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 513-645-7000 513-645-7993 FAX

CDS5678-10-C
ONLINE CDS
STANDARD DETAIL

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presented by: Joshua Wolffe, Public Works Director

Summary

Subject: Market Street Traffic Calming and Safety Improvements (Contract Award Agreement)

Recommendation: Adopt a Resolution which takes the following actions:

A. Awards the construction contract to Quimu Contracting, Inc. of Dixon, California in the amount of their total bid of \$277,334.00, authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$41,600.10 (15%).

B. Finds that CEQA was previously assessed for the project, a Class 1 Categorical Exemption (SCH#2026010750) was adopted, award of this construction contract is within the scope of the previously approved project, and no further environmental review is required under CEQA.

C. Authorizes the Finance Director to make the following budget adjustments:

1. Transfer \$60,243.84 from Account No. 911051 to Account No. 911343.
2. Increase appropriations in Account No. 951343 to \$207,450.00.

Fiscal Impact: \$332,800.80 — Account No. 1343 (Market Street Traffic Calming and Safety Improvements)
 \$277,334.00 — Contract Award Amount
 \$41,600.10 — Construction Contingency (15%)
 \$13,866.70 — Construction Management/Inspection Contingency (5%)

Purpose:

The goal of the project is to enhance traffic calming and improve safety through the installation of flashing beacons, updated pavement striping, and new bulb-out curb extensions.

Strategic Focus Area:

This project addresses the City's Strategic Focus Area of improving the City's infrastructure.

Background:

In June 2024, the City executed an agreement with the Feather River Air Quality Management District (FRAQMD) to secure \$41,000 in grant funding, covering approximately 50% of the estimated cost of Phase 1 improvements, which is limited to the construction of the bulb-out curb extensions and updated pavement striping. The remaining funds for Phase 1 construction were programmed in the City's Fiscal Year 2024/25 Capital Improvement Program (CIP No. 921343).

City staff submitted a grant application to the Highway Safety Improvement Program (HSIP) requesting \$230,000 to fund Phase 2 of the project, which included installation of a pedestrian hybrid beacon (HAWK) system and associated improvements. The application requested \$207,450 in state funding, with a local match contribution of \$22,550. The City received notice of state funding allocation, which included funding approval for Phase 2 of this pedestrian safety project, subsequently the City executed a Program Supplement Agreement to secure the funding.

City staff developed the Plans, Specifications, and Estimate for the Market Street Traffic Calming and Safety Improvements Project. On January 20, 2026, Council approved the Plans and Specifications for the Market Street Traffic Calming and Safety Improvements and authorized the Public Works Department to advertise for bids.

The proposed improvements are included in the Construction Plan (Attachment 2).

Analysis:

The project was advertised for bids beginning April 17, 2026. On May 11, 2026, six (6) bids were received and opened by the City Clerk. The six bids received, and the Engineer's Estimate are shown below:

Company	Base Bid Amount
Quimu Contracting, Inc.	\$277,334.00
Hyatt Contracting, Inc.	\$290,669.00
St. Francis Electric, LLC	\$292,719.00
Zara Construction, Inc.	\$326,396.00
Northstar Construction, Inc.	\$333,315.00
B and M Builders, Inc.	\$394,896.00
<i>Engineer's Estimate:</i>	<i>\$275,000.00</i>

Quimu Contracting, Inc. is the low, responsible, and responsive bidder. Contract administration, construction management, and quality assurance inspection will be performed by Public Works Department staff. Project construction is expected to begin Summer 2026 and continue through Fall 2026.

Fiscal Impact:

This project will not impact the General Fund.

The estimated total project cost for the project is approximately \$332,800.80, which consists of the following components:

Construction Phase	
Construction Contract:	\$277,334.00
Construction Contingency (15%)	\$41,600.10
Construction Management and Inspection (5%)	\$13,866.70
Total Construction Costs	\$332,800.80
Total Project Cost (Design + Construction Phases):	\$370,052.73

Currently, CIP Account No. 1343 (Market Street Traffic Calming and Safety Improvements) has approximately \$65,000 consisting of City gas tax and FRAQMD grant funds.

State HSIP grant funds of \$207,450.00 have not yet been added to Account No. 951343. Once the budget adjustment is completed by the Finance Department, the total available project balance will be \$272,556.96.

The Finance Director requests authorization to make the following budget adjustments:

1. Transfer \$60,243.84 from Account No. 911051 to Account No. 911343.
2. Increase appropriations in Account No. 951343 to \$207,450.00.

Once construction is finished, staff will seek reimbursement for awarded Feather River Air Quality Management District (FRAQMD) and Highway Safety Improvement Program (HSIP) grant funds.

Environmental:

An environmental assessment has been conducted for this project in compliance with California Environmental Quality Act (CEQA). Based on the environmental assessment, the project has been determined to be Categorically Exempt (Class 1 §15301(c)) from CEQA and a Notice of Exemption (SCH#2026010750) was filed on January 23, 2026. This action is within the scope of the previously approved Project for which a Categorical Exemption was adopted, and no further CEQA review is required.

Alternatives:

Reject the bids and direct staff on next steps.

Recommendation:

Adopt a Resolution which takes the following actions:

- A. Awards the construction contract to Quimu Contracting, Inc. of Dixon, California in the amount of their total bid of \$277,334.00, authorizes the City Manager to execute the contract on behalf of the City subject to review and approval as to legal form by the City Attorney, and authorizes a project contingency of \$41,600.10 (15%).

B. Finds that CEQA was previously assessed for the project, a Class 1 Categorical Exemption (SCH#2026010750) was adopted, award of this construction contract is within the scope of the previously approved project, and no further environmental review is required under CEQA.

C. Authorizes the Finance Director to make the following budget adjustments:

1. Transfer \$60,243.84 from Account No. 911051 to Account No. 911343.
2. Increase appropriations in Account No. 951343 to \$207,450.00.

Attachments:

1. Attachment 1 – Resolution
2. Attachment 1 – Exhibit A to Resolution
3. Attachment 2 – Construction Plan

Prepared By:
Santiago Carrillo
Associate Civil Engineer

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AWARDING A CONSTRUCTION CONTRACT TO QUIMU CONTRACTING, INC. IN THE
AMOUNT OF THEIR TOTAL BID OF \$277,334.00, AUTHORIZING THE CITY MANAGER TO
EXECUTE THE CONTRACT ON BEHALF OF THE CITY, SUBJECT TO REVIEW AND
APPROVAL AS TO LEGAL FORM BY THE CITY ATTORNEY, AND AUTHORIZING THE
FINANCE DIRECTOR TO MAKE NECESSARY APPROPRIATIONS TO FUND THE MARKET
STREET TRAFFIC CALMING AND SAFETY IMPROVEMENTS PROJECT**

WHEREAS, the City of Yuba City (City) advertised for bids for the Market Street Traffic Calming and Safety Improvements Project (Project); and

WHEREAS, in response to the advertisement, the City received six (6) bids for the Project in the following bid amounts:

Quimu Contracting, Inc.	\$277,334.00
Hyatt Contracting, Inc.	\$290,669.00
St. Francis Electric, LLC.	\$292,719.00
Zara Construction, Inc.	\$326,396.00
Northstar Construction, Inc,	\$333,315.00
B and M Builders, Inc.	\$394,896.00; and

WHEREAS, the City Public Works Department has reviewed the six (6) bids, and examined Quimu Contracting, Inc. and its bid response, found it to be both the lowest qualified responsive and responsible bidder, and has recommended it for award of this project; and

WHEREAS, the City desires to award the bid to Quimu Contracting, Inc. and enter into an agreement with Quimu Contracting, Inc. to construct the Project.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

1. The City Council of the City of Yuba City does hereby accept the six bids received as noted above, finds that Quimu Contracting, Inc. is the lowest responsive and responsible bidder, and awards the construction contract to Quimu Contracting, Inc. in the amount of \$277,334.00, for the Market Street Traffic Calming Project, with a finding that the award is in the best interest of the City. Said contract agreement shall substantially comply with the terms and conditions presented in the draft agreement attached to this Resolution, shall be subjected to review and approval as to legal form by the City Attorney, and the City Manager shall be authorized to execute the same on behalf of the City of Yuba City, as well as make any non-material changes to the contract subject to approval as to legal form by the City Attorney. The City Council also approves an additional \$41,600.10 (15%) contingency amount for the project and authorizes the City Engineer to modify the scope of work, either through change orders or amendment to the contract, to address changes of quantities or unforeseen circumstances arising during construction of the project within the contingency amount.
2. The City Council finds that CEQA was previously assessed for the project, a categorical exemption (Class 1, SCH 2026010750) was adopted, approval of this contract is within the scope of the previously approved project, and no further environmental review is required under CEQA.

3. Authorizes the Finance Director to make the following budget adjustments:
 1. Transfer \$60,243.84 from Account No. 911051 to Account No. 911343.
 2. Increase appropriations in Account No. 951343 to \$207,450.00.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

Attachment(s):

- A. Exhibit A - Draft Agreement for the Market Street Traffic Calming and Safety Improvements Project

EXHIBIT A

**CONTRACT AGREEMENT
CONTRACT
FOR THE CONSTRUCTION OF
MARKET STREET TRAFFIC CALMING AND SAFETY IMPROVEMENTS
CONTRACT NO: 1343-CON-26**

THIS AGREEMENT, made and concluded this ____ day of _____ 2026, between the City of Yuba City, party of the first part, and Quimu Contracting, Inc., Contractor, part of the second part.

ARTICLE I. – WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the said party of the first part under the conditions expressed in the two bonds bearing even date with these presents and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the Public Works Department, construction on various roads, all in accordance with the Special Provisions hereto annexed and also in accordance with the Standard Specifications of the State of California Department of Transportation dated 2024, the Standard Plans dated 2024, the “Labor Surcharge” and “Equipment Rental Rates” in effect on the date the work is accomplished, and the “General Prevailing Wage Rates” of the State of California Department of Transportation, which said Special Provisions, Standard Plans, Standard Specifications are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated 4/17/2026

**NOTICE TO CONTRACTORS
SPECIAL PROVISIONS
PROPOSAL
AND CONTRACT**

FOR

**MARKET STREET TRAFFIC CALMING AND SAFETY IMPROVEMENTS
CONTRACT NO. 1343-CON-26**

Which are hereby made part of this contract.

ARTICLE II. – The said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this Agreement; also for all loss or damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City of Yuba City and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications and the requirements of the Engineer under them, to wit. The contract amount may be adjusted by written change order approved in the sole discretion of the Engineer, not to exceed the contingency amount authorized by the City Council.

ARTICLE III. – The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE IV. – By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V. – It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VI. – The City of Yuba City hereby employs Contractor to provide material and to do the work according to the terms and conditions herein contained and referred to for the following prices to be paid at the time, in the manner and upon the conditions hereinafter set forth.

ARTICLE VII. – The improvement contemplated in the performance of this contract is an improvement over which the City of Yuba City shall exercise general supervision.

ARTICLE VIII. – The statement of prevailing wages appearing in the General Prevailing Wage Rates is hereby specifically referred to and by this reference is made a part of this contract. It is further expressly agreed, by and between the terms of this instrument and the bid or proposal of said Contractor, that this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

Approved as to legal form:

City Attorney
City of Yuba City

CITY OF YUBA CITY

Robert Bendorf
City Manager

Date

CONTRACTOR

Company Name

Company Address

Phone Number

Signature

Name (Printed)

Title

Date

BID ITEM LIST

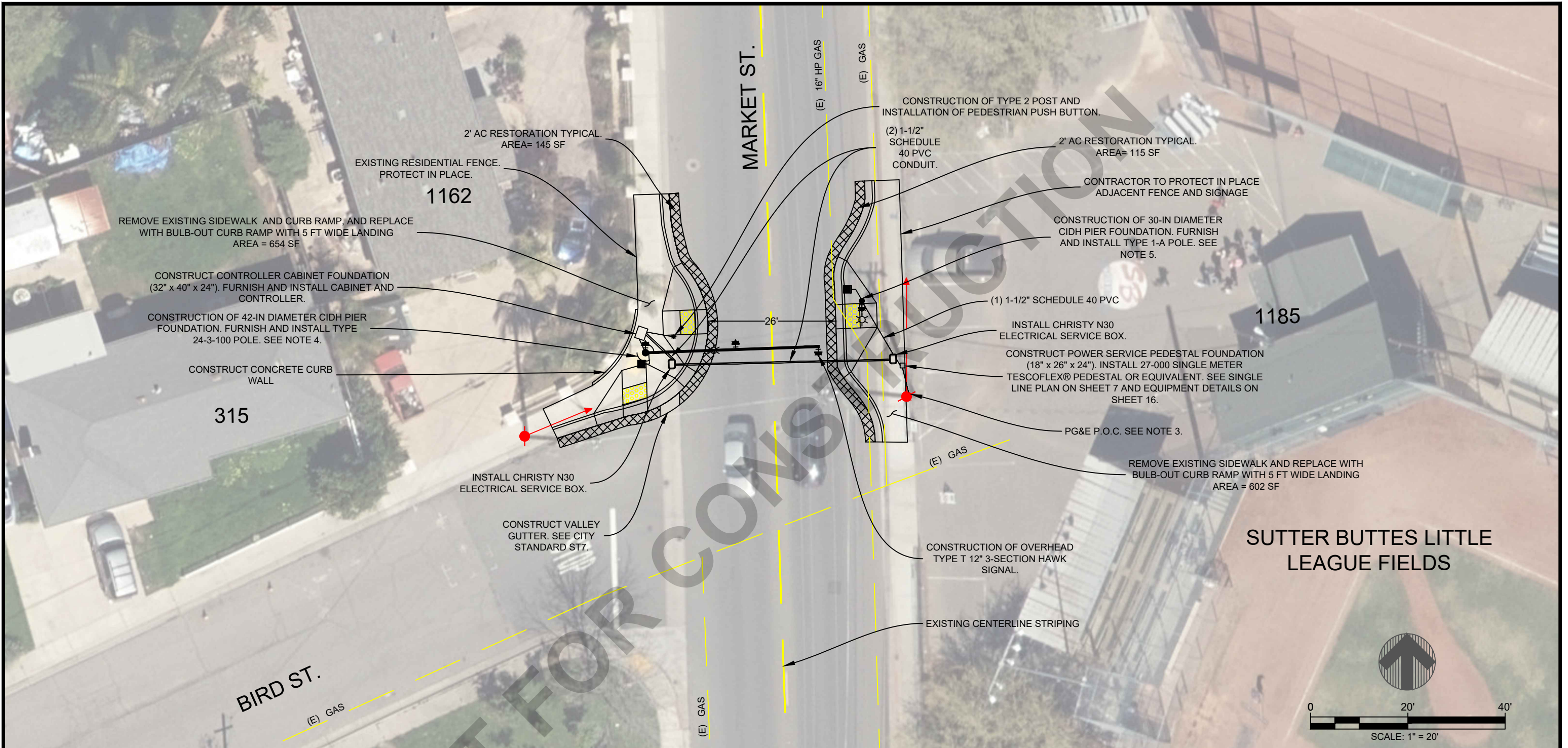
Bid Schedule A – Site Improvements (Phase 1)					
Bid Item	Item Description	Unit	Quantity	Unit Price	Total Price
1	Mobilization/Demobilization	LS	1	\$18,000.00	\$18,000.00
2	Traffic Control and Traffic Control Plans	LS	1	\$25,000.00	\$25,000.00
3	Remove Pavement Marking	SF	50	\$25.00	\$1,250.00
4	Remove Sidewalk/Curb & Gutter/ Valley Gutter	SF	851	\$10.00	\$8,510.00
5	Sawcut Asphalt Concrete Pavement	LF	150	\$5.00	\$750.00
6	Roadway Excavation Includes Asphalt Removal and Subgrade Compaction	CY	20	\$300.00	\$6,000.00
7	3/4" Class 2 Aggregate Base	TON	75	\$300.00	\$22,500.00
8	Minor Concrete: Curb and Gutter and Valley Gutter (ST4 and ST7)	SF	276	\$32.00	\$8,832.00
9	Minor Concrete: Sidewalk, Bulb Outs and Curb Ramps (ST5, ST8)	SF	984	\$20.00	\$19,680.00
10	Hot Mix Asphalt (1/2" Type A)	SF	260	\$30.00	\$7,800.00
11	Pavement Marking (Stop Legend)	SF	22	\$20.00	\$440.00
12	Pavement Marking (12" Stop Bar)	LF	76	\$8.00	\$608.00
13	Pavement Marking (Continental Crosswalk)	SF	500	\$8.00	\$4,000.00
Total Bid Schedule A:				\$123,370.00	

Bid Schedule B – Pedestrian Hybrid Signal and Electrical Improvements (Phase 2)					
14	Furnish and Install Pull Boxes (N30 Pull Box with Concrete Locking Lid Labeled "Electrical", or Equivalent)	EA	2	\$975.00	\$1,950.00
15	Horizontally Bore and Install (2) 1-1/2" Schedule 40 PVC Conduit (Contractor to Furnish Materials)	LF	75	\$150.00	\$11,250.00
16	CIDH Concrete Foundation, 30-Inch Diameter (Includes Excavation)	FT	6	\$600.00	\$3,600.00
17	CIDH Concrete Foundation, 42-Inch Diameter (Includes Excavation)	FT	12	\$800.00	\$9,600.00
18	PG&E Service Connection Coordination - Conduit Install and Backfill	LS	1	\$1,950.00	\$1,950.00
19	Construction of Equipment Foundation for Cabinet and Controller System (32"x40"x24")	EA	1	\$2,870.00	\$2,870.00
20	Construction of Equipment Foundation for Single Meter Pedestal (18"x26"x24")	EA	1	\$1,660.00	\$1,660.00
21	Furnish and Install Single Meter Pedestal (Tesco Model 27-000 or Equivalent) on New 18"x26"x24" Equipment Foundation	EA	1	\$17,924.00	\$17,924.00
22	Furnish and Install Controller Cabinet (Model 332LS or equivalent) on New 32"x40"x24" Equipment Foundation	EA	1	\$29,525.00	\$29,525.00
23	Furnish and Install Caltrans Type 24-3-100 Pole on New Foundation	EA	1	\$31,545.00	\$31,545.00
24	Furnish and Install Caltrans Type 1A Pole (15') on New Foundation	EA	1	\$5,925.00	\$5,925.00
25	Furnish and Install Type T 12" 3-Section HAWK Signal Heads with Backplate with 2" Yellow Retroreflective Strip Around Edge	EA	4	\$1,670.00	\$6,680.00
26	Furnish and Install Pedestrian Signal Housing and LED Module	EA	2	\$1,170.00	\$2,340.00
27	Furnish and Install Accessible Pedestrian System	EA	2	\$1,275.00	\$2,550.00

28	Furnish and Install Safety Lighting Luminaire (35W LED)	EA	1	\$675.00	\$675.00
29	Furnish and Install Safety Lighting Luminaire (95W LED)	EA	1	\$750.00	\$750.00
30	Metal Post Installation (Furnishing and installation of breakaway metal signpost with ground sleeve, including all necessary hardware for a complete installation)	EA	4	\$400.00	\$1,600.00
31	Install Sign on Metal Post	EA	6	\$300.00	\$1,800.00
32	Install Sign on HAWK Signal Mast-Arm	EA	2	\$0.00	\$0.00
33	Furnish Single Sheet Aluminum Sign (.080" - Unframed) with 3M #4083 DG3 sheeting or equivalent	EA	4	\$300.00	\$1,200.00
34	Furnish Single Sheet Aluminum Sign (.080" - Unframed) with 3M #4090 DG3 sheeting or equivalent	EA	4	\$300.00	\$1,200.00
35	Furnish and Install 2070LX Controller	EA	1	\$11,250.00	\$11,250.00
36	Furnish and Install Lighting Contactor	EA	1	\$1,000.00	\$1,000.00
37	Furnish and Install Pedestrian Push Button Post and Base	EA	1	\$5,120.00	\$5,120.00
Total Bid Schedule B:				\$153,964.00	

Total Bid (Schedules A and B):				\$277,334.00	
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ATTACHMENT 2



CONSTRUCTION NOTES:

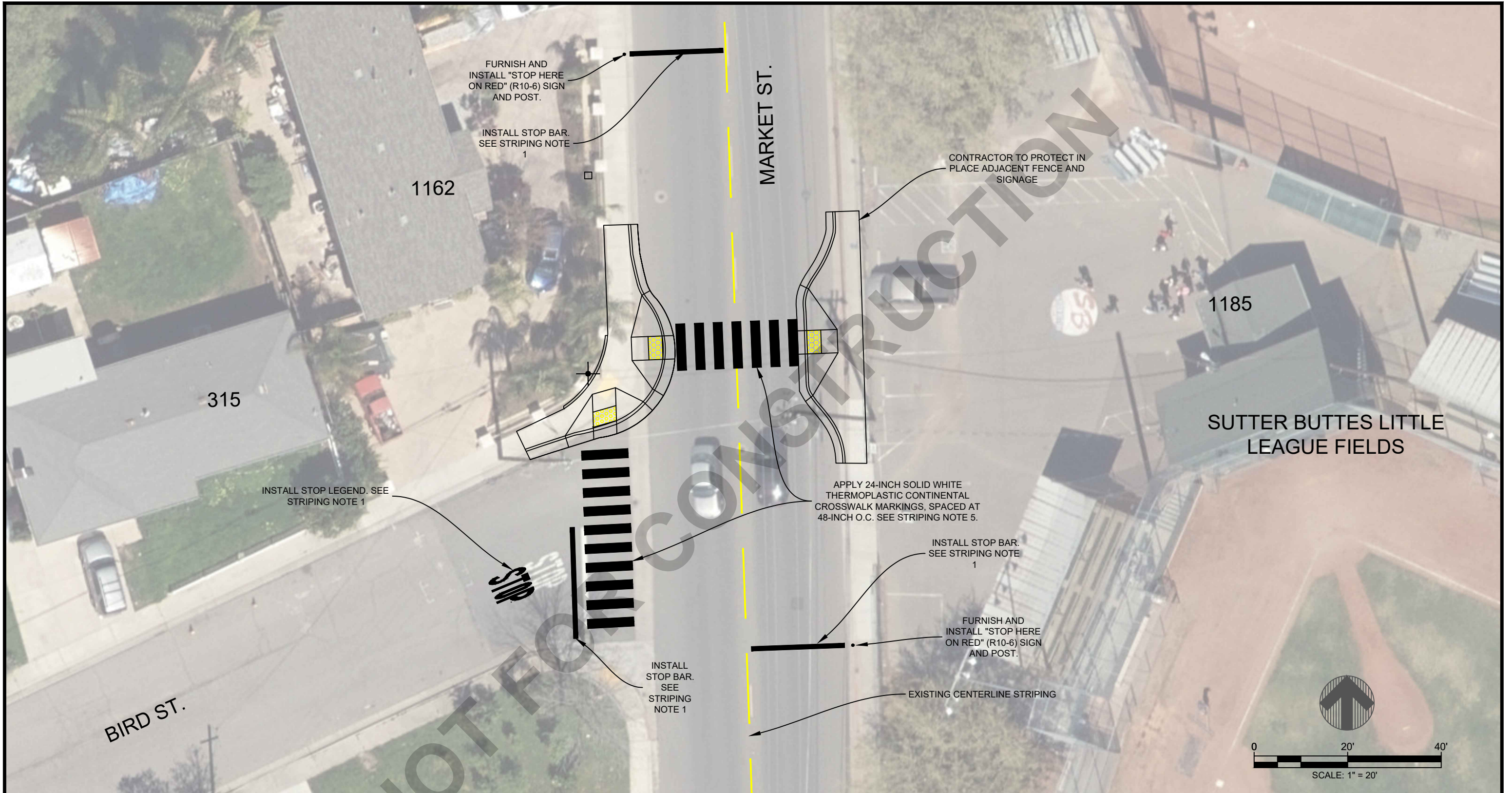
1. SIDEWALK SHALL BE CONSTRUCTED TO BEST-FIT EXISTING DRIVEWAYS, WHILE COMPLYING WITH YUBA CITY STANDARD DETAIL ST8 (ATTACHED SIDEWALKS CURB & GUTTER) . THE FACE OF SIDEWALK SHALL NOT BE LOWER THAN THE TOP BACK OF CURB IN ANY CASE. CONSTRUCTION SHALL CONSIST OF CALTRANS MINOR CONCRETE. 4-INCH THICK CONCRETE ON 4-INCH BASE ROCK COMPACTED TO 95 PERCENT RELATIVE DENSITY.
2. TRUNCATED DOMES SHALL BE 3-FOOT WIDE AND CAST-IN-PLACE PER PLAN LAYOUT. DETECTABLE WARNING SURFACE PANELS SHALL BE SAFETY YELLOW COLOR.
3. CONTRACTOR SHALL COORDINATE WITH PG&E FOR ELECTRICAL CONNECTION AT POINT OF CONTACT AT POLE ID#469. CONTRACTOR SHALL COORDINATE WITH PG&E FOR EXACT LIMITS OF CONDUIT INSTALLATION AND CONDUIT SIZE (i.e. 3" MINIMUM DIAMETER) PRIOR TO CONTRACTOR BEGIN INSTALLATION WORK.
4. CONTRACTOR TO CONSTRUCT 42-IN DIAMETER CAST-IN-DRILLED-HOLE CONCRETE PIER FOUNDATION. REBAR CAGE REQUIRED. FURNISH AND INSTALL POLE TYPE 24-3-100. REFER TO THE CALTRANS REVISED STANDARD PLANS ES-7E FOR SIGNAL POLE STANDARD PLAN ON SHEET 14. CONTRACTOR TO FURNISH AND INSTALL BASE PLATE, ANCHOR BOLTS, AND NON-SHRINK GROUT.
5. CONTRACTOR TO CONSTRUCT 30-IN DIAMETER CAST-IN-DRILLED-HOLE CONCRETE PIER FOUNDATION. REBAR CAGE REQUIRED. FURNISH AND INSTALL POLE TYPE 1A (15'). REFER TO THE CALTRANS REVISED STANDARD PLANS ES-7B FOR SIGNAL POLE STANDARD PLAN ON SHEET 15. CONTRACTOR TO FURNISH AND INSTALL BASE PLATE, ANCHOR BOLTS, AND NON-SHRINK GROUT.
6. CONTRACTOR SHALL FURNISH AND INSTALL FOUR HIGH-INTENSITY ACTIVATED CROSSWALK (HAWK) SIGNALS, PEDESTRIAN SIGNALS, STREET LUMINAIRES, AND ACCESSIBLE PEDESTRIAN PUSH-BUTTONS.
7. CONTRACTOR SHALL CONSTRUCT FOUNDATION WORK AND RAISED CONCRETE PAD FOR POWER SERVICE PEDESTAL AND CONTROLLER CABINET. FURNISH AND INSTALL ANCHOR BOLTS AND HARDWARE NECESSARY.
8. NEW CURB AND GUTTER SHALL MATCH THE EXISTING CURB AND GUTTER PROFILE AND DIMENSIONS SHOWN IN THE STANDARD DETAIL ON SHEET 13, UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
9. REFER TO CALTRANS STANDARD PLAN ES-7N FOR CIDH FOUNDATION REINFORCING SCHEDULE.

SYMBOL LEGEND

- POWER POLE
- TRUNCATED DOMES
- SIGNAL POLE
- ASPHALT CONCRETE RESTORATION
- TYPE T 12" 3-SECTION HAWK SIGNAL HEADS
- PEDESTRIAN SIGNAL HOUSING AND LED MODULE
- PEDESTRIAN PUSH BUTTON AND POST



CITY OF YUBA CITY		
CONSTRUCTION PLAN		
 SUBMITTED BY: S. CARRILLO	DESIGN BY: SC DRAWN BY: SC CHECKED BY: KEB	DRAWING NO. 5590-B SHEET <u>4</u> OF 17 SHEETS
1201 CIVIC CENTER BLVD. YUBA CITY, CA 95993 (530) 822-3288		
DATE OF PLANS: 12/12/2025		

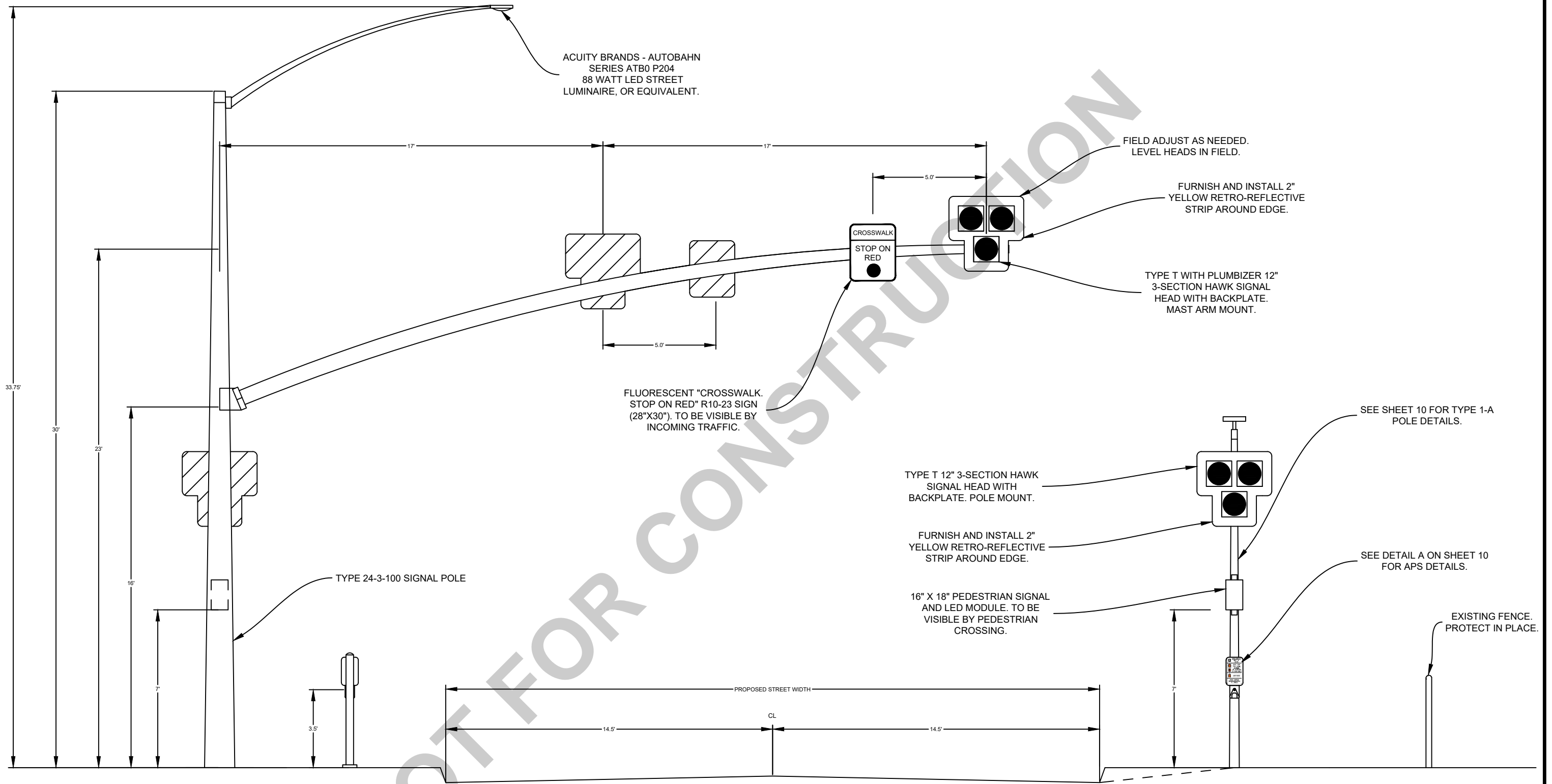


SIGNAGE AND STRIPING NOTES:

1. ALL STRIPING AND MARKINGS SHALL BE INSTALLED IN COMPLIANCE WITH SECTION 84, "MARKINGS" OF THE 2024 STANDARD SPECIFICATIONS AND CA MUTCD LATEST REVISION.
2. IF EXISTING MARKINGS ARE IN CONFLICT WITH PROPOSED MARKINGS, OR IF ADDITIONAL REMOVAL IS REQUESTED, STRIPING REMOVAL SHALL BE IN COMPLIANCE WITH SECTION 84-9, "EXISTING MARKINGS" OF THE 2024 CALTRANS STANDARD SPECIFICATIONS.
3. SIGNS SHALL BE 0.80" IN THICKNESS AND COMPLY WITH 2024 CALTRANS STANDARDS SPECIFICATIONS SECTION 82-2.02E: "SINGLE SHEET ALUMINUM PANELS". SEE SPECIAL PROVISIONS.
4. SIGNS SHALL BE RETROREFLECTIVE AND COMPLY WITH 2024 CALTRANS STANDARD SPECIFICATIONS SECTION 82-2.02C "RETROREFLECTIVE SHEETING". SEE SPECIAL PROVISIONS.
5. 24" THERMOPLASTIC CONTINENTAL CROSSWALK LINES SHALL BE SPACED AT A DISTANCE OF FOUR FEET, ON CENTER, CROSSWALK WIDTH SHALL BE 10'.
6. CONTRACTOR SHALL NOTIFY THE CITY CONSTRUCTION INSPECTOR IN ADVANCE TO VERIFY THE LAYOUT AND CAT-TRACKING OF THE PROPOSED STRIPING IMPROVEMENTS.
7. THE CONTRACTOR SHALL REPLACE ANY PAVEMENT DELINEATION AND TRAFFIC MARKINGS THAT ARE DAMAGED DURING THE COURSE OF WORK AT NO ADDITIONAL COST TO THE CITY.
8. THE MINIMUM HEIGHT, MEASURED VERTICALLY FROM THE BOTTOM OF THE SIGN TO THE WALKING SURFACE GRADE SHALL BE 7 FEET.
9. CONTRACTOR TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF SIGN POSTS.
10. CONTRACTOR SHALL FURNISH AND INSTALL CA MUTCD COMPLIANT W11-2 (PEDESTRIAN CROSSING) AND W16-9P (AHEAD) SIGNS AND POSTS IN EACH APPROACH DIRECTION, APPROXIMATELY 200 FEET IN ADVANCE OF THE PEDESTRIAN HYBRID SIGNAL CROSSING.



CITY OF YUBA CITY			
STRIPING PLAN			
	SUBMITTED BY: S. CARRILLO	DESIGN BY: SC	DRAWING NO. 5590-B
	1201 CIVIC CENTER BLVD. YUBA CITY, CA 95993 (530) 822-3288	DRAWN BY: SC	SHEET <u>5</u>
	DATE OF PLANS: 12/12/2025	CHECKED BY: KEB	OF <u>17</u> SHEETS
			DATE OF PLANS: 12/12/2025



NOT FOR CONSTRUCTION



CITY OF YUBA CITY			
ELEVATION PLAN - NORTH VIEW			
 SUBMITTED BY: S. CARRILLO	DESIGN BY: SC DRAWN BY: SC	DRAWING NO. 5590-B	
1201 CIVIC CENTER BLVD. YUBA CITY, CA 95993 (530) 822-3288	CHECKED BY: KEB DATE OF PLANS: 12/12/2025	SHEET 8 OF 17 SHEETS	

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: Citywide Signal Hardware Upgrades (Construction Contingency Increase)

Recommendation: Adopt a Resolution which takes the following actions:

A. Authorizes contingency amounts of \$156,739.17 for CIP Account No. 1314 and \$80,784.71 for CIP Account No. 1317

B. Authorizes the Finance Director to increase appropriations in 911314-65501 to \$121,954.21 utilizing unallocated Transportation Development Act (TDA) funds and increase appropriations in 951314-65501 to \$695,586.13

C. Authorizes the Finance Director to decrease appropriations in 921317-65501 to \$0.00 and increase appropriations in 951317-65501 to \$299,297.46

Fiscal Impact: \$786,668.75 – Account No.1314 (Citywide Signal Hardware Upgrades)
 \$629,335.00 - Contract Award Amount (Schedule A)
 \$ 156,739.17 – Revised Construction Contingency
 \$ 31,466.75 - Construction Management/Inspection Contingency

\$262,050.00 – Account No.1317 (SHS Signal Hardware Upgrades)
 \$174,700.00 - Contract Award Amount (Schedule B)
 \$ 80,784.71 – Revised Construction Contingency
 \$ 17,470.00 - Construction Management/Inspection Contingency

Purpose:

To promote vehicle and pedestrian safety by upgrading and improving signal hardware at various signalized intersections throughout the City.

Strategic Focus Area:

This project addresses the City's Strategic Focus Area of improving the City's infrastructure.

Background:

On December 2, 2025, Council awarded a construction contract to Bear Electrical Solutions, LLC

(Contractor) for the Citywide Signal Hardware Upgrades Project, which includes improvements to both City-owned and State Highway System (SHS) traffic signals. The project scope includes replacement of signal backplates and installation of 2-inch yellow reflective tape at designated signal heads to improve traffic signal visibility and safety.

The Contractor has performed a field verification of the existing signal infrastructure and identified compatibility conflicts at approximately eleven (11) City-owned signalized intersections. Additionally, the Contractor identified conflicts at ten (10) SHS intersections.

The Contractor determined that the proposed replacement backplates are not compatible with the existing signal heads, as the backplates are manufacturer-specific and not interchangeable between manufacturers. Procurement of compatible backplates for the existing signal head manufacturers is not feasible because the existing signal heads are mostly discontinued models and compatible replacement backplates are no longer commercially available.

Additionally, two City-owned signalized intersections currently do not have Internally Illuminated Street Name Signs (IISNS) and the associated mounting brackets required to support the IISNS assemblies. The Contractor has included costs for this additional work, which will improve traffic control device visibility, enhance roadway safety, and provide consistency with other City-owned signalized intersections. Furthermore, two existing 4-section signal heads were evaluated in the field and determined to be damaged beyond repair, requiring replacement to maintain safe and reliable traffic signal operations.

Analysis:

As a result of these findings, City staff coordinated with the California Department of Transportation (Caltrans) District 3 Electrical Division to evaluate potential solutions. Two alternatives were presented:

1. Replace the existing signal heads with new signal heads, including new backplates and 2-inch yellow reflective tape; or
2. Rehabilitate the existing backplates through repainting and installation of reflective yellow tape.

Caltrans determined it prefers to go with full replacement of the existing signal heads at the affected SHS intersections to ensure long-term compatibility, maintainability, and compliance with current standards. Staff recommend implementing the same approach for the affected City-owned traffic signals to maintain consistency throughout the project and minimize future maintenance concerns.

The Contractor has provided two separate change order requests totaling \$121,739.17 for the City-owned signals and \$60,784.71 for the SHS signals.

Fiscal Impact:

The requested contingency increases will not impact the General Fund.

The revised estimated total construction cost for the project is approximately \$1,090,495.05, which consists of the following components:

	Citywide Traffic Signal Upgrades (1314)	State Highway Signal Upgrades (1317)
Construction Contract:	\$629,335.00	\$174,700.00
Original Construction Contingency:	\$ 62,933.50	\$ 34,940.00

Additional Contingency per this request:	\$ 93,805.67	\$ 45,844.71
Revised Total Contingency:	\$156,739.17	\$ 80,784.71
Construction Management/Inspection:	\$ 31,466.75	\$ 17,470.00
Project Cost:	\$817,540.34	\$272,954.71
Combined Project Cost (City & State):	\$1,090,495.05	

Citywide Signal Hardware Upgrades (CIP No. 1314)

The requested change order amount for replacing signal heads is \$121,739.17. Staff recommend keeping an additional \$35,000 in contingency available for any further unforeseen conditions once the replacements commence, resulting in a total construction contingency of \$156,739.17.

Currently, Capital Improvement Program (CIP) Account No. 1314 (Citywide Signal Hardware Upgrades) has an available balance of approximately \$523,195.11, consisting of \$500,992.13 in Highway Safety Improvement Program (HSIP) grant funds and \$22,202.98 in local Transportation Development Act (TDA) funds.

On February 12, 2026, the City received an allocation letter from Caltrans approving an amendment to the HSIP funding agreement to provide an additional \$194,594.00 in grant funding for the Citywide Traffic Signal Upgrades Project (1314).

To accurately reflect the State grant funds available and provide the necessary local share, the Finance Director requests authorization to make the following budget adjustments:

1. Increase appropriations in 911314-65501 to \$121,954.21 utilizing unallocated Transportation Development Act (TDA) funds.
2. Increase appropriations in 951314-65501 to \$695,586.13.

State Highway System Signal Hardware Upgrades (CIP No. 1317)

The requested change order amount for replacing signal heads is \$60,784.71. Staff recommend keeping an additional \$20,000 in contingency available for any further unforeseen conditions once the replacements commence, resulting in a total construction contingency of \$80,784.71.

Currently, CIP Account No. 1317 (SHS Signal Hardware Upgrades) has a balance of \$466,656.74, consisting entirely of HSIP grant funds. No fiscal adjustments are required for this account. The contingency increase for the SHS signals is entirely grant funded. To accurately reflect the State grant funds available, the Finance Director requests authorization to decrease appropriations in 921317-65501 to \$0.00 and increase appropriations in 951317-65501 to \$299,297.46.

Alternatives:

1. Approve the proposed change order amounts, but do not authorize any additional contingency increase and require staff to return to Council for any further needed increases.
2. Do not authorize the proposed change order amounts and direct staff to rehabilitate the existing backplates instead of replacing the signal heads, which would delay the project and perhaps still require a contingency increase.

Recommendation:

Adopt a Resolution which takes the following actions:

- A. Authorizes contingency amounts of \$156,739.17 for CIP Account No. 1314 and \$80,784.71 for CIP Account No. 1317.
- B. Authorizes the Finance Director to increase appropriations in 911314-65501 to \$121,954.21 utilizing unallocated Transportation Development Act (TDA) funds and increase appropriations in 951314-65501 to \$695,586.13.
- C. Authorizes the Finance Director to decrease appropriations in 921317-65501 to \$0.00 and increase appropriations in 951317-65501 to \$299,297.46.

Attachments:

- 1. Attachment 1 - Resolution - Citywide Signal Hardware Upgrades

Prepared By:
Santiago Carrillo
Associate Civil Engineer

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AUTHORIZING AN INCREASE TO THE CONSTRUCTION CONTINGENCY AND APPROVING
BUDGET ADJUSTMENTS FOR THE CITYWIDE SIGNAL HARDWARE UPGRADES PROJECT**

WHEREAS, on December 2, 2025, the City Council awarded a construction contract to Bear Electrical Solutions, LLC, of Alviso CA in the amount of their total bid of \$804,035.00 for the Citywide Signal Hardware Upgrades Project (Project); and

WHEREAS, with the award, staff requested construction contingencies of \$62,933.50 for Account No. 1314 and \$34,940.00 for Account No. 1317; and

WHEREAS, additional construction costs have been identified and confirmed by staff necessitating an increase in the construction contingencies to fund the required construction change orders and to provide adequate remaining funding authority for unforeseen conditions that may arise during the remainder of construction; and

WHEREAS, the Project includes funding through Highway Safety Improvement Program (HSIP) grants; and

WHEREAS, it is necessary to correct the classification and allocation of HSIP grant funds within the appropriate accounts to ensure accurate financial reporting and alignment with the actual grant award amounts.

NOW, THEREFORE, be it resolved by the City Council of the City of Yuba City as follows:

1. The City Council does hereby authorize total contingency amounts of \$156,739.17 for Account No. 1314 and \$80,784.71 for Account No. 1317. The Public Works Director is hereby authorized to amend the construction contract to the approved contingency amounts through the execution of contract change orders in accordance with the contract documents.
2. The City Council authorizes the Finance Director to increase appropriations in 911314-65501 to \$121,954.21 utilizing unallocated Transportation Development Act (TDA) funds and increase appropriations in 951314-65501 to \$695,586.13.
3. The City Council authorizes the Finance Director to decrease appropriations in 921317-65501 to \$0.00 and increase appropriations in 951317-65501 to \$299,297.46.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Utilities Department
Presentation By: Phil Marler, Utilities Director

Summary

Subject: Utilities 2026-2031 Rate Schedule and Ordinance Update
Recommendation: A. Continue the item to the next regular meeting of the City Council (June 16, 2026)
Fiscal Impact: If proposed utility rate schedules are approved, the water and wastewater revenue changes would adequately fund projected operations, maintenance, and capital improvement for the upcoming five (5) fiscal years

Purpose:

To adopt a five-year utility service rate schedule, aligning with the results of the Proposition 218 process and water and wastewater rate studies, and update the utilities chapters of the Municipal Code.

Strategic Focus Area:

This item addresses Council's strategic focus of *Fiscal Responsibility and Infrastructure* by providing the necessary cost recovery to support the services, operations, maintenance, labor, and capital improvement of the City's water and wastewater systems.

Background:

The City's utilities service rates and fees are intended to fully recuperate costs to deliver water and wastewater services and the operations and infrastructure of their associated systems via self-funded enterprise funds. In order to develop and propose rate maximums for a five-year projection, local agencies are required to provide a documentary record as evidence of the fiscal requirements per California statute.

Utilities rate studies were prepared by Black & Veatch Management Company, LLC of Los Angeles, CA to evaluate Fiscal Years 26/27 through 30/31, in coordination with City staff and evaluated by a third-party consultant, and were adopted by Council on March 17, 2026. At that time, the City Council directed staff to initiate a Proposition 218 protest process as legally required to adjust rates for all water and wastewater customer classes.

The Proposition 218 protest hearing was conducted at the regularly scheduled City Council meeting on May 19, 2026. The City Clerk tabulated the number of written protest ballots received, which totaled less than 50% of the total affected parcels. Therefore, the rate maximums recommended in the utilities

rate studies and enumerated on the Proposition 218 Notice were adopted.

Analysis:

2026-2031 Utilities Rate Schedule

The fee schedule recommended by the utilities rate studies and approved via the Proposition 218 process set a maximum limit on the amount that can be charged; the City Council retains the authority to adopt reduced rates as appropriate to match actual costs and revenues received. At this time, Utilities Department staff recommend that the five-year rate schedule prepared in the rate studies be adopted to go into effect each November 1st, which customers will receive on their January bills (Attachment 1). This schedule provides the reliable revenue stream to fund the identified critical capital and operational needs and is based on current projections and industry conditions.

However, City staff will continuously monitor the enterprise fund revenues and expenditures throughout the five-year period to ensure that rates are appropriately set and could return in later years to recommend amending the rate schedule if warranted. Staff will continue to pursue alternative grant and loan funding from state and federal agencies for large capital infrastructure projects and other major expenditures, which could offset the revenue required from service rates.

The Resolution does not include a rate schedule for the Significant Industrial User customer class at this time, although rate maximums were adopted with Proposition 218. The 2026 wastewater rate study updated the methodology for this user class and reevaluated its cost share of capital improvement and debt service. The City is working with these customers to finalize the rate schedule in recognition of the significant changes to existing rates and the usage data gathered since the study's completion. Utilities staff will return to Council with a recommendation for the industrial rate schedule and any necessary agreements at a future meeting prior to the November rate implementation.

Ordinance Update

The recommended water and wastewater Ordinance (Attachment 2), as introduced on May 19, 2026, captures several changes necessary to accurately represent the service rates and current City structure and to meet regulatory requirements. These changes are summarized below:

Title 6 Chapter 5 – Wastewater Collection and Treatment

- Remove the Proposition 218 limits and service fee tables, as they are adopted and recorded via Resolution and the City's fee schedule
- Update responsibilities to add the recreated Utilities Director and reduce the responsibilities of the Public Works Director
- Update the industrial user service fee information to match the changes in calculation methodology
- Update the septage hauler fee information to match changes to rate determination

Title 6 Chapter 6 – Water System

- Remove the Proposition 218 limits and service fee tables, as they are adopted and recorded via Resolution and the City's fee schedule
- Update responsibilities to add the recreated Utilities Director and reduce the responsibilities of the Public Works Director
- Update backflow prevention requirements for landscape-only connections

- Add regulations for California AB 1572 compliance to prohibit commercial, industrial, and institutional nonfunctional turf irrigation

Fiscal Impact:

The water and wastewater revenue changes and proposed rate schedules would adequately fund projected operations, maintenance, and capital improvement for the next five (5) fiscal years. Implementation for the Year 1 rates is scheduled for November 1, 2026, with customers billed and revenues received with the updated rates in January 2027. This timeline has been incorporated into the proposed Fiscal Year 26/27 operating and Capital Improvement Program budgets for water and wastewater.

Alternatives:

1. Direct staff to modify the recommended rate schedule amounts or implementation dates for water and/or wastewater.
2. Do not adopt new rate schedules and keep water and wastewater service rates at the current levels. This would prevent the City from meeting the State Revolving Fund loan approval timeline for construction of the mandated Outfall Diffuser Replacement Project, in addition to underfunding the projected overall water and wastewater enterprise fund needs.

Recommendation:

- A. Continue the item to the next regular meeting of the City Council (June 16, 2026)

Attachments:

1. Attachment 1 Resolution - Utilities Rate Schedule 2026-2031
2. Attachment 2 Ordinance - Utilities 2026 Rate Study Updates
3. Ordinance Exhibit A - CHAPTER_5.____WASTEWATER_COLLECTION_AND_TREATMENT
4. Ordinance Exhibit B - CHAPTER_6.____WATER_SYSTEM

Prepared By:

Scarlett O. Harris
Utilities Administrative Manager

Submitted By:

Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. 26-_____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ESTABLISHING THE WATER AND WASTEWATER RATE SCHEDULES
FOR FISCAL YEARS 26/27 THROUGH 30/31, INCLUSIVE**

WHEREAS, the City Council adopted Water and Wastewater Rate Studies and initiated a Proposition 218 process to establish the recommended utility service rate maximums on March 17, 2026; and,

WHEREAS, pursuant to California Government Code 53756, a protest public hearing took place on May 19, 2026, in which the City Clerk received and tabulated the protests and determined that there was not a majority protest of the proposed water and wastewater service rate adjustments; and,

WHEREAS, Chapter 5 (Wastewater Collection and Treatment) and Chapter 6 (Water System) of Title 6 of the Yuba City Municipal Code provide the City Council with the authority to set utilities service rates by Resolution within the maximums established through the Proposition 218 process.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

Section 1. The water utility service rate schedule for Fiscal Years 26/27 through 30/31, inclusive, shall be as follows:

	HCF Included	Year 1 Nov 1, 2026	Year 2 Nov 1, 2027	Year 3 Nov 1, 2028	Year 4 Nov 1, 2029	Year 5 Nov 1, 2030
Base Rate						
1" & less	15	\$50.67	\$57.76	\$60.65	\$63.68	\$65.59
1.5"	30	\$93.56	\$106.65	\$111.99	\$117.59	\$121.11
2"	60	\$179.34	\$204.45	\$214.67	\$225.41	\$232.17
3"	240	\$694.06	\$791.23	\$830.79	\$872.33	\$898.50
4"	480	\$1,380.34	\$1,573.59	\$1,652.27	\$1,734.89	\$1,786.93
6"	900	\$2,581.34	\$2,942.72	\$3,089.86	\$3,244.35	\$3,341.68
8"	2,100	\$6,012.76	\$6,854.54	\$7,197.27	\$7,557.14	\$7,783.85
Commodity Charges						
All (\$/HCF)		\$2.36	\$2.68	\$2.82	\$2.96	\$3.05

Section 2. The wastewater utility service rate schedule for Fiscal Years 26/27 through 30/31, inclusive, shall be as follows:

	Year 1 Nov 1, 2026	Year 2 Nov 1, 2027	Year 3 Nov 1, 2028	Year 4 Nov 1, 2029	Year 5 Nov 1, 2030
Residential					
Single Family*	\$67.28	\$77.37	\$82.78	\$88.58	\$92.56
Multi Family	\$53.82	\$61.89	\$66.23	\$70.86	\$74.05
Commercial					

Base Rate	\$67.28	\$77.37	\$82.78	\$88.58	\$92.56
C1 (\$/HCF)	\$3.89	\$4.47	\$4.78	\$5.12	\$5.35
C2 (\$/HCF)	\$4.41	\$5.07	\$5.42	\$5.80	\$6.07
C3 (\$/HCF)	\$7.04	\$8.09	\$8.66	\$9.26	\$9.68
Schools					
(\$/ADA)	\$31.31	\$36.00	\$38.52	\$41.22	\$43.07

*Includes Stonegate customers

Section 3. These rates shall go into effect each November 1st as scheduled unless superseded or amended by future Council Resolution.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

ORDINANCE NO. _____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY AMENDING CHAPTER 5 (WASTEWATER COLLECTION AND TREATMENT) AND CHAPTER 6 (WATER SYSTEM) OF TITLE 6 OF THE YUBA CITY MUNICIPAL CODE

WHEREAS, the City Council of Yuba City (“City”) is authorized by the California Constitution, Article XI, Section 7 to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council has adopted the Yuba City Municipal Code, which it periodically updates to protect the public health, safety, and welfare; and

WHEREAS, the City Council adopted water and wastewater rate studies and initiated a Proposition 218 protest process on March 17, 2026 in order to secure the necessary service rate revenue to fund critical operations, maintenance, debt service, and capital infrastructure improvements for the water and wastewater systems; and

WHEREAS, in accordance with Proposition 218, a protest public hearing took place on May 19, 2026, in which the City Clerk received and tabulated the protests and determined that there was not a majority protest of the proposed water and wastewater rate adjustments; and

WHEREAS, City Council desires to update and amend the Yuba City Municipal Code Title 6 Chapter 5 (Wastewater Collection and Treatment) and Chapter 6 (Water System) in order to capture the 2026 Proposition 218 rate maximums and user class changes, update the roles and responsibilities associated with the Utilities Director and Public Works Director, and meet new state water regulations in a fair manner that best addresses the public health, safety, and welfare.

NOW THEREFORE, the City Council of the City of Yuba City does ordain as follows:

Section 1.

The above recitals are all true and correct and are hereby adopted as findings.

Section 2.

The proposed ordinance was assessed in accordance with the authority and criteria contained in CEQA, the State CEQA Guidelines (“CEQA Guidelines”), and the environmental regulations of the City. The City Council finds and determines that the proposed ordinance is not a “project” for the purposes of CEQA and consistent with CEQA Guidelines Section 15378, as it promotes environmental conditions by providing improved processes and programs for the treatment and delivery of drinking water and the collection and treatment of wastewater, and will not result in direct or indirect substantial, adverse physical changes in the environment as compared to the current baseline. Additionally, the City Council finds and determines for the same reasons that even if the proposed ordinance were a project for the purposes of CEQA, there is no possibility that this project may have a significant adverse effect on the environment pursuant to CEQA Guidelines, Section 15061(b)(3). Therefore, the proposed ordinance is not subject to CEQA.

Section 3.

Chapter 5 (Wastewater Collection and Treatment) of Title 6 of the Yuba City Municipal Code hereby is amended to read in its entirety as set forth in Exhibit A.

Section 4.

Chapter 6 (Water System) of Title 6 of the Yuba City Municipal Code hereby is amended to read in its entirety as set forth in Exhibit B.

Section 5.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.

Section 6.

This Ordinance shall take effect and be in full force and effect from and after thirty (30) calendar days after its final passage and adoption. Within fifteen (15) calendar days after its adoption, the Ordinance, or a summary of the Ordinance, shall be published once in a newspaper of general circulation.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the 19th day of May, 2026, and passed and adopted at a regular meeting held on the 2nd day of June, 2026.

AYES:
NOES:
ABSENT:
ABSTAIN:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

SHANNON CHAFFIN, City Attorney
Aleshire & Wynder, LLC

EXHIBIT A

The City Council of the City of Yuba City does ordain as follows:

TITLE 6. – PUBLIC WORKS

CHAPTER 5. WASTEWATER COLLECTION AND TREATMENT¹

Article 1. General Provisions

Sec. 6-5.101. Purpose and policy.

The purpose of this chapter is to provide for the maximum possible beneficial public use of City facilities through the adequate regulation of sewer construction, sewer use, and industrial wastewater discharges; to provide for the equitable distribution of City costs; and to provide procedures for complying with the requirements placed upon the City by other regulatory agencies.

This chapter sets forth uniform requirements for dischargers to the publicly owned treatment works and enables the City to comply with the administrative provisions of the Clean Water Grant Regulations; water quality requirements of the Regional Water Quality Control Board and the applicable effluent limitations; State Water Resources Control Board's Sanitary Sewer Systems Waste Discharge Requirements (WDR) and Monitoring and Reporting Requirements for the Sanitary Sewer System in reference to the City's sewer system management plan (SSMP); national standards of performance, toxic, and pretreatment effluent standards; and all other applicable State and Federal laws, including the Clean Water Act (33 U.S.C. § 1251 et seq.) and the General Pretreatment Regulations (40 CFR 403). In the event that state and/or federal wastewater discharge or treatment regulations and/or standards exist or are subsequently adopted which are more stringent and/or restrictive than the requirements of this chapter, the more stringent and restrictive regulations shall apply. The primary objectives of this chapter include:

- (a) To prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;
- (b) To prevent illicit discharges (e.g., infiltration and inflow, chemical dumping, unauthorized debris, etc.) into the sanitary sewer system;
- (c) To prevent the introduction of pollutants into the publicly owned treatment works that will pass through the publicly owned treatment works, inadequately treated, into receiving waters, or otherwise be incompatible with the publicly owned treatment works;
- (d) To protect both publicly owned treatment works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (e) To promote reuse and recycling of industrial wastewater and sludge from the publicly owned treatment works;
- (f) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the publicly owned treatment works;

¹Ord. No. 007-16, § 1, adopted June 21, 2016, repealed the former Ch. 5, §§ 6-5.101—6-5.1203, and § 2 of said ordinance enacted a new Ch. 5 as set out herein. The former Ch. 5 pertained to similar subject matter and derived from Ord. 004-11, § 3, effective Aug. 18, 2011.

- (g) To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the publicly owned treatment works is subject;
- (h) To require that sanitary sewers and connections are properly designed, constructed, and maintained;
- (i) To ensure access in easements, rights-of-way, and any other areas where sanitary sewer system facilities are installed for maintenance, inspection, or repairs of the sanitary sewer system and any portions of the service laterals and satellite collection system;
- (j) To limit discharge of fats, oils, grease, and other debris that may cause blockages; and
- (k) To enforce any violations of this chapter.

This chapter shall apply to all users of the publicly owned treatment works. This chapter authorizes the issuance of wastewater discharge permits; provides for monitoring, inspections, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Revenues derived from the application of this chapter shall be used to defray the City's cost of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, bond service cost, capital improvements, depreciation, and/or capital replacement.

Sec. 6-5.102. Scope.

This chapter shall be interpreted in accordance with the definitions set forth in Section 6-5.106. of this article.

The provisions of this chapter shall apply to the direct or indirect discharge of all liquid-carried wastes to the facilities of the City. This chapter, among other things, provides for the regulation of sewer construction in areas within the City, the quantity and quality of discharged wastes, the degree of waste pretreatment required, the setting of waste discharge fees to provide for the equitable distribution of costs, the approval of plans for sewer construction, the issuance of permits for industrial wastewater discharges and of other miscellaneous permits, and the establishment of penalties for violations of this chapter.

Sec. 6-5.103. Administration.

Except as otherwise provided in this chapter, the City Manager shall administer, implement, and enforce the provisions of this chapter by coordinating the actions of the ~~Public Works Utilities~~ Director, the Finance Director, ~~the Public Works Director~~, and any other necessary City department. The primary responsibility for the administration, implementation, and enforcement of the parts of this chapter which relate to billing, collecting, and accounting for the fees and charges established by this chapter is assigned to the Finance Director. The primary responsibility for the administration, implementation, and enforcement of the parts of this chapter related to the operations of the wastewater treatment facility, wastewater collection system, sewer system management plan, pretreatment program, and water treatment plant is assigned to the ~~Public Works Utilities~~ Director. The primary responsibility for the administration, implementation, and enforcement of the parts of this chapter which relate to professional engineering functions, private development, and improvement or construction of public infrastructure is assigned to the Public Works Director. The primary responsibility for the administration, implementation, and enforcement of all other parts of this chapter is assigned to the ~~Public Works Utilities~~ Director. Any powers granted to, or duties imposed upon, the City Manager, ~~Public Works Utilities~~ Director, ~~or~~ Finance Director, or Public Works Director may be delegated by them to persons acting in the beneficial interests of or in the employ of the City.

Sec. 6-5.104. Use of revenues.

The revenues derived under the provisions of this chapter shall be placed in a fund entitled "Wastewater Fund." The accounting of revenues shall be in accordance with the applicable state and/or federal laws and regulations, and revenues may be used for any purpose so authorized.

Sec. 6-5.105. Abbreviations.

The following abbreviations, when used in this chapter, shall have the designated meanings:

AHL	Allowable headworks loading
BMP	Best management practices
BOD	Biochemical oxygen demand
CFR	Code of Federal Regulations
CIU	Categorical industrial users
COD	Chemical oxygen demand
EPA	U.S. Environmental Protection Agency
ERP	Enforcement response plan
FOG	Fats, oils, and grease
FSE	Food service establishment
gpd	Gallons per day
GRD	Grease removal device(s)
IU	Industrial user
MAHL	Maximum allowable headworks loading
MAIL	Maximum allowable industrial loading
mg/l	Milligrams per liter
NAICS	North American Industrial Classification System
NOV	Notice of Violation
NPDES	National Pollutant Discharge Elimination System
POTW	Publicly owned treatment works
RCRA	Resource Conservation and Recovery Act
SIC	Standard industrial classification
SIU	Significant industrial user
SNC	Significant Non-compliance
SSMP	Sewer System Management Plan
SSO	Sanitary sewer overflow
TBLDD	Technically based local limit development document
TRC	Technical review criteria
TSS	Total suspended solids
USC	United States Code

Sec. 6-5.106. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act or the Act. The term "Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

Administrative order. For the purposes of this chapter, an order issued by the City of Yuba City, City Attorney, or an Administrative Judge of the Superior Court of California, County of Sutter, compelling a user of the City's POTW to perform in some manner. Administrative orders are issued in response to a violation of this Code and State water or health and safety laws, with the legal jurisdiction dictating which legal official issues the order. The orders are generally issued in the form of show cause, compliance, or consent orders depending on the nature and circumstance of noncompliance.

Allowable headworks loading (AHL). The estimated maximum loading of a pollutant received at a POTW's headworks that should not cause the POTW to violate a particular treatment plant or environmental criterion. AHLs are developed to prevent interference or pass through.

Approval authority. The State of California, Regional Water Quality Control Board, Central Valley Region.

Authorized representative of the user.

- (a) If the user is a corporation:
 - (1) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - (2) The manager of one or more manufacturing, production, or operation facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (b) If the user is a partnership or sole proprietorship, a general partner or proprietor, respectively.
- (c) If the user is a Federal, State, or local governmental facility, a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (d) The individuals described in paragraph (a)(1) and paragraph (a)(2) above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

Beneficial uses. Uses of the waters of the State which will be protected against quality degradation, including domestic, municipal, agricultural, and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, the preservation and enhancement of fish, wildlife, and other aquatic resources or reserves, and other uses, both tangible or intangible, as specified by Federal or State law.

Best management practices (BMP). The term "best management practices" or "BMP" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the

prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMP also includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. In addition, BMP means activities, prohibitions, maintenance procedures, and other management practices to prevent or reduce the direct or indirect introduction of FOG into the public sewer.

Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees Celsius, usually expressed as a concentration (e.g., mg/l).

Building sewer or lateral sewer. A sewer conveying the wastewaters of a discharger from a residence, building, or other structure to a community sewer, including direct connections to a community sewer where permitted by the City.

Categorical pretreatment standard or categorical standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) of the Act (33 U.S.C. § 1317) which applies to a specific category of users and which appear in 40 CFR 405—471.

Cesspool. A tank, box, or sump used for the receipt of crude sewage, containing no provision for the nitrification, clarification, or disposal of the sewage, or which discharges such sewage upon the open ground.

Chemical oxygen demand (COD). The measure of chemically decomposable materials in domestic or industrial wastewaters as represented by the oxygen utilized as determined by the appropriate procedure described in "standard methods."

Chlorine demand. The amount of chlorine required to produce a free chlorine residual of 0.1 mg/l after a contact time of 15 minutes as measured by the Idiometric Method on a sample at a temperature of 20 degrees Celsius in conformance with "standard methods."

City. The City of Yuba City public organization.

City Manager. The City Manager of the City of Yuba City.

Collecting sewer. Any City-owned sewer line discharging to another City-owned sewer line such as a trunk line.

Collection system. The portions of the public sewer/collecting sewer consisting of all pipes, sewers, and conveyance systems conveying wastewater to the POTW, excluding service lateral line connections which are not owned by the City.

Commercial building. Any structure, building, or enclosure designed primarily for commercial use other than residential or industrial.

Commercial user. Any user not defined as a residential or industrial user.

Community sewer system. The sewers owned and operated by the City. "Community sewer" shall mean that portion of the community sewer system which receives wastewaters from the service lateral of a discharger.

Compatible pollutant. The biochemical oxygen demand, suspended solids, and pH and fecal coliform bacteria, plus additional pollutants identified in the City's NPDES permit.

Connection. The joining of any structure, building, or facility to any sewer line entering the sewer system of the City for the purpose of discharging sanitary or industrial sewage or wastes.

Contamination. Any impairment of the quality of the waters of the State by wastes to a degree which creates a hazard to the public health through poisoning or the spread of disease.

Council or City Council. City Council of the City of Yuba City.

County. The County of Sutter.

CPC. California Plumbing Code Book, California Code of Regulations Title 24, Part 5.

Daily discharge. Daily discharge is defined as either:

- (1) The total mass of the constituent discharged over the calendar day (12:00 a.m. through 11:59 p.m.) or any 24-hour period that reasonably represents a calendar day for purposes of sampling, for a constituent with limitations expressed in units of mass; or
- (2) The unweighted arithmetic mean measurement of the constituent over the day for a constituent with limitations expressed in other units of measurement (e.g., concentration).

The daily discharge may be determined by the analytical results of a composite sample taken over the course of one day (a calendar day or other 24-hour period defined as a day) or by the arithmetic mean of analytical results from one or more grab samples taken over the course of the day.

For composite sampling, if one day is defined as a 24-hour period other than a calendar day, the analytical result for the 24-hour period will be considered as the result for the calendar day in which the 24-hour period ends.

Daily maximum. The arithmetic average of all effluent samples for a pollutant collected during a calendar day.

Daily maximum limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Discharger. Any person who discharges or causes a discharge to a public sewer.

Dissolved solids. The solid matter in solution in the wastewaters, which shall be obtained by the evaporation of a sample from which all suspended matter has been removed by filtration as determined by the procedures in "standard methods."

Dwelling unit. Any residence, apartment, habitation, or other structure customarily occupied by a single person or family and which contains facilities for the preparation of meals.

Effluent. The liquid outflow of any facility designed to treat, convey, or retain wastewaters.

Environmental Protection Agency (EPA). The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director or other duly authorized official of the agency.

Existing source. Any source of discharge, the construction or operation of which commenced prior to the publication by the EPA of proposed categorical pretreatment standards, which will be applicable to such source if the standard is thereafter promulgated in accordance with Section 307 of the Act.

Fats, oils, and grease (FOG). Any substance such as a vegetable or animal product that is used in or is a byproduct of the cooking or food preparation process and that becomes or may become viscous, or solidifies or may solidify, with a change in temperature or other conditions.

FOG control program. A document prepared and implemented by the City to control FOG (fats, oils, and/or grease).

Food service establishment (FSE). Any facility which prepares and/or packages food or beverages for sale or consumption, on- or off-site, with the exception of private residences, including, but not limited to, food courts, food manufacturers, food packagers, restaurants, grocery stores, bakeries, lounges, bars, hospitals, hotels, nursing homes, churches, and schools.

Garbage. Any solid wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.

Grab sample. A sample which is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

Grease-removal device(s). All food service establishments that discharge wastewater to the City's wastewater collection system are required to have City-approved and properly sized grease-removal devices, also commonly referred to as "grease traps" or "grease interceptors."

Both devices are primary grease-removal devices that separate and retain free-floating FOG. The differences between the two types of grease-removal devices are primarily the size and physical location of the unit.

Indirect discharge or discharge. The introduction of pollutants into the POTW from any non-domestic source regulated under Sections 307(b), (c), or (d) of the Act.

Industrial wastewater or industrial user (IU). Shall mean as defined in Article 4 of this chapter.

Insignificant violation. Any violation that is not by definition defined as significant non-compliance (SNC).

Inspector. A person authorized by the Public Works Director to inspect wastewater generation, conveyance, processing, and disposal facilities.

Instantaneous maximum allowable discharge limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

Interference. A discharge, which alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes, or operations or its sludge processes, use, or disposal, and, therefore, is a cause of a violation of the City's NPDES permit (including an increase in the magnitude or duration of a violation) or causes the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued hereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act (SWDA), including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act); the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Lot or parcel. A lot or parcel of land consisting of one lot of record in one ownership.

Main sewer or sewer main. A portion of the community sewer system located in a street or public easement which receives wastewater from the service lateral of a discharger and is designated to accommodate more than one service lateral.

Maximum allowable concentration. The maximum concentration of a pollutant which may be discharged from an IU into the City's collection system. Unless dictated by superseding regulations (i.e., national pretreatment or categorical standards), the maximum allowable concentration may be taken as a grab or composite sample at the discretion of the Public Works Director.

Maximum allowable headworks loading (MAHL). The estimated maximum loading of a pollutant that can be received at a POTW's headworks without causing pass through or interference. The most protective (lowest) of the AHLs estimated for a pollutant.

Maximum allowable industrial loading (MAIL). The estimated maximum loading of a pollutant that can be received at a POTW's headworks from all permitted industrial users and controlled sources without causing pass through or interference. The MAIL is usually calculated by applying a safety factor to the MAHL and discounting for uncontrolled sources, hauled wastewater, and growth allowance.

Medical waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

Monthly average. The sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Monthly average limit. The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month. New source.

- (a) Any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 - (1) The building, structure, facility, or installation is constructed at a site at which no other source is located;
 - (2) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- (b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility, or installation meeting the criteria of subsection (a)(1) or (a)(2) above but otherwise alters, replaces, or adds to existing process or production equipment.
- (c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - (1) Begun, or caused to begin, as part of a continuous on-site construction program:
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work, including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.
 - (2) Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

Non-contact cooling water. Water used for cooling, which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

North American Industrial Classification System (NAICS). U.S. Census Bureau business classification system.

Outside user. Any person responsible for the payment of sewer service fees for premises served outside the City limits.

Pass through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.

Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal wastes, agricultural wastes, and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).

Premises. Any lot, piece, or parcel of land, any building or other structure, or any part of any building or structure used or useful for human habitation or gathering or carrying on any business or occupation.

Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Pretreatment requirements. Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial user.

Pretreatment standard or standard. The terms "National Pretreatment Standard," "pretreatment standard," or "standard" mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act, which applies to industrial users. This term includes prohibitive discharge limits established pursuant to Section 403.5.

Private sewer. That portion of a sewer serving an independent sewage disposal system, not connected with a public sewer, and which accommodates one or more buildings or industries.

Prohibited discharge standards or prohibited discharges. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 6-5.207.

Public sewer. The main line sewer constructed in a street, highway, alley, place, or right-of-way dedicated to public use. "Public sewer" shall not include a house connection sewer or service lateral.

Public Works Director ~~or Director~~. The Public Works Director of the City or such other person as may be designated by the Public Works Director to perform the services or make the determinations permitted or required under this chapter to be made by the Public Works Director.

Publicly owned treatment works (POTW). A "treatment works," as defined by Section 212 of the Act (33 U.S.C. § 1292) which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality as defined in Section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

Radioactive material. A material containing chemical elements that spontaneously change their atomic structure by emitting any particles, rays, or energy forms.

Receiving water quality standards. The requirements for City treatment plant effluent established by law or by State or Federal regulatory agencies for the protection of receiving water quality. Said standards shall include effluent limitations and waste discharge standards, requirements, limitations, or prohibitions which may be established, amended, or adopted by State or Federal laws or regulatory agencies.

Residential user. Any user whose premises are used solely for residential purposes.

Sanitary sewage. The waste discharging into the City sewage system which contains human or animal excreta.

Sanitary sewer overflow (SSO). Any overflow, spill, release, discharge, or diversion of untreated or partially-treated wastewater from a sanitary sewer system, including overflows or releases that reach waters of the United States, overflows or releases that do not reach the waters of United States, and backups into buildings and/or private property caused by conditions within the publicly owned portion of the sewer system.

Septic tank system. A system of reservoirs or tanks which receive sanitary sewage and by septic bacterial action affect the decomposition and settlement of settleable solids and the diversion of the septic liquid for clarification and purification which take place by further bacterial action in percolation ducts extending into natural or prepared porous subsoil beds.

Septic tank waste. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service lateral. A sewer conveying the wastewaters of a discharger from a residence, building, or other structure(s) to a community sewer, including direct connections to a community sewer where permitted by the City.

Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.), which is a constituent of wastewater.

Sewage lift station. Any facility designed and constructed to raise wastewaters in elevation or to overcome head losses due to pipeline friction.

Sewage treatment plant. Any arrangement of devices and structures for treating sewage.

Sewer system management plan (SSMP). A document prepared by the City that describes the activities to manage the wastewater collection system.

Sewerage system or sewer system. The services and facilities for the treatment and disposal of industrial wastes and sanitary sewage.

Shall and may. "Shall" is mandatory and "may" is permissive.

Significant industrial user (SIU).

- (a) A user subject to categorical pretreatment standards; or a user that:
 - (1) Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
 - (2) Contributes a process waste stream which makes up 5% or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (3) Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (b) The City may determine that an industrial user subject to categorical pretreatment standards is a non-significant categorical industrial user rather than a significant industrial user on a finding that the industrial user never discharges more than 100 gpd of total categorical wastewater (excluding sanitary, non-contact cooling, and boiler blowdown wastewater, unless specifically included in the pretreatment standard) and the following conditions are met:
 - (1) The industrial user, prior to the City's finding, has consistently complied with all applicable categorical pretreatment standards and requirements;
 - (2) The industrial user annually submits the certification statement required in Section 6-5.402.F(b), together with any additional information necessary to support the certification statement; and
 - (3) The industrial user never discharges any untreated concentrated wastewater.
- (c) Upon finding that a user meeting the criteria in subsection (b) has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the City may, at any time, on its own initiative or in response to a petition received from a user and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such user should not be considered a significant industrial user.

Slug load or slug discharge. Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Article 2 of this chapter. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions.

Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the United States Office of Management and Budget.

Standard methods. The procedures described in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation. Elements of wastewater strength shall be measured by "standard methods" unless otherwise expressly stated.

Standard specifications. A set of documents including standard details and special provisions containing design and construction standards for all sewerage works within the City. The edition of standard specifications in place at the time of permit issuance/approval shall rule.

Stormwater. Any flow occurring during or following any form of natural precipitation and resulting from such precipitation, including snowmelt.

Suspended solids. The total suspended matter that floats on the surface of or is suspended in water, wastewater, or other liquid, and which is removable by laboratory filtering.

Trade secrets. Any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information which is not patented and is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value and which gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

Trailer court. Any parcel of land designed for residential use with two or more mobile homes, travel trailers, pickup campers, or motor homes.

Trunk sewer. A sewer constructed, maintained, and operated by the City which conveys wastewaters to the City's treatment facilities and into which service laterals and collecting sewers discharge.

Untampered water. Any wasted water of the community not contaminated or polluted with wastewaters and which is suitable or could readily be made suitable for discharge to the municipal stormwater drainage system.

User or industrial user. A source of indirect discharge. Also defined as any person responsible for the payment of the sewer service charges for premises served as provided in this chapter.

Utilities Director or Director. The Utilities Director of the City or such other person as may be designated by the Utilities Director to perform the services or make the determinations permitted or required under this chapter to be made by the Utilities Director.

Waste. Sewage and any and all other waste substances, including gaseous or radioactive substances, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature.

Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

Wastewater strength. The quality of wastewaters discharged as measured by its elements, including its constituents and characteristics.

Wastewater treatment plant, wastewater treatment facility, or water reclamation facility treatment plant. That portion of the POTW which is designed to provide treatment of municipal sewage/wastewater and industrial waste.

Article 2. Rules and Regulations

Sec. 6-5.201. Discharge into streams prohibited.

Treatment of waste is required. It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter.

Sec. 6-5.202. Privies and septic tanks prohibited.

Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit, or other facility intended or used for the disposal of sewage.

Sec. 6-5.203. Occupancy prohibited.

No building, industrial facility, or other structure shall be occupied until the owner of the premises has complied with all the rules and regulations of the City and this chapter.

Sec. 6-5.204. New buildings requiring sewers.

Before a building permit may be issued for any new building to be situated within the City which requires sewage disposal, provisions shall be made by the applicant and/or the property owner to connect the building with the City public sewer system, all in accordance with the requirements of this chapter. Provisions to connect the building to the public sewer may include extension of the main sewer line at the property owner's expense if necessary to adequately serve the building as determined by the Public Works Director. The property owner shall be responsible for the proper maintenance of the service lateral, at property owner's expense, from the building(s) to the collecting sewer/community sewer, including the connection of the service lateral to the collecting sewer/community sewer.

- (a) The Public Works Director may determine that extension of the public sewer to the new building is unfeasible due to distance and, upon approval, may allow the property owner to obtain authorization by the County Health Department to construct a septic system. In such cases, Section 6-5.207. shall then apply.

Sec. 6-5.205. Existing buildings requiring sewage disposal.

Existing buildings situated within the City and requiring sewage disposal shall be required to be connected to the public sewer system of the City at the property owner's expense provided such public sewer is within 200 ft. of the nearest point of the structure. Exceptions to this requirement may be permitted when the County Health Official finds that an existing septic tank system and/or private sewage disposal system is properly and adequately functioning; however, once the private sewage disposal system and/or septic tank system fails for the structure which is within 200 ft. of the serviceable public sewer line, a connection to the public sewer system shall be required at the property owner's expense. All fees shall be paid prior to issuance of a building permit. The property owner shall be responsible for the proper maintenance of the service lateral, at property owner's expense, from the building(s) to the collecting sewer/community sewer, including the connection of the service lateral to the collecting sewer/community sewer.

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Sec. 6-5.206. Ownership of the service lateral.

Every user of the community sewer system shall be connected to the City sewer main by a sewer service lateral. Sewer service laterals shall be installed, properly maintained, and repaired by the owner of the property which the lateral serves. The entire sewer service lateral from the building connection to and including the wye connection to the sewer main shall be the owner's responsibility to install, properly maintain, and repair.

All persons using the community sewer system of the City shall pay for such service and for the privilege of connecting to the sewer at the rates, at the times, and under the conditions set forth in this chapter and shall comply with all of the regulations set forth in this chapter relating to the use of such sewer system.

All sewer service laterals connecting a user, whether a single-family residence, commercial building, or other structure, to a City-owned sewer main located in the public right-of-way or easement shall be owned, maintained, and repaired by the owner of the property being served, from and including the lateral's connection point at the City sewer main to the building or other point of use on the property. This includes both the portion on private property and the portion located beneath the sidewalk and street or any other public right-of-way or easement areas such as alleys, trails, and landscape areas, up to and including the point where the lateral connects to the City sewer main.

The City shall have the right to conduct maintenance inspection and/or repairs to the service lateral if needed, and it shall be the property owner's obligation to reimburse the City for the actual cost of such repair and inspection. The City may enforce the obligation to reimburse under Article 7 of this chapter, as well as Chapter 2 of Title 1 of this Code.

Sec. 6-5.207. Private sewage disposal systems.

- (a) *Private sewer system allowed.* When it has been determined by the Public Works Director that a building may be connected to a private sewage disposal system, the private system shall comply with the provisions of this chapter.
- (b) *Permits required.* Before the commencement of the construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Public Works Director, the County Health Department, and any other agency or person(s) required by the permit.
- (c) *Inspections required.* A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Public Works Director and the County Health Department. The City shall be allowed to inspect the work at any stage of the construction, and, in any event, the applicant for the permit shall notify the City and County Health Department when the work is ready for final inspection and before any underground portions are covered.
- (d) *Design requirements.* The type, capacities, locations, and layout of a private sewage disposal system shall comply with all the recommendations of the Department of Public Health of the State and the County Health Department. No septic tank or cesspool shall be permitted to discharge to any public sewer or any stream or watercourse. In addition, the private sewage disposal system shall meet all of the applicable local, State, and Federal design requirements at the time of construction.
- (e) *Abandonment of facilities.* At such time as a public sewer becomes available to a property served by a private sewage disposal system, a direct connection shall be made to the public sewer in compliance with the laws, rules, and regulations of the City, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material as determined by the Public Works Director and County Health Department. In addition, all other applicable local, sState, and fFederal requirements shall apply to appropriately abandon the facility.
- (f) *Costs of maintenance by owners.* The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the City.

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- (g) *Additional requirements.* No statement contained in this chapter shall be construed to interfere with any additional requirement that may be imposed by any law, ordinance, rule, or regulation, or by the City or the County Health Department or the State.

Sec. 6-5.208. Prohibited discharge standards.

- (a) *General prohibitions.* No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through, interference, or blockage(s) in the sanitary sewer system. These general prohibitions and the specific prohibitions in paragraph (b) below apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, State, or local pretreatment standards or requirements.
- (b) *Specific prohibitions.* No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
- (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR 261.21;
 - (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0 or more than 11.5, unless the works is specifically designed to accommodate such discharges;
 - (3) Solid or viscous pollutants in amounts, as determined by the City, which will cause obstruction of the flow in the POTW resulting in interference but in no case, solids with a diameter greater than one-fourth inch;
 - (4) Any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
 - (5) Wastewater having a temperature at the point of discharge which will inhibit biological activity in the treatment plant resulting in interference, but in no case, wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° Fahrenheit (40 degrees Celsius);
 - (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Trucked or hauled pollutants, except at discharge points designated by the [Public Works Utilities Director](#) in accordance with Section 6-5.406.D of this chapter;
 - (9) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - (10) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
 - (11) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;

- (12) Stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, non-contact cooling water, and unpolluted wastewater, unless specifically authorized by the [Public Works Utilities](#) Director;
 - (13) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - (14) Medical wastes, except as specifically authorized by the [Public Works Utilities](#) Director in a wastewater discharge permit;
 - (15) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;
 - (16) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
 - (17) Fats, oils, or greases (FOG) of animal or vegetable origin in concentrations greater than 100 mg/l; or which will cause interference or pass through at the POTW or which will cause: (i) any visible sheen on the surface of the discharged wastewater; (ii) any buildup of fats, oils, or grease in any portion of the POTW; or (iii) any obstruction of the POTW;
 - (18) FOG, as defined by the City's FOG control program and/or [Public Works Utilities](#) Director;
 - (19) Wastewater causing two readings on an explosion hazard meter at the point of discharge, or at any point in the POTW, of more than 5% or any single reading over 10% of the lower explosive limit of the meter;
 - (20) Releases of pollutants which, either singly or by interaction with other pollutants, cause contamination of sludge which prevents its use or disposal in accordance with the City's NPDES permit;
 - (21) Cementitious materials;
 - (22) Any solid or viscous substance or particles in a quantity, either by itself or in combination with other wastes, that is capable of obstructing flow or impairing the performance of the POTW;
 - (23) Any wastewater containing strong acid iron pickling, or concentrated plating solutions, whether neutralized or not;
 - (24) The discharge of any radiological, chemical, or biological warfare agent or high-level, radiological waste;
 - (25) Rags, non-flushable wipes, diapers, and other hygiene products which do not biodegrade effectively which therefore may obscure flow or impact performance of the POTW in quantity or in combination with other wastes.
- (c) The foregoing discharge prohibitions are not exclusive and shall be in addition to any prohibitions or requirements specified in any other provision of this Code or any other applicable statute, regulation, ordinance, or other governmental requirement.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW or stormwater collection system.

Sec. 6-5.209. Pretreatment local limits.

- (a) The [Public Works Utilities](#) Director is authorized to establish local limits pursuant to 40 CFR 403.5(c).
- (b) In addition to general and specific prohibitions and other regulatory requirements listed in Chapter 5 of Title 6 of this Code, pretreatment local limits are established to protect against pass through and interference. These constituents and their MAIL limit can be found in the latest technically based local limit development document (TBLLDD). Constituents listed in the TBLLDD will be apportioned according to flow volume discharge limitations defined in individual wastewater discharge permits. All loadings for metals are for

"total" metals unless indicated otherwise. Categorical discharge limits apply at the discharge point from each specified regulated process. The [Public Works Utilities](#) Director will impose mass-based, concentration-based, and/or production-based limitations for controlling pollutant loading to the POTW. Maximum allowable quantities of pollutants not listed in this subsection may be determined by the [Public Works Utilities](#) Director based on applicable water quality criteria or as determined by legally established and approved scientific methods.

- (c) The [Public Works Utilities](#) Director may develop best management practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement local limits and the requirements of Section 6-5.208.
- (d) The established local limits are subject to change and shall be modified as needed based on regulatory requirements and standards, WWTF operation, performance, and processes, the industrial user base, potable water quality, and domestic wastewater characteristics.

Sec. 6-5.210. National Categorical Pretreatment Standards.

The categorical pretreatment standards found in 40 CFR 405—471 are hereby incorporated.

- (a) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the [Public Works Utilities](#) Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
- (b) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the [Public Works Utilities](#) Director shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6(e).
- (c) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.
- (d) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.
- (e) Discharging categorical industrial users (CIUs) shall monitor for all constituents listed in the Code of Federal Regulations (40 CFR 405—471). Wastewater discharged from such users shall be subject to any limitations therein which are not included in the local limits section of this chapter.
- (f) Any non-discharging (excluding sanitary, non-contact cooling, and boiler blow down wastewater, unless specifically included in the pretreatment standard) industrial user subject to the National Categorical Pretreatment Standards found at 40 CFR 403 et seq., may be issued zero-discharge permits.

Sec. 6-5.211. State of California pretreatment standards.

State of California pretreatment standards located at CCR Title 23, Division 7, Chapter 5.5, Sections 13370 through 13389 of the Porter Cologne Water Quality Control Act are hereby incorporated.

Sec. 6-5.212. Right of entry: inspection and sampling.

The [Public Works Utilities](#) Director and/or designee shall have the right to enter the premises of any user, upon providing proper credentials and identification, to determine whether the user is complying with all requirements of this chapter and any wastewater discharge permit or order issued hereunder. Users shall allow the [Public Works Utilities](#) Director or designee ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties. Access shall be provided at any time the premises are staffed with production underway.

- (a) Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the [Public Works Utilities](#) Director and/or designee will be permitted to enter without delay for the purposes of performing specific responsibilities.
- (b) The [Public Works Utilities](#) Director and/or designee shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
- (c) The [Public Works Utilities](#) Director and/or designee may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at their own expense. All devices used to measure wastewater flow and quality shall be calibrated annually or more often as deemed necessary by the POTW.
- (d) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the [Public Works Utilities](#) Director and/or designee and shall not be replaced. The costs of clearing such access shall be borne by the user.
- (e) Unreasonable delays in allowing the [Public Works Utilities](#) Director and/or designee access to the user's premises shall be a violation of this chapter.

Sec. 6-5.213. Search warrants.

If the [Public Works Utilities](#) Director and/or designee has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause indicating a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this chapter or any permit or order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the [Public Works Utilities](#) Director may seek issuance of a search warrant from the Superior Court of California, County of Sutter.

Sec. 6-5.214. City of Yuba City's right of revision and right to deny or condition increased contribution of changes in nature of pollutants.

The City reserves the right to establish, by ordinance or in wastewater discharge permits, additional or more stringent standards or requirements on discharges to the POTW. Additionally, the City reserves the right to deny or condition new or increased contributions of pollutants flow or changes in the nature of pollutants to the POTW by industrial users where such contributions do not meet applicable pretreatment standards and requirements or where such contributions may cause the POTW to violate its NPDES permit.

Sec. 6-5.215. Dilution.

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable pretreatment standard or requirement. The [Public Works Utilities](#) Director may impose mass limitations on users who are using dilution to meet applicable pretreatment standards and requirements or in other cases when the imposition of mass limitations is appropriate.

Sec. 6-5.216. Excessive sewer maintenance expense.

No person shall discharge, or cause to be discharged either directly or indirectly, any waste that creates a stoppage, plugging, breakage, any reduction in sewer capacity, or any other damages to the sewers or sewerage

facilities of the City. Any excessive sewer or sewerage maintenance expense, or any other expense attributable thereto, will be charged to the offending discharger by the City.

Any refusal to pay excessive maintenance expenses duly authorized by the [Public Works Utilities](#) Director shall constitute a violation of this chapter, and may be enforced as authorized by this Code.

Sec. 6-5.217. Outside sewers.

- (a) *Permits and fees.* Permission shall not be granted to connect any lot or parcel outside the City to any public sewer in or under the jurisdiction of the City unless a permit therefore is obtained from the City. Such permits shall be approved by the Council. The connection impact fees shall be paid at the option of the developer/applicant at either the issuance of the building permit or at certificate of occupancy for a proposed development project, not at the date of application for a permit. The amount of the impact fees to be paid shall be those fees in effect at the time the fees are paid at either the issuance of a building permit or certificate of occupancy. Exceptions to this requirement may be negotiated between the developer and the City as part of the entitlement and agreement process, subject to City Council approval. The City may require the developer/applicant to pay, as determined by the Public Works Director, inspection fees at the time of building permit.
- (b) *Connection agreements.* In no event shall such permission be granted unless the applicant shall first enter into a contract in writing whereby they shall bind themselves, and their heirs, successors, and assigns, to abide by all laws, rules, and regulations in regard to the manner in which such sewer shall be used and the manner of connecting therewith, and also shall agree to pay all fees required for securing the permit and a monthly fee in the amount set forth by the City for the privilege of using such sewer.
- (c) *Special outside agreements.* Where special conditions exist relating to an outside sewer, they shall be the subject of a special contract between the applicant and the City, subject to approval by the City Council.

Sec. 6-5.218. Containment and notification of prohibited discharge.

Any person owning or occupying premises in the City who has knowledge of any discharge from the premises that is prohibited by the provisions of this article and that has entered or will enter the public sewer system, shall immediately take all reasonable action to contain and abate the discharge and shall notify the City immediately.

Sec. 6-5.219. Disclaimer of liability.

The requirements set forth herein are minimum standards and this chapter does not imply that a wastewater discharge that complies with this chapter will necessarily comply with all other applicable statutes, regulations, ordinances, or other governmental requirements. This chapter shall not create or impose any liability on the City, its officers, or employees for any damages that result from reliance on this Code or any administrative decision lawfully made hereunder.

Sec. 6-5.220. Interceptor for other businesses.

The [Public Works Utilities](#) Director and/or designee may require businesses other than food service establishments to install FOG and/or sand interceptors in accordance with the City's FOG control program and/or when, in the opinion of the [Public Works Utilities](#) Director, interceptor(s) and/or clarifier(s) are necessary for the proper handling of liquid wastes containing fat, oil, or grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients. Such interceptor(s)/clarifier(s) shall be installed, operated, and maintained at no cost to the City, shall be of a type and capacity approved by the [Public Works Utilities](#) Director and/or designee, and shall be located as to be readily and easily accessible for cleaning and inspection.

Clarifier(s) and/or interceptor(s) utilized at a commercial automotive service facility or commercial vehicle washing facility or automotive wash rack shall be pumped out by a licensed hauler at a minimum of every 365 days. The ~~Public Works-Utilities~~ Director or designee may require an increased pump out frequency as deemed necessary.

Sec. 6-5.221. Discharge of groundwater into the City sewer system.

The ~~Public WorksUtilities~~ Director may at his or her sole discretion approve a request to discharge groundwater into the City sewer system, upon execution by the person proposing the discharge of a written agreement signed and approved by the ~~Public Works-Utilities~~ Director, specifying the terms and conditions that apply to the discharger and the discharge, and subject to the payment of any applicable charges and fees and such other requirements as may be imposed by the City or any other public agency. Any person violating any provision of the agreement shall be subject to administrative penalties pursuant to appropriate sections of this Code, in addition to any other penalty or remedy provided by the agreement, this Code, or any other provision of any applicable statute, regulation, or ordinance.

Sec. 6-5.222. Food service establishment (FSE) requirements.

All FSEs shall comply with such BMP requirements as outlined in the FOG control program and/or may be established from time to time by resolution of the City Council and/or ~~Public WorksUtilities~~ Director.

Sec. 6-5.223. Operations and maintenance of sanitary sewer system assets located within sewer easements.

The City shall have the right to operate, inspect, maintain, and repair sewer system assets located within the sewer easements.

Article 3. Sewer Construction

Sec. 6-5.301. Building sewers, service laterals, and connections.

- (a) *Permits required.* No person shall construct a building sewer or service lateral or make a connection with any public sewer without first obtaining a written permit from the City and paying all the fees and connection charges as required thereby.
- (b) *Design and construction requirements.* The design and construction of building sewers and service laterals, including the connections, shall be in accordance with the requirements of the City, latest edition of the International Building Code and California Plumbing Code, and in accordance with the City's standard specifications.
- (c) *Separate sewers.* No two adjacent buildings fronting on the same street shall be permitted to join in the use of the same service lateral. Every building or industrial facility shall be separately connected with a public sewer if such public sewer exists in the street upon which the property abuts or in an easement which will serve such property.
 - (1) One or more buildings located on property belonging to the same owner may be served, upon approval of the Public Works Director ~~or Utilities Director~~, with the same service lateral during the period of such ownership. Upon the subsequent subdivision and sale of a portion of such lot, the portion not directly connected to such public sewer shall be separately connected to a public sewer after obtaining appropriate permit from the City, and it shall be unlawful for the owner thereof to continue to use or

maintain such indirect connection. All fees and charges associated with the separation shall be paid prior to any construction work related to the separation.

- (2) Should adjacent buildings or parcels belonging to different owners share an existing service lateral, the property owners shall be required to separate and build separate laterals to each building or parcel upon the failure of the shared-use lateral. Repairs to a shared-use lateral may only be made by permission of the Public Works Director.
- (d) *Old building sewers.* Old building sewers may be used in connection with new buildings only when they are found, upon inspection and test, to meet all the requirements of the City, by permission of the Public Works Director or Utilities Director. Anyone wishing to utilize existing or old service laterals must submit supportive documentation such as pipe TV analysis and any other tests required by the City. The applicant shall be responsible for all costs associated with this application including preparation of the required supportive documents.
- (e) *Cleanouts.* Cleanouts in building sewers shall be provided in accordance with the latest edition of California Plumbing Code, the standard specifications, and any other City requirements. All cleanouts shall be maintained watertight.
- (f) *Sewers too low.* In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, the sanitary sewage carried by such building sewer shall be lifted by artificial means approved by the Public Works Director or Utilities Director through an agreement with the conditions and discharged to the public sewer at the expense of the owner. The owner shall be responsible for the proper operation and maintenance of such system at his/her own expense.
- (g) *Connections to public sewers.* The connection of the service lateral into the public sewer shall be made in accordance with the standard specifications and other City requirements and at the applicant's expense. The property owner shall be obligated to install and maintain the service lateral at his/her sole expense from the sewer main to the building being served. Where the City has partially constructed the service lateral from the main to the property line in order to avoid the further or future tearing up of the streets, it shall be the property owner's obligation to reimburse the City for the actual cost of that portion of the sewer service lateral constructed by the City. Property owners shall be solely responsible for the entire cost of the sewer service lateral from the main to the building being serviced, which shall be collected at the time of the connection to the public sewer system. The connection to the public sewer shall be made in the presence of a City inspector and under their supervision and direction. Any damage to the public sewer shall be repaired in conformance with the standard specifications and other City requirements at the cost of the applicant.
- (h) *Maintenance of service lateral.* Service laterals shall be maintained by the owner of the property served thereby. The City shall have the right to conduct maintenance inspection, and/or repair to the service lateral if needed, and it shall be the property owner's obligation to reimburse the City for the actual cost of such repair and inspection. Failure to reimburse the City shall be addressed as established by Section 6-5.206 of this Code.
- (i) *Testing.* All building sewers and service laterals shall be tested in accordance with the standard specifications.
- (j) *Prohibited cross connections.* Sanitary sewer pipes shall not be connected to the storm drain system. The discharge of sanitary sewer/wastewater to the storm drain system is prohibited. It shall be the property owner's responsibility to avoid any cross connections during construction. This condition is applicable in all the circumstances, unless exceptions are approved by the Public Works Director or Utilities Director, even if the improvement plans/drawings and construction work are approved by the City. The discharge of sanitary sewer/wastewater to the storm drain system is prohibited.
 - (1) The Public WorksUtilities Director may notify and require property owner(s) with cross connections to eliminate the cross connection, and install backflow prevention devices, at the property owner(s) expense if the elimination is reasonably necessary as determined by the Public WorksUtilities Director.

- (k) *Maintenance and repair; indemnity.*
 - (1) The property owner shall maintain in good condition, and shall be responsible, regardless of the cause, for all required repairs to the customer's private sewer line and all other sewer pipe(s) and appurtenances on property owner's premises. Property owner shall comply with all requirements under this Code prior to excavating anywhere within the public right-of-way for the purpose of maintaining and/or repairing the private sewer line.
 - (2) The property owner shall indemnify, defend, and hold harmless the City, its officers, and employees from and against any and all claims, actions, costs (including attorney fees), damages, or other liability arising from the condition, operation, maintenance, or repair of any sewer line, pipe, or appurtenance that the owner is required to maintain and repair hereunder.
- (l) *Private sewer lines—No infiltration or leaks.*
 - (1) If any private service lateral is found to have a leak or defect that could result in infiltration and/or contamination of ground water or storm runoff, or a result in a wastewater leak or overflow, and the ~~Public Works~~Utilities Director determines that the leak or defect should be repaired to protect the public health, welfare, or safety, or any regulatory agency requires the leak or defect to be repaired, the ~~Public Works~~Utilities Director may notify the owner of the property where the private sewer line is located that the owner must repair the line, and the owner of the line shall promptly upon notification repair the line to the satisfaction of the City. The City may require reasonable inspection of work performed and the property owner shall be responsible to pay fees/costs associated with these inspections.
 - (2) If the owner of the property where the private sewer line is located fails to make the determined repairs, the condition resulting from the leak or defect in the private sewer line shall be deemed to constitute a public nuisance, and the ~~Public Works~~Utilities Director shall be authorized to commence and carry out proceedings for abatement of the condition and repair of the leak or defect. When, in the opinion of the ~~Public Works~~Utilities Director, the leak or defect causes or threatens to cause a condition that presents an imminent danger to the public health, safety, or welfare, or the environment, or a violation of an NPDES permit, the Director may summarily abate the condition and repair the leak or defect. The owner shall be liable for the costs incurred by the City for any abatement and repair, including any related inspection and testing costs, arising from the leak or defect, and the cost therefor shall be invoiced to the owner. If the invoice is not paid within 30 days, the ~~Public Works~~Utilities Director may commence proceedings for recovery of these costs in accordance with the provisions of this Code.
 - (i) Nuisance abatement and cost recovery shall be in accordance with Title 4, Chapter 8 Nuisance Abatement Code of this Code.
- (m) *Private sewer lines.* Private sewer lines serving two or more buildings or structures located on the same lot or parcel, and all appurtenances thereto, that are not maintained by the City, shall be constructed to meet the City standards of construction of public sewer lines, unless different standards are approved by the Public Works Director.
- (n) *Separate connection requirement for each commercial and industrial business.* Separate sewer connection is required for each commercial and industrial business regardless of the single and/or multiple ownership of the property location of the business. For example, if there are four businesses on one property owned by one owner, then four separate sewer connections are required. Exceptions to this requirement may be made by the Public Works Director or Utilities Director on a case-by-case basis as determined to be reasonably necessary. Total fee shall be paid prior to any connection to the POTW pipelines.
- (o) *Warranty; indemnity.* In addition to other applicable conditions and requirements, the applicant and/or contractor shall comply with the City's standard specifications and special provisions for warranty and indemnity.

- (p) *Septic tank effluent pumping system.* Certain properties within the City may be served by a septic tank effluent pumping (STEP) system, which is located on private property and owned by the subject property owners; however, the City is responsible for the STEP system operation.
 - (1) The City shall maintain the system, including both preventative maintenance and repair, of all STEP equipment downstream of the house wastewater connection, at the septic tank. Equipment shall include pumps, filters, piping, associated electrical equipment, and other components required to keep the existing STEP system in operation.
 - (2) It is the responsibility of the property owner(s) to notify the City of Yuba City immediately upon notice of any problems or concerns with the STEP system.

Sec. 6-5.302. Public sewer construction.

- (a) *Permits required.* No person shall construct, extend, or connect to any public sewer without first obtaining a written permit from the City and paying all the fees and connection charges and furnishing the bonds as required therein. Such fees shall include, but are not limited to, plan check and inspection fees, which shall be based upon the City's adopted fee schedule. Costs shall be based upon the engineer's estimate or awarded contractor's bid, as approved by the City, and deducting therefrom the amount of any City contribution to the work of construction for oversizing or over-width. The provisions of this section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the City.
- (b) *Design and construction standards.* The minimum standards for the design and construction of sewers within the City shall be in accordance with the standard specifications and this article. The Public Works Director may permit modifications or may require higher standards where unusual conditions are encountered.
- (c) *Plans, profiles, and specifications required.* The application for a permit for public sewer construction shall be accompanied by a complete set of plans, profiles, and specifications, complying with all applicable laws, rules, and regulations of the City, prepared by a civil engineer registered in the State of California, showing all details of the proposed work based on an accurate survey of the ground. The application, together with the plans, profiles, and specifications, shall be examined by the Public Works Director, who shall approve them as filed or require them to be modified as they deem necessary for proper installation. When the Public Works Director is satisfied that the proposed work is proper and the plans, profiles, and specifications are sufficient and correct, they shall order the issuance of a permit predicated upon the payment of all connection charges and fees and furnishing the bonds and deposits as required by the City. The permit shall prescribe such terms and conditions as the Public Works Director finds necessary in the public interest.
- (d) *Subdivisions.* The requirements of this chapter shall be fully complied with before any final subdivision map shall be approved by the City. The final subdivision map shall provide for the dedication for public use of streets, easements, or rights-of-way in which public sewer lines are to be constructed.
- (e) *Easements or rights-of-way.* In the event an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the City a proper easement or grant of right-of-way having a minimum width sufficient by law to allow the laying and maintenance of such extension or connection.
- (f) *Persons authorized to perform work.* Only properly licensed contractors with all required permits shall be authorized to perform the work of public sewer construction within the City. All terms and conditions of the permit issued by the City to the applicant shall be binding on the contractor. The requirements of this section shall apply to service laterals installed concurrently with public sewer construction.
- (g) *Compliance with other regulations.* Any person constructing a sewer within a street shall comply with all State, County, or City laws, ordinances, rules, and regulations pertaining to the cutting of pavement; the opening, barricading, lighting, and protecting of trenches; and the backfilling and repaving thereof, and shall

obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the City.

- (h) *"As-built" drawings.* As a condition of final acceptance by the City, copies of "as-built" drawings showing the actual locations and depth of all mains, structures, wyes, laterals, and other changes to the construction drawings shall be filed with the City.
- (i) *Completion of sewerage works required.* Before accepting any sewerage works by the City and prior to the admission of any sewage into the system, the sewerage works shall be tested and shall be completed in full compliance with all the requirements of the standard specifications and to the satisfaction of the Public Works Director.
- (j) *Reimbursement agreements.* Where the cost of the public sewer main extension has been deposited or paid by the person making such extension, the City may thereafter collect from any person connecting to such extension, except the person originally installing such extension, that portion of the cost of such extension as approved by the City in the reimbursement agreement. All reimbursement agreements shall be approved by Council.

Such sums as are thus actually received by the City shall be paid by the City to the person originally making such extension, but the City shall in no way be obligated to ensure that the person making such extension is paid the total cost thereof nor to initiate any action nor incur any expense to collect any sum to be paid such person; nor shall such refund be made from any other revenues of the City. Where more than one person contributes toward the making of the extension, such sums as are actually collected shall be refunded to such persons, pro rata, according to the amounts which they severally contribute towards the cost of the extension and pursuant to the preceding plan. Reimbursement agreement(s) shall not exceed 15 years in duration or as approved by the City Council.

- (k) *Special reimbursement agreement.* Where special conditions exist, in the opinion of the City, relating to any agreement pursuant to this chapter, they shall be the subject of a special contract between the City and the person making the public sewer main extension. Said agreement shall be approved by Council.
- (l) *Extent.* All public sewer extensions shall extend to the far property line of developed property, unless otherwise approved by the Public Works Director.

Sec. 6-5.303. Sanitary sewer design requirements.

- (a) *Design calculations.* Design calculations submitted for City review shall be in a neat, acceptable form and shall indicate the date and the signature of the supervising engineer and State registration number.
 - (1) *When required.* Design calculations will be required for all subdivision sewers or where, in the judgment of the Public Works Director, they are necessary. Design calculations shall include all possible sewage flows.
 - (2) *Sewers and pipelines.* Design calculations for sewers and pipelines shall be presented in tabular form and shall include the following information for each section of sewer: the terminal manhole designation, ground elevations at the terminal manholes, incremental and cumulative tributary areas, incremental and cumulative tributary population, incremental average and maximum domestic sewage flow, incremental infiltration allowance, cumulative design flow, invert elevations of terminal manholes, length of sewer run, and sewer size, slope, capacity, and velocity.
 - (3) *Pumping stations.* Design calculations for pumping stations shall include soils data, structural design calculations, hydraulic calculations (including the basis for average and peak flows), calculations for wet-well volumes, curves indicating force-main characteristics, and individual and combined pump-head capacity curves.
- (b) *Unit design factors.*
 - (1) *Sewage flow.*

- (i) All gravity sewers shall be sized to carry the design peak hour wet weather flow, as predicted by the current hydraulic model of the collection system, at a maximum d/D ratio of 0.8.
 - (ii) 2,000 gallons per acre.
- (2) *Approval of estimated flows.* All the estimated flows for any design work should be approved by the Public Works Director.
- (c) *Gravity sewers.*
- (1) *Minimum size: main sewers.* The minimum diameter for the main sewer shall be 8 in. The use of 6 in. pipe may be authorized subject to the following conditions:
 - (i) No possibility of future extension;
 - (ii) Maximum tributary population of 260; and
 - (iii) Minimum slope on dead-end runs of 0.5%.
 - (2) *Minimum size; service laterals.* The minimum diameter for sewer services shall be 4 in. For service laterals serving commercial or industrial buildings or multiple family living units, the minimum diameter shall be as required by the applicable sections of the currently adopted Uniform Plumbing Code.
 - (3) *Minimum slopes.* For service laterals, the minimum slope shall be 2% for 4 in. and one percent for 6 in. pipe. For main sewers, the minimum slope shall be that required to obtain a velocity of 2 ft. per second when the sewer is flowing full or one-half full. Pipelines that are expected to flow less than half-full throughout their life, or for more than ten years, shall be constructed at a greater slope where feasible, in order to promote self-cleaning velocities in the partially full pipe. For the purposes of computing velocity, the Manning's coefficient of roughness "n" shall be .013.
 - (4) *Steep slopes.* For main sewers installed on steep slopes, special design features may be required. Depending upon conditions of the specific installation, such items as underdrains, check dams, special anchorage, or special pipe material may be required. Based upon the data supplied, the Public Works Director will assess each case and recommend certain special requirements.
 - (5) *Minimum depth.* The minimum depth of cover for any public sewer shall be 3 ft. If it is impossible to obtain the specified minimum depth, the sewer shall be encased in concrete, or other acceptable protective measures shall be taken. For sewer services, the minimum depths of cover shall be 3 ft. at the property line. Where the minimum depths of cover set forth in this subsection are impossible to obtain, concrete encased pipe or other suitable protection shall be required.
 - (6) *Manholes.* Manholes shall be provided at every line or grade change and at every point where the sewer changes size. In addition, manholes shall be provided at maximum intervals of 400 ft., in sewers 12 in in diameter and smaller, and 500 ft. in sewers larger than 12 in. in diameter.
 - (7) *Cleanouts.* Cleanouts will be permitted only on dead-end runs where the length of sewer downstream to the next manhole is less than 300 ft.
 - (8) *Types of pipe permitted.* The types of pipe permitted for sanitary sewers shall be as indicated in Section 15 of the standard special provisions or as approved by the Public Works Director. The Public Works Director shall make sole determination of the types of pipe permitted for each specific project.
 - (9) *Cleanouts and sewer services.* Each sewer service shall have a cleanout installed as set forth in the current Uniform Plumbing Code.
- (d) *Force mains.* Force mains shall be designed using a Hazen-Williams coefficient of roughness "C" of 100.
- (e) *Pumping stations.* Pumping station designs vary according to the location and nature of flows. Each specific design shall be in general accordance with similar designs of existing pumping stations. The design parameters shall be thoroughly reviewed with the Public Works Director prior to commencing with the

detailed design. The Public Works Director shall be the sole judge as to all design features for pumping stations.

- (f) *Construction specifications and details.* The construction of sanitary sewers and related facilities shall be in accordance with Sections 13 and 15 of the latest edition of the City standard special provisions and with the applicable City standard drawings.
 - (1) *Ratio of peak to average flow.* Peaking hours and calculations shall be per the City's current wastewater treatment facility and collection system master plan.
 - (2) *Industrial sewage flow.* Sewage flow for industrial areas shall be determined per the City's current wastewater treatment facility and collection system master plan.
- (g) *Public Works Director's approval.* The Public Works Director shall have the right to change any sanitary sewer design criteria and/or to add additional requirements.

Sec. 6-5.304. Sewer construction inspections.

- (a) *All work to be inspected.* All sewer construction work shall be inspected by an inspector acting for the City to ensure compliance with all the requirements of the City. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the City's public sewer until the work covered by the permit has been completed, inspected, and approved by the inspector. At a minimum, inspections shall take place at the stages listed below:
 - (1) Installation of bedding material;
 - (2) Installation of pipe prior to initial backfill (including service laterals);
 - (3) Installation of initial backfill;
 - (4) Installation of final backfill; and
 - (5) Installation of manholes and cleanouts.

All sanitary sewer lines shall be tested between manholes or between manholes and cleanouts by the test methods specified in the City's standard specifications and/or special provisions. Tests for final acceptance shall be made after the line has been backfilled and subgrade compaction requirements have been obtained within the street section. After pressure testing has been completed, all gravity sewer mains shall be cleaned and televised before permanent paving is applied. In addition, sewer manholes shall be vacuum-tested for leakage. Before the sewer lines are accepted, they shall be cleaned and flushed of all foreign matter to the satisfaction of the City. In addition to these requirements, the City reserves the right to perform final cleaning and televised inspection(s), and the applicant shall be responsible to pay all the costs associated with final cleaning and televised inspections. The applicant shall be responsible to correct all defects to the satisfaction of the City and at no cost to the City before acceptance.

Failure to comply with the specifications or meet the minimum requirements may result in rejection of the work.

If the test proves satisfactory to the City and the sewer has been cleaned of all debris accumulated from construction operations, the Public Works Director shall issue a certificate of satisfactory completion.

- (b) *Time limits on permits.* If work under a permit is not commenced within six months after the date of the issuance of the permit, or if, after partial completion, the work is discontinued for a period of six months without obtaining a time extension or one year with two six-month time extensions, the permit shall thereupon become void, and no further work shall be done until a new permit has been secured. A new permit, with fee in effect at the time of issuance of the new permit, shall be obtained prior to any additional work.

- (c) *Notification.* It shall be the duty of the person doing the work authorized by the permit to notify the Public Works Department that such work is ready for inspection. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the City before giving such notification.
- (d) *Condemned work.* When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the laws, rules, and regulations of the City.
- (e) *All costs paid by owners.* All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the work.
- (f) *Street excavation permits.* A separate permit shall be secured from the City, County, and/or State as required by owner(s) or contractor(s) intending to excavate in a public street for the purpose of installing sewers or making sewer connections. A City encroachment permit shall be obtained for work in the City right-of-way, in accordance with Sections 6-1 and 6-2 of this Code.
- (g) *Liability.* The City and its officers, agents, and employees shall not be answerable for any liability, injury, or death to any person or damage to any property arising during or growing out of the performance of any work by such applicant. The applicant shall be answerable for, and shall hold the City and its officers, agents, and employees harmless from, any liability imposed by law upon the City or its officers, agents, or employees, including all costs, expenses, fees, and interest incurred in defending the same or in seeking to enforce this provision. The applicant shall be solely liable for any defects in the performance of their work or any failure which may develop therein.

Article 4. Industrial Wastewaters

Sec. 6-5.401. "Industrial user" defined.

"*Industrial user*" (*IU*) shall mean any user of publicly owned treatment works identified in the 2007 North American Industrial Classification System (NAICS) or latest edition of that manual (U.S. Census Bureau). Industrial users include, but are not limited to, businesses listed in the following sections of the NAICS:

- (a) Agriculture, Forestry, and Fishing and Hunting (Sector 11);
- (b) Mining (Sector 21);
- (c) Utilities (Sector 22);
- (d) Construction (Sector 23);
- (e) Manufacturing (Sector 31-33);
- (f) Transportation and Warehousing (Sector 48-49); and
- (g) Professional, Scientific, and Technical Services (54).

A user in the divisions listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveyances.

"Industrial user" shall also mean any discharging "non-domestic source of pollutants into the POTW regulated under Section 307(b), (c) or (d) of the Clean Water Act" or any other indirect discharger regulated under alternative water quality standards.

Sec. 6-5.402. Wastewater discharge permit.

No person shall discharge, or cause to be discharged, any industrial wastewaters directly or indirectly to sewerage facilities owned by the City without first obtaining a City permit for industrial wastewater discharge.

The permit for industrial wastewater discharge may require the pretreatment of industrial wastewaters before discharge, the restriction of peak-flow discharges, the discharge of certain wastewaters only to specified sewers of the City, the relocation of the point of discharge, the prohibition of the discharge of certain wastewater components, the restriction of discharge to certain hours of the day, the payment of additional charges to defray the increased costs of the City created by the wastewater discharge, and such other conditions as may be required to effectuate the purposes of this chapter.

Sec. 6-5.402.A. Reserved.

Sec. 6-5.402.B. Wastewater discharge permit requirement.

- (a) No significant industrial user shall discharge wastewater into the POTW without first obtaining a wastewater discharge permit from the Public Works Utilities Director and/or designee, except that a significant industrial user that has filed a timely application pursuant to Section 6-5.402.D of this chapter may continue to discharge for the time period specified therein.
- (b) The Public Works Utilities Director and/or designee may require other users to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.
- (c) Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the sanctions set out in Articles 6 and 7 of this chapter. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all fFederal and sState pretreatment standards or requirements or with any other requirements of fFederal, sState, and local law.

Sec. 6-5.402.C. Wastewater discharge permit—Existing connections.

Any user required to obtain a wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this chapter and who wishes to continue such discharges in the future, shall, within 90 days after the date, apply to the Public Works Utilities Director and/or designee for a wastewater discharge permit in accordance with Section 6-5.402.E of this chapter, and shall not cause or allow discharges to the POTW to continue after 90 days of the effective date of this chapter except in accordance with a wastewater discharge permit issued by the Public Works Utilities Director and/or designee.

Sec. 6-5.402.D. Wastewater discharge permit—New connections.

Any user required to obtain a wastewater discharge permit that proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this wastewater discharge permit, in accordance with Section 6-5.402.E of this chapter, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

Sec. 6-5.402.E. Wastewater discharge permit application contents.

All users required to obtain a wastewater discharge permit must submit a permit application. The Public Works Utilities Director and/or designee may require all users to submit as part of an application the following information:

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- (a) All information required by Section 6-5.801.B of this chapter;
 - (b) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - (c) Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - (d) Each product produced by type, amount, process or processes, and rate of production;
 - (e) Type and amount of raw materials processed (average and maximum per day);
 - (f) Site plans, floor plans, mechanical plans, and plumbing plans. Details to show all sewers, floor drains, and appurtenances by size, location, and elevation. All points of discharge and the location of all chemical and/or hazardous materials storage areas;
 - (g) Time and duration of discharges;
 - (h) Any other information as may be deemed necessary by the Public Works Director to evaluate the wastewater discharge permit application;
 - (i) The location for monitoring all wastes covered by the permit; and
 - (j) An application fee which shall be filed with the completed application. The application fee is listed within the City fee schedule document, as updated each fiscal year.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision.

Sec. 6-5.402.F. Wastewater discharge permit application signatories and certification.

All wastewater discharge permit applications, user reports, and certification statements must be signed by an authorized representative of the user as defined in Section 6-5.106, and contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- (a) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this section must be submitted to the Public Works Utilities Director and/or designee prior to or together with any reports to be signed by an authorized representative.
- (b) *Annual certification for non-significant categorical industrial users.* A facility that has been determined to be a non-significant categorical industrial user by the Public Works Utilities Director pursuant to Section 6-5.106 must annually submit the following certification statement signed in accordance with the signatory requirements in Section 6-5.106. This certification must accompany an alternative report required by the Public Works Utilities Director:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical pretreatment standards under 40 CFR _____, I certify that, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

- (a) The facility described as _____ [facility name] met the definition of a non-significant categorical industrial user as described in 6-5.106;
- (b) The facility complied with all applicable pretreatment standards and requirements during this reporting period; and
- (c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information:

 _____"

Sec. 6-5.402.G. Wastewater discharge permit decisions.

The Public Works Utilities Director and/or designee will evaluate the data furnished by the user and may require additional information. Within 30 days of receipt of a complete wastewater discharge permit application, the Public Works Utilities Director and/or designee will determine whether or not to issue a wastewater discharge permit. The Public Works Utilities Director may deny any application for a wastewater discharge permit.

Sec. 6-5.402.H. Confidential information.

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, monitoring programs, and the Public Works Utilities Director and/or designee's inspection and sampling activities shall be available to the public without restriction, unless the user specifically requests and is able to demonstrate to the satisfaction of the Public Works Utilities Director that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable state law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

Sec. 6-5.403. Procedure for obtaining city permits for industrial wastewater discharges.

Sec. 6-5.403.A. Wastewater discharge permit duration and fees.

A wastewater discharge permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. A wastewater discharge permit may be issued for a period less than five years, at the discretion of the Public Works Utilities Director. Each wastewater discharge permit will indicate a specific date upon which it will expire.

A discharge permit fee shall be billed annually. The permit fee is listed within the City fee schedule document, as updated each fiscal year.

Sec. 6-5.403.B. Wastewater discharge permit contents.

A wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Public Works Utilities Director and/or designee to prevent pass through or interference, protect the quality of the

water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.

- (a) Wastewater discharge permits must contain:
- (1) A statement that indicates the wastewater discharge permit issuance date, expiration date, duration (which in no event shall exceed five years), and effective date;
 - (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 6-5.403.E of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - (3) Effluent limits, including best management practices, based on applicable general pretreatment standards, categorical pretreatment standards, local limits, and fFederal, sState, and local law;
 - (4) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on the applicable general pretreatment standards, local limits, and fFederal, sState, and local law;
 - (5) A statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements, and any applicable compliance schedule;
 - (6) A schedule such that shall not extend the time for compliance beyond that required by applicable fFederal, sState, or local law;
 - (7) Requirements to control slug discharge, if determined by the Public-WorksUtilities Director to be necessary; and
 - (8) Description or schematic representation of the effluent/discharge sampling location on site.
- (b) Wastewater discharge permits may contain, but need not be limited to, the following conditions:
- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 - (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices designed to reduce, eliminate, or prevent the introduction of pollutants into the POTW;
 - (3) Requirements for the development and implementation of accidental discharge/slug control, countermeasure plans, or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
 - (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 - (5) The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the POTW;
 - (6) Requirements for installation and maintenance of inspection and sampling facilities and equipment;
 - (7) A statement that compliance with the wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable fFederal and sState pretreatment standards, including those which become effective during the term of the wastewater discharge permit; and
 - (8) Other conditions as deemed appropriate by the Public-WorksUtilities Director and/or designee to ensure compliance with this chapter and sState and fFederal laws, rules, and regulations.

Sec. 6-5.403.C. Wastewater discharge permit appeals.

The Public Works Utilities Director and/or designee shall provide public notice of the issuance of a wastewater discharge permit. Any person, including the user, may petition the Public Works Utilities Director to reconsider the terms of a wastewater discharge permit within 90 days of notice of its issuance.

- (a) Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (b) In its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition(s), if any, it seeks to place in the wastewater discharge permit.
- (c) The effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- (d) If the Public Works Utilities Director does not reconsider and subsequently approve the petition to issue a wastewater discharge permit within 90 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
- (e) Aggrieved parties seeking judicial review of the final administrative wastewater discharge permit decision must do so by filing a complaint with the Superior Court of California, County of Sutter, within 30 days.

Sec. 6-5.403.D. Wastewater discharge permit modification.

The Public Works Utilities Director and/or designee may modify a wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (a) To incorporate any new or revised fFederal, sState, or local pretreatment standards or requirements;
- (b) To address significant alterations or additions to the user's operation, processes, or wastewater volume or character since the time of wastewater discharge permit issuance;
- (c) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (d) Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
- (e) Violation of any terms or conditions of the wastewater discharge permit;
- (f) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (g) Revision of or a grant of variance from categorical pretreatment standards pursuant to 40 CFR 403.13;
- (h) To correct typographical or other errors in the wastewater discharge permit; or
- (i) To reflect a transfer of the facility ownership or operation to a new owner or operator.

Sec. 6-5.403.E. Wastewater discharge permit transfer.

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 30 days' advance notice to the Public Works Utilities Director and the Public Works Utilities Director approves

the wastewater discharge permit transfer. The notice to the [Public Works Utilities](#) Director must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

Sec. 6-5.403.F. Wastewater discharge permit revocation.

The [Public Works Utilities](#) Director and/or designee may revoke a wastewater discharge permit for good cause, including, but not limited to, the following:

- (a) Failure to notify the [Public Works Utilities](#) Director of significant changes to the wastewater prior to the changed discharge;
- (b) Failure to provide prior notification to the [Public Works Utilities](#) Director of changed conditions pursuant to Section 6-5.805 of this chapter;
- (c) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (d) Falsifying self-monitoring reports;
- (e) Tampering with monitoring equipment;
- (f) Refusing to allow the [Public Works Utilities](#) Director or designee timely access to the facility premises and records;
- (g) Failure to meet effluent limitations;
- (h) Failure to pay fines;
- (i) Failure to pay sewer charges;
- (j) Failure to meet compliance schedules;
- (k) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (l) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- (m) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit, or this chapter.

Wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All wastewater discharge permits issued to a particular user are void upon the issuance of a new wastewater discharge permit to that user.

Sec. 6-5.403.G. Wastewater discharge permit reissue.

- (a) A user with an expiring wastewater discharge permit shall apply for a reissued wastewater discharge permit by submitting a complete permit application, in accordance with Section 6-5.402.E of this chapter, a minimum of 90 days prior to the expiration of the user's existing wastewater discharge permit.

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- (b) Upon receipt of the complete permit application, the application shall be processed in a timely manner. Upon approval, a reissued discharge permit signed by representatives of the City will be issued, with one copy returned to the applicant.
 - (c) Failure by the user to submit a complete permit application at least 90 days prior to the expiration of an existing wastewater discharge permit may result in the expiration of that permit prior to approval of the application for a new permit.

Sec. 6-5.404. Industrial wastewater sampling, analysis, and flow measurements.

When requested by the [Public Works Utilities](#) Director and/or designee, a user must submit information on the nature and characteristics of its wastewater within 90 days of the request. The [Public Works Utilities](#) Director is authorized to prepare a form for this purpose and may periodically require users to update this information. Minimum detection levels shall be as determined by the [Public Works Utilities](#) Director.

- (a) *Measurement devices.* All dischargers making periodic measurements shall furnish and install at the control manhole or other appropriate location a calibrated flume, weir, flow meter, or similar device approved by the [Public Works Utilities](#) Director and/or designee and suitable to measure the industrial wastewater flow rate and total volume. A flow indicating, recording, and totalizing register may be required by the [Public Works Utilities](#) Director and/or designee. In lieu of the wastewater flow measurement, the [Public Works Utilities](#) Director and/or designee may accept records of water usage and adjust the flow volumes by suitable factors to determine peak and average flow rates for the specific industrial wastewater discharger.
- (b) *Inspections of measurement devices.* The sampling, analysis, and flow measurement procedures, equipment, and results shall be subject at any time to inspection by the City. The sampling and flow measurement facilities shall be such as to provide safe access for authorized personnel.
- (c) *Measurement frequency.* Those industrial wastewater dischargers required by the [Public Works Utilities](#) Director and/or designee to make periodic measurements of industrial wastewater flows and constituents shall annually make the minimum number of such measurements required. The minimum requirements for such periodic measurements shall be:
 - (1) At least one 24-hour measurement per year. Representative samples of the industrial wastewaters shall be obtained at least once per hour over the 24-hour period, properly refrigerated, composited according to measured flow rates during the 24 hours, and analyzed for the specified wastewater constituents;
 - (2) Dischargers required to sample on only a few days per year shall sample during the periods of highest wastewater flow and wastewater constituent discharges; and
 - (3) Industrial plants with large fluctuations in quantity or quality of wastewaters may be required to provide continuous samplings and analyses for every working day. When required by the [Public Works Utilities](#) Director, dischargers shall install and maintain in proper order automatic flow-proportional sampling equipment and/or automatic analysis and recording equipment.

Measurements to verify the quantities of waste flows and waste constituents reported by industrial dischargers will be conducted on a random basis by personnel of the City.

Sec. 6-5.405. Discrepancies between actual and reported industrial wastewater discharge quantities.

- (a) Should measurements or other investigations reveal that the industrial discharger is discharging a flow rate or a quantity of biochemical oxygen demand or suspended solids significantly in excess of that stated in the

industrial wastewater permit or in excess of the quantities reported to the City by the discharger and upon which the industrial wastewater treatment charges are based, the discharger shall apply for an amended industrial wastewater permit and shall be assessed for all delinquent charges, together with the penalty and interest. Before these charges shall be assessed, at least two additional 24-hour samples and flow measurements shall be obtained by the City with all the costs of sampling and analysis to be paid by the discharger.

- (b) An industrial discharger found in violation, shall be presumed, in the absence of other evidence, to have been discharging at the determined parameter values over the preceding three years or subsequent to the previous City verification of quantity parameters, whichever period is shorter.

Sec. 6-5.406. Pretreatment of industrial wastewater.

Sec. 6-5.406.A. Pretreatment facilities.

Users shall provide wastewater treatment as necessary to comply with this chapter and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Section 6-5.208 of this chapter within the time limitations specified by the EPA, the State, or the Public Works Director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities, including operating and maintenance procedures, shall be submitted to the [Public Works Utilities](#) Director for review, and shall be acceptable to the [Public Works Utilities](#) Director before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this chapter.

Sec. 6-5.406.B. Additional pretreatment measures.

- (a) Whenever deemed necessary, the [Public Works Utilities](#) Director and/or designee may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this chapter.
- (b) The [Public Works Utilities](#) Director and/or designee may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- (c) Grease, oil, and sand interceptors shall be provided when, in the opinion of the [Public Works Utilities](#) Director, they are necessary for the proper handling of wastewater containing excessive amounts of grease, oil, or sand, except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the [Public Works Utilities](#) Director and/or designee and shall be so located as to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, according to the manufacturer's guidelines, by the user at their expense.
- (d) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.
- (e) The [Public Works Utilities](#) Director may deny, condition, and/or limit without restriction new or increased contributions of pollutants or changes in the nature of pollutants, when the discharger does not meet pretreatment standards and the discharge would cause the POTW to violate its NPDES permit.

Sec. 6-5.406.C. Accidental discharge/slug control and countermeasures plans.

- (a) Each discharger shall provide protection from the accidental discharge of prohibited materials or other wastes regulated by this chapter. Where necessary, or as directed by the [Public Works Utilities](#) Director, retention basins, dikes, storage tanks, or other facilities designed to eliminate, neutralize, offset, or otherwise negate the effects of prohibited materials or wastes discharged in violation of this chapter shall be installed.
- (b) Dischargers shall notify the City immediately when accidental discharges of wastes in violation of this chapter occur so that countermeasures may be taken by the City to minimize damages to the sewer system, treatment plant, treatment process, or for any fines imposed on the City on account thereof under Water Code § 13350, or for violations of Fish and Game Code § 565.
- (c) In the event of an accidental discharge in violation of this chapter, the discharger shall furnish the City, within five days of the date of the occurrence, a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrences.
- (d) In order for employees of dischargers to be more fully informed of City requirements, copies of this chapter shall be permanently posted on bulletin boards of dischargers that shall be easily visible by all employees, together with such other industrial waste information and notices which may be furnished by the City.
- (e) Sewer connections within the discharger's plumbing or drainage system shall be appropriately labeled to warn operating personnel against the discharge of any substance in violation of this chapter.

The [Public Works Utilities](#) Director and/or designee shall evaluate whether each significant industrial user needs a plan or other action to control slug discharges. Significant industrial users must be evaluated within one year of being designated a significant industrial user. For purposes of this subsection, a slug discharge is any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions. The results of such activities shall be available to the approval authority upon request. Significant industrial users are required to notify the POTW immediately of any changes at its facility affecting potential for a slug discharge. If the POTW decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

- (1) Description of discharge practices, including non-routine batch discharges;
- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the [Public Works Utilities](#) Director of any accidental or slug discharge, as required by Section 6-5.806 of this chapter; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants including solvents, and/or measures and equipment for emergency response.

Sec. 6-5.406.D. Hauled wastewater.

- (a) All persons owning vacuum or "cesspool" pump trucks or other liquid waste transport trucks and desiring to discharge septic tank, seepage pit, interceptor, or cesspool contents, industrial liquid wastes, or other liquid wastes to sewerage facilities of the City or to facilities that discharge directly or indirectly to such sewerage facilities shall first obtain a septage waste disposal general permit. All applicants for coverage under the septage general permit shall:

- (1) Complete the application form;
 - (2) Pay the appropriate fee;
 - (3) Receive a copy of the City regulations governing discharges to sewers of liquid wastes from trucks;
 - (4) Agree, in writing, to abide by these regulations.
- (b) The septage waste disposal general discharge permit shall be valid for the time period listed therein and in no case shall the permit exceed five years.
 - (c) Any person negligently or willfully violating the City requirements for liquid waste discharges from trucks shall be in violation of this chapter and may have their permit revoked by the [Public Works Utilities](#) Director.
 - (d) Septic tank waste may be introduced into the POTW only at locations designated by the [Public Works Utilities](#) Director, and at such times as are established by the [Public Works Utilities](#) Director. Such waste shall not violate Article 2 of this chapter or any other requirements established by the City.
 - (e) The [Public Works Utilities](#) Director and/or designee shall require haulers of industrial waste to obtain wastewater discharge permits. The [Public Works Utilities](#) Director may require generators of hauled industrial waste to obtain wastewater discharge permits. The [Public Works Utilities](#) Director also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this chapter.
 - (f) Industrial waste haulers may discharge loads only at locations designated by the [Public Works Utilities](#) Director. No load may be discharged without prior consent of the [Public Works Utilities](#) Director. The [Public Works Utilities](#) Director and/or designee may collect samples of each hauled load to ensure compliance with applicable standards. The [Public Works Utilities](#) Director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
 - (g) All septage waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name, telephone number, and address of the septage waste hauler, permit number, truck identification, names, addresses, and telephone numbers of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.
 - (h) All septage waste haulers must provide, at the time of permit approval, a City of Yuba City business license, current vehicle registration, truck capacity certification for each truck listed, current Yuba and/or Sutter County "sewage pumper vehicle" permit and proof of general liability insurance (bodily injury, personal injury and property damage) and automobile liability insurance in the amount of \$1,000,000 each per occurrence or accident. These amounts may change to reflect the most current City-mandated insurance requirements. The septage waste haulers shall be responsible to provide proof of all these insurance documents including endorsements per City insurance requirements. The City's current insurance requirements can be obtained from the Pretreatment Coordinator.

The City's [Public Works Utilities](#) Department shall be exempt from these requirements.

Sec. 6-5.407. Measurement of industrial waste.

Any industrial or commercial user may be required to provide a metering device acceptable to the City, at the user's expense, to permit the accurate determination of the volume of wastewater discharged into the City sewage system. Where the sewage flow is not measured, and unless other arrangements are agreed upon in advance, the volume of sewage flow shall be taken as the metered water consumption. At the option of the [Utilities Public Works](#) Director, when the sewage flow is not substantially different than the metered water consumption, the volume of waste for payment may be determined by special agreement or by the use of sewage flow meters installed and maintained by qualified personnel at the user's expense.

Sec. 6-5.408. Industrial wastewater charges.

(a) *General.* The capital interest and costs shall be determined by the required plant capacity of each industrial user. The major industrial users at the time of adoption of this chapter, Sunsweet Growers, Yuba City Cogeneration, Valley Fine Foods and Greenleaf II, in addition to the operations and maintenance charges, shall pay for the debt service and capital replacement in accordance with their existing contracts with the City and in accordance with the 2016 Wastewater Rate Study. The maximum wastewater charges for industrial wastewater related to the debt service and capital replacement per the rate study are shown in the following tables; however, the actual rates shall be as approved by Council. The Public Works Director shall have the authority to negotiate and execute new agreements with new industrial users for the debt service and capital replacement costs based on the current rate study and as approved by the City Council.

Sunsweet Growers Inc.—Wastewater Charges for Debt Service and Capital Replacement

Category	Maximum Rates
Debt Service	\$7,680.00
Capital Replacement	\$35,304.00

Yuba City Cogeneration—Wastewater Charges for Debt Service and Capital Replacement

Category	Maximum Rates
Debt Service	\$790.27
Capital Replacement	\$600.00

Valley Fine Foods Company—Wastewater Charges for Debt Service and Capital Replacement

Category	Maximum Rates
Debt Service	\$562.94
Capital Replacement	\$1,848.12

Greenleaf II—Wastewater Charges for Debt Service and Capital Replacement

Category	Maximum Rates
Debt Service	\$1,126.66
Capital Replacement	\$600.00

(ab) *Industrial user rates.* Industrial users fees and charges will be shall be established in the City's fee schedule (also known as a master fee schedule), which may be updated or amended by resolution. Maximum rate and fee limits established by the Proposition 218 process shall also be adopted by resolution. charged the rates stated in the most recent wastewater rate study/revenue program as adopted by the Council, which charges shall reflect the user's contribution to the total wastewater loading of the treatment works and will recognize volume, BOD, and suspended solids (SS) to ensure a proportional distribution of costs to each user. The maximum industrial user rates are shown in the table below in accordance with 2016 Wastewater Rate Study and approved following the Proposition 218 process. However, the City Council retains the authority to set the actual rates each fiscal year by Resolution, which may be found in the City's annual fee schedule on the City's website. The Public Works Director shall have the authority to negotiate and execute new agreements with new industrial users for user rates based on the latest wastewater rate study and the rates as set by Council.

Category	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>	<u>Proposition 218 Maximum Rates Fiscal Year 2031</u>
Flow Charge (per million gallon)	<u>\$7,778.51</u>	<u>\$8,984.18</u>	<u>\$9,613.07</u>	<u>\$10,285.99</u>	<u>\$3,763.63</u> <u>\$10,748.86</u>
BOD Charge (per lb.)	<u>\$0.423</u>	<u>\$0.488</u>	<u>\$0.523</u>	<u>\$0.559</u>	<u>\$0.385</u> <u>\$0.584</u>
SS Charge (per lb.)	<u>\$0.433</u>	<u>\$0.501</u>	<u>\$0.536</u>	<u>\$0.573</u>	<u>\$0.290</u> <u>\$0.599</u>

- (c) *Billing period.* During each fiscal year, there will be 13 four-week billing periods. The Finance Director may divide the annual cost into 13 equal billings and combine the user's share of ~~operation and maintenance~~ user costs, plus any assessment for additional costs caused by the user discharging wastewater in violation of the provisions of this chapter.
- (d) *Payment of charges and delinquent charges.* All fees and charges imposed under the provisions of this chapter shall be due and payable upon the receipt of the notice of charges. Unpaid charges shall become delinquent 60 days after mailing or delivering the notice of charges. A basic penalty charge of 10% of the unpaid amount shall be added to any fee or charge which becomes delinquent. Interest at the rate of 2% per month shall accrue on the total of all delinquent charges, plus all penalty charges.
- (e) *Determination of charges.*
- (1) ~~Capacity. The actual plant capacity for each industrial user will be determined by the highest daily volume, pounds of BOD, and pounds of suspended solids discharged into the sanitary sewer system measured by averaging the highest three consecutive days during the prior fiscal year. The three determining factors for industrial capacity will not necessarily peak during the same period. New industrial users will estimate their plant capacity requirements and make periodic deposits as determined by the Finance Director during their first year of operation with an adjustment billing or credit, whichever the case may be, within 30 days after the end of the fiscal year. If the period of operation during the first fiscal year is not sufficient to determine a plant capacity, the second year operation capacity requirements will be used as if the industry was a new user in that year. The Public Works Director shall have the authority to negotiate and execute new agreement with the new industrial users for the debt service and capital replacement costs.~~
 - (2) ~~Actual discharges. The Industrial operation and maintenance sewer service charges costs~~ will be based on the actual volume, pounds of BOD, and suspended solids. It will be the industrial user's responsibility to provide composite samples of its discharges for determining the BOD and suspended solid testing.

Each sample shall be marked with the beginning and ending meter reading of the volume discharge during the period the composite sample was taken. The volume measured by the meter readings and the test results of the composite samples will be used to calculate the pounds of BOD and suspended solids and will be the basis of the billing operation and maintenance charges. If there are time periods when the meter readings of the composite samples are not consecutive, the City, at its sole discretion, will determine the parts per million (ppm) of the BOD and suspended solids for that volume that a sample was not received.

(3) *Conversion factors.*

Cubic feet × 7.48 = gallons

Pounds per day (BOD or suspended solids) = test results (mg/L) × 8.34 × flow (million gallons per day; MGD)

Article 5. Sewer Service Charges

Sec. 6-5.501. Charges for service.

- (a) All charges for the extension of, connection to, and use of the City sewerage system shall be in accordance with the provisions of this article, and shall be set by resolution.
- (b) No facilities or services of the City sewerage system shall be furnished to any premises or to any person free of charge, except the City.
- (c) Beginning in 2017, all the charges related to the use of City sewerage collection and treatment system set out in Sections 6-5.408(b), 6-5.507(c) and 6-5.507(d) of this chapter will be reviewed by the City Council on an annual basis as part of the fiscal year budget review process, prior to the July 1 implementation of the increase for each year. The City Council will retain the authority to set by ~~R~~resolution the actual rates less than the maximum rates set out in Sections 6-5.408(b), 6-5.507(c) and 6-5.507(d) of this chapter.

Sec. 6-5.502. Payment of charges.

Before connecting any premises to the City sewerage system, the owner, subdivider, or developer of such premises shall make provisions satisfactory to the Finance Director for the payment of all charges.

Sec. 6-5.503. Sewer connection charges.

- (a) *Purpose.* The purpose of the sewer connection charge is to have the property owner pay their proportionate cost of the sewerage system, including the wastewater treatment facility and sewer collection system lines identified in the wastewater treatment facility and collection system master plan.
- (b) *Collection.* The connection impact fees shall be paid at the option of the developer/applicant at either the issuance of the building permit or at certificate of occupancy for a proposed development project, not at the date of application for a permit. The amount of the impact fees to be paid shall be those fees in effect at the time the fees are paid at either the issuance of a building permit or certificate of occupancy. Exceptions to this requirement may be negotiated between the developer and the City as part of the entitlement and agreement process, subject to City Council approval. The City may require the developer/applicant to pay, as determined by the Public Works Director, inspection fees at the time of building permit.

In case of expansions and/or alterations of the premises, a sewer connection impact charge shall be collected at the time of building permit issuance of:

- (1) The expansion and/or use of the premises which requires additional sewer facilities; and
- (2) The construction or alteration of the premises which changes the parcel use to a higher sewer demand.

For the customers currently not on the City's sewer system, the connection impact fees, including any regular and special permit and inspection fees, shall be charged at the time of connection permit issuance for the connection to the City's sewer system.

(c) *Schedule of charges.* The sewer connection impact charge shall be as set forth in [the City's fee schedule and Section 6-5.507 of this code](#).

(1) *Multiple units; other facilities.* For multiple units, the connection impact fee shall include any common facilities, such as laundry rooms and recreation areas, that would normally be provided as support facilities with multiple dwellings; however, for other facilities that are not the primary support of the multiple dwellings, there shall be an additional fee computed on the basis of the fixture units as hereinafter provided for commercial, industrial, public, and other uses or as determined by the Public Works Director or Utilities Director.

(2) *Commercial and industrial users.* Drainage system fixture units, as set forth in the Uniform Plumbing Code adopted by the City, for commercial users and for industrial users are not included under the provisions of Article 4 of this chapter. If at any time after the payment of the connection charge there is a change of use on the premises, there shall be an additional connection charge calculated at the per fixture unit rate for the number of additional fixture units installed.

(3) *Industrial users.* Connection charges for industrial users shall be determined in accordance with [the City's fee schedule and Article 4](#) of this chapter.

Sec. 6-5.504. Sewer extension charges.

(a) *Purpose.* The purpose of the sewer extension charge is to reimburse the City for its cost to extend the main sewer.

(b) *Collection.* The sewer extension charge for a main sewer installed by the City shall be collected before a person may connect their property to the City sewerage system.

(c) *Schedule of charges.* The sewer extension charge provides for the extension of mains. The charge shall be as set forth ~~annually~~ in the City's fee schedule.

Corner lots and lots having more than one frontage where sewer facilities exist or are planned shall pay extension fees based on 60% of the first 175 ft. of total frontage (as measured to the point of intersection of the property lines or the point of intersection of the prolongation of the property lines) and 100% of all frontage in excess of the first 175 ft.

Such reduction shall apply to existing corner lots and shall not apply to corner lots which would be created by new subdivisions, parcel maps, or developments. Such parcels shall pay extension fees based on 100% of all applicable frontage as measured prior to the creation of the side street.

Extension fees will not be applicable to lands within a subdivision or special assessment district if the sewer main was installed at no cost to the City (other than oversizing costs) unless an agreement exists providing for the repayment of extension costs to the original developer or to the special district.

Where substantial evidence indicates that the sewer main was installed at no cost to the City (other than oversizing costs) by special assessment district, a subdivider, developer, or other person, main extension charges shall not be applicable unless set forth in an agreement providing for the repayment of extension to the original installer.

Where a sewer main only serves property on one side of the sewer line, the charge shall be double the current extension charge.

(d) *Agreements.* A property owner, subdivider, or developer may extend the main sewer at his or her own expense in accordance with a reimbursement agreement approved by the Council.

- (e) *Outside users.* The sewer extension charges for all users whose property is outside the City limits shall be the same as the charges applicable if the user were within the City limits.
 - (1) Outside users must execute an extraterritorial agreement with the City prior to extension of the sewer to premises outside the City limits.

Sec. 6-5.505. Sewer service charges.

- (a) *Purpose.* The purpose of the sewer service charge is to provide necessary revenue to operate the sewerage system as a self-sustaining operation.
- (b) *Collection.* The sewer service charge shall be collected as follows:
 - (1) On premises served with City water, the billing of sewer service charges shall be added to the charges for water service, and the payment and collection of the total amount shall be made in accordance with [the City's fee schedule and](#) the provisions of Title 6, Chapter 6 of this Code regulating the payment of water service charges.
 - (2) On premises not served with City water, the billing and collecting of sewer service charges shall be made as determined by the Finance Director [if not otherwise set by the City's fee schedule document](#).
- (c) *Schedule of charges.* The sewer service charge for property connected to the sewerage system shall be billed in accordance with the rates established in the City's fee schedule, as set ~~annually~~ by the City Council.
- (d) *Reserved for future use.*
- (e) *Septage waste disposal general discharge permits.* The charge for truckers discharging to the municipal sewer system shall be listed in the City fee schedule ~~document~~ and in accordance with the rates established in Section 6-5.507.

Sec. 6-5.506. Meters may be required.

All sewer services may be metered at the discretion of the City. The ~~Public Works Utilities~~ Director may require any user, at their sole expense, to install a meter. The meter shall be approved by the ~~Public Works Utilities~~ Director before installation.

Sec. 6-5.507. Summary of charges.

~~All the latest and Fees and~~ current charges shall be found in the City's fee schedule ~~document~~ (also known as the master fee schedule) which may be amended or updated by resolution. ~~Maximum rate and fee limits established by the Proposition 218 process shall also be adopted by resolution. The City updates the fee schedule document annually and posts it on the City's website. This section shows the applicable fee categories, which will be reviewed and adjusted by the City Council annually.~~

~~Beginning in 2017, all charges related to the use of City wastewater treatment and collection system set out in this section will be reviewed by the City Council on an annual basis as part of the fiscal year budget review process, prior to the July 1 implementation of the increase for each year periodically to confirm alignment with budgetary needs and desired implementation. The City Council will retain authority to set by Resolution the actual rates less than the maximum rates set out in this section.~~

- (a) *Sewer connection charge type.*
 - (1) Single-family residential users, calculated per unit.
 - (i) Single-family users are defined as single-family dwelling units, including any accessory dwelling units which do not exceed 750 square feet as part of the single-family dwelling unit.

- (ii) An accessory dwelling unit (ADU) shall be defined as per Municipal Code Section 8-5.5001. The ADU shall not alter the character of the principal use of the parcel, e.g., residential.
- (2) Multi-dwelling users, calculated per unit.
 - (i) Multi-dwelling users include: duplexes, single-family dwelling units plus any accessory dwelling units exceeding 750 square feet and two or more apartments, mobile homes, or trailers on one parcel.
- (3) Commercial and industrial users as defined in the Uniform Plumbing Code and applicable to users other than as defined in Article 4 of Chapter 5 of Title 6 of this Code, calculated per fixture unit.
 - (i) The charges to a commercial user will be based on the applicable base charge as shown in the table below plus the flow charge for the actual water usage.
 - (ii) Commercial User Monthly Charge = Base Charge + (Flow Charge x actual water usage in 100 CF).
 - (iii) Mixed-use parcels, consisting of both commercial and residential components, shall only be charged the commercial surcharge after the residential baseline has been reached.
- (4) Any customer that paid a connection impact fee prior to July 1, 2000 may complete the project at any time and is not subject to connection impact charge rate adjustments or credit of interest. Any connection impact charges paid on July 1, 2000, or later, and the project is completed within 18 months, will not be subject to any additional connection impact charges or interest credits. A project is deemed completed when all building permits are paid and a final inspection report is issued or as determined by the Public Works Director. Any connection charges paid on July 1, 2000, or later and the project is not completed within 18 months will be subject to the connection impact charge in effect at the time of project completion, and will be entitled to interest credit as to any connection impact charge increases. Interest will only be allowed as a credit toward connection impact charges increases and, in no event, shall customer be entitled to any refund of interest. Interest will accrue, beginning 18 months after the initial purchase, based on the initial connection charge payment. Interest payment will be credited semi-annually on January 1 and July 1 based on the previous average semi-annual rate of the local agency investment fund administered by the California State Treasury. Connection permits or charges cannot be sold or transferred between any parties other than Yuba City.
- (b) *Extension charges.* Sewer extension charges as per [the City's fee schedule](#) and Section 6-5.504 of this Code are calculated per front foot, and can be found in the City's annual fee schedule.
- (c) *Sewer service charges.* [Sewer service charges are as set in the City's fee schedule. The charts below enumerate the maximum charges authorized following the 2016 Proposition 218 process. Actual rates are subject annually to Council approval, and may be found in the City's annual fee schedule, located on the City's website and effective dates are subject to Council approval and shall be established via Resolution.](#) No credit shall be allowed for vacancy.

Single-Family Users Flat Rate Service Charge per Month per Unit

	Fiscal Year 2027	Fiscal Year 2028	Fiscal Year 2029	Fiscal Year 2030	Proposition 218 Maximum Rates Fiscal Year 2031
Charge/month	\$67.56	\$78.03	\$83.49	\$89.34	\$65.27 \$93.36

Multi-Dwelling Units Flat Rate Service Charge per Month per Unit

	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>	<u>Proposition 218 Maximum Rates Fiscal Year 2031</u>
Charge/month	<u>\$54.05</u>	<u>\$62.42</u>	<u>\$66.79</u>	<u>\$71.47</u>	<u>\$52.23</u> <u>\$74.69</u>

Commercial Monthly Rate Service Charge per Month (Base Charge + Flow Charge)

	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>	<u>Proposition 218 Maximum Rates Fiscal Year 2031</u>
<u>Base Rate</u>	<u>\$67.56</u>	<u>\$78.03</u>	<u>\$83.49</u>	<u>\$89.34</u>	<u>\$93.36</u>
<u>C1 Flow Rate (per 100 CF Base Charge)*</u>	<u>\$3.90</u>	<u>\$4.50</u>	<u>\$4.82</u>	<u>\$5.15</u>	<u>\$65.27</u> <u>\$5.39</u>
<u>C2 Flow Rate (per 100 CF Base Charge)*</u>	<u>\$4.42</u>	<u>\$5.11</u>	<u>\$5.47</u>	<u>\$5.85</u>	<u>\$73.44</u> <u>\$6.11</u>
<u>C3 Flow Rate (per 100 CF Base Charge)*</u>	<u>\$7.07</u>	<u>\$8.17</u>	<u>\$8.74</u>	<u>\$9.35</u>	<u>\$88.95</u> <u>\$9.77</u>
<u>Flow Charge* (per 100 CF)</u>					<u>\$2.57</u>

Category C1 users are low-strength commercial customers, which shall include include the user types listed below. The Public Works Utilities Director shall have the right to expand the list or to move any listed type to a different category.

- Retail/office
- Auditorium/hall
- Storage
- Church
- Animal shelter
- Beauty/barber shop
- Florist
- Library
- Day care
- Bowling alley

Medical office
Fitness center
Laundromat
Car wash
Fairgrounds
Hospital
Municipal jail
Theatre/cinema
Veterinary clinic
Gas station (no market/disposal)
Bakery/deli/café (no disposal)
Restaurant/bar (no disposal)
Assisted living/convalescent hospital

~~Category C2 users are medium-strength commercial customers, which shall include the user types listed below. The Public Works Utilities Director shall have the right to expand the list or to move any listed type to a different category.~~

~~Bed/breakfast
Hotel/motel
Dry cleaners
Auto sales
Autobody shop
Funeral home~~

~~Category C3 users are high-strength commercial customers, which shall include the user types listed below. The Public Works Utilities Director shall have the right to expand the list or to move any listed type to a different category.~~

~~Fast food
Market
Gas station (with market)
Bakeries and delis (with disposal)
Restaurant/bar (with disposal)~~

- (d) ~~Sewer service charges for schools. Fees and charges for schools are as set by the City's fee schedule, and are subject to the following: The maximum sewer service charges authorized following the 20216 Proposition 218 process for schools are listed in the table below. The City Council retains the authority to set the actual rates by Resolution, which may be found in the City's annual fee schedule on the City's website. Actual rates are subject annually to Council approval, and may be found in the City's annual fee schedule on the City's website.~~

- (1) Sewer service charges for schools are calculated per student per year. This is represented by average daily attendance for the past school year for number of students.
- (2) Yuba City Unified School District is billed once per year after July 1 for the previous year.

Per Student Service Charge per Year for Schools

	<u>Fiscal Year 2027</u>	<u>Fiscal Year 2028</u>	<u>Fiscal Year 2029</u>	<u>Fiscal Year 2030</u>	<u>Proposition 218 Maximum Rate Fiscal Year 2031</u>
Charge/Year	<u>\$31.39</u>	<u>\$36.26</u>	<u>\$38.80</u>	<u>\$41.51</u>	<u>\$29.97</u> <u>\$43.38</u>

(e) *Septic haulers/truckers discharge charges.* Septic tank trucks discharging at the City wastewater treatment plant shall be charged a volumetric rate as set by the City's fee schedule subject to the following: ~~to cover the costs of treatment, maintenance, administration, and other costs associated with the septage hauler program. The maximum rates for price per gallon and minimum charges are shown in the table below; actual rates shall be set by Council each fiscal year by Resolution and can be found in the City's annual fee schedule on the City's website.~~

(1) Minimum charge per dump shall be equal to or greater than 400 gallons per dump.

(2) The 2016 Proposition 218 process established maximum charges using the following formula based on the 10,000-gallon monthly average wastewater flow estimate for single-family dwelling unit and 77% of the service charges of treatment and disposal of septage including administration and pretreatment. The maximum rates for price per gallon and minimum charges are shown in the table below; actual rates shall be set by Council each fiscal year and can be found in the City's annual fee schedule on the City's website. The charge per gallon is calculated per the formula below.

$$\text{Charge per Gallon (\$)} = \frac{\text{Monthly Single Family Unit Charge} \times 100 \times 77\% (\$)}{10,000 \text{ (gallon)}}$$

(1) Minimum charge per dump shall be greater than 400 gallons per dump.

Septic Discharge Charges per Gallon

	<u>Proposition 218 Maximum Rates</u>
Charge (\$) per gallon	0.502
Minimum Charge (\$) 400-gallons per dump	\$200.99

(f) *Permitted industrial user charges.* Industrial users permitted through the City's pretreatment program shall be required to pay the charges in accordance with the City's fee schedule and Section 6-5.408 of this chapter, as approved annually by City Council.

(g) Annual adjustments. Annually on July 1 of each year, fees and charges in Sections 6-5.507(a), 6-5.507(b), and 6-5.508 shall be adjusted based on the previous April value of the Twenty-City Average of Engineering News-Record Construction Index.

(h) The wastewater discharge permit fees in reference to Section 6-5.403.A shall be as set by the City's fee schedule, adjusted annually based on the wastewater service charge increases. The following table enumerates the maximum charges authorized following the 2016 Proposition 218 process. Actual rates

are subject annually to Council approval, which may be found in the City's annual fee schedule on the City's website.

- (1) Industrial users with more than one wastewater effluent discharge monitoring point shall be assessed an additional \$500 annual fee per additional effluent monitoring point.

Wastewater Discharge Permit Fee Schedule

Category	Proposition 218 Maximum Rates
Non-significant Categorical Industrial User	—\$659.71
Permitted Industrial User	\$1,048.38
Groundwater	\$1,048.38
Septic Hauler	—\$659.71
Significant Industrial User	\$1,677.41

- (i) *Outside City user's charges.* ~~Reserved for future use.~~ Outside City user's charges shall be as set by the City's fee schedule.

Sec. 6-5.508. Special sewer connection fee.

All charges contained in this section shall be found in the City's fee schedule document.

- (a) *Purpose and application.* A special sewer connection fee shall be applied solely and strictly to the service area known as "Sewer Trunk Line Facilities for West Yuba City Area" in accordance with the City Resolution 02-097 dated July 16, 2002. The Sewer Trunk Line Facilities for West Yuba City Area Map is on file at the office of the Public Works Director. The general boundaries of the service area are: Pease Road to the north, Bogue Road to the south, Township Road to the west and variable locations, west of State Route 99, to the east.

- (b) *Schedule of special connection fee and collection thereof.* All the latest and current charges shall be found in the City's fee schedule document. ~~The City updates the fee schedule document annually and posts it on the City's website.~~ The charges shall be divided into two categories:

West Yuba City sewer trunk, residential, calculated per lot.

West Yuba City sewer trunk, commercial, calculated per plumbing fixture unit.

Sec. 6-5.509. Assessment installments in lieu of payment of wastewater fees.

- (a) *Purpose/findings/definitions.*

- (1) *Purpose.*

- (i) To authorize and establish a procedure for levying assessment installments in lieu of payment of fees associated with the initial extension and connection of sanitary sewer service as outlined in Section 6-5.3, Rules and regulations and Section 6-5.5, Sewer service charges.

- (2) *Findings.*

- (i) There remain within the City's sphere of influence a number of residential and non-residential premises which are still being served by private septic systems rather than being connected to the City wastewater collection system.
 - (ii) One means of facilitating connection of the premises to the City wastewater system is to provide the owners of such premises with an alternate means of financing the wastewater extension and connection fees for assessment installments in lieu of lump sum payment of the fees, which ordinarily become due and payable at the time of connection of the premises to the City wastewater system and before service is established, per the provisions of Section 6-5.503, Sewer connection charges and Section 6-5.504, Sewer extension charges.
 - (iii) The intent in enacting this section of this Code is to provide such financial assistance by allowing payment of such fees over a ten-year period through the levying of assessment installments in lieu of payment of wastewater fees in the manner provided for by this section.
- (3) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (i) *Wastewater fees* shall mean any and all fees and charges associated with the extension and connection of new regular wastewater services, as described in Section 6.5.5, Sewer service charges.
 - (ii) *Assessment installments* shall mean the assessments levied on the property's taxes over a ten-year period following approval by the City Council and direction to the County Auditor. This shall include any interest thereon or subject administrative fees.
 - (iii) *Engineer* shall mean the City Engineer, who may also be the Public Works Director.
 - (iv) *City wastewater service area* shall mean the area within the City's incorporated limits and sphere of influence which is or may be served by the City wastewater collection system.
- (b) *Applicability.* The provisions of this section shall apply to and authorize the levy of assessment installments in lieu of payment of wastewater fees for the following residential and non-residential premises within the City wastewater service area connecting to the City wastewater collection system:
- (1) *Premises within the incorporated territory of the City of Yuba City.* Where premises connecting to the City wastewater collection system are located in that part of the City wastewater service area within the incorporated territory of the City, this section shall authorize the levy of assessment installments in lieu of payment of wastewater fees if, and only if, such assessment has been approved and authorized by the City Council, and if such premises are presently being served by a private septic system, it will be abandoned entirely per the regulations and requirements of Sutter County Environmental Health.
 - (2) *Premises within the City's sphere of influence in the County of Sutter.* Where the premises being connected to the City wastewater collection system are located in that part of the City wastewater service area within the City's sphere of influence in the County of Sutter, this section shall authorize the levy of assessment installments in lieu of payment of wastewater fees if, and only if, such assessment has been approved and authorized by the City Council; if such premises are presently being served by a private septic system, it will be abandoned entirely per the regulations and requirements of Sutter County Environmental Health; and upon execution of an extraterritorial agreement with the City.
- (c) *Petition for levying assessment installments in lieu of payment of wastewater fees.*
- (1) Proceedings for levying assessment installments in lieu of the payment of wastewater fees shall be initiated by a petition filed in the office of the Engineer.
 - (2) Such petition shall describe the premises to be connected to the City wastewater collection system by street address or other method sufficient to enable the Engineer to identify the location and boundaries of such premises; shall include a declaration that if such premises are presently being

served by a private septic system, it will be abandoned entirely per the regulations and requirements of Sutter County Environmental Health; and shall be signed by and set forth the mailing address of all persons owning an interest in the fee title to the premises.

- (3) Any such administrative or operational costs incurred by the processing of the petition in the manner provided for by this section may be charged as a petition fee at the discretion of the Engineer.

(d) *Report of Engineer on assessment petition.*

- (1) Following receipt of an assessment petition, the Engineer shall promptly cause a report to be made on the petition.
- (2) The report shall set forth the following:
 - (i) A description of the premises which are the subject of the petition both by legal description and assessor's parcel number;
 - (ii) The name and mailing address of all persons owning an interest in the fee title to such premises;
 - (iii) A determination as to whether the premises are located in that part of the City wastewater service area within the incorporated territory of the City or that part of the City wastewater service area within the City's sphere of influence in the County of Sutter;
 - (iv) A computation of the total amount of the wastewater fees which would become due and payable in accordance with the provisions of Sections 6-5.5 of this chapter at the time of connection of the premises to the City wastewater collection system and before service is established; and
 - (v) A schedule of the assessment installments to be levied against the subject premises in order to pay all such wastewater fees, together with interest and an administrative fee thereon, in ten annual installments, all at the time, in the amounts, and in the manner hereinafter provided by this section.
- (3) Following completion of such report, the Engineer shall cause the petition and report to be brought before the City Council for consideration for approval and authorization.

(e) *Consideration of assessment petition by City Council.*

- (1) On the date and at the time of the City Council meeting on the assessment petition, the City Council shall consider the assessment petition, the report of the Engineer on the assessment petition, and any other relevant matters bearing on the petition and/or the assessment installments to be levied in lieu of payment of wastewater fees pursuant to the assessment petition.
- (2) Following consideration, of the assessment petition and report, the City Council may, by resolution:
 - (i) Grant the petition and levy assessment installments in lieu of payment as outlined herein this section;
 - (ii) Direct the City Manager, Engineer, Finance Director, and any other necessary staff to conduct any required action(s);
 - (iii) Approve an extraterritorial agreement in cases where the subject premises fall outside of City limits but within the City's sphere of influence.

(f) *Establishment of assessment installments.*

- (1) Upon receipt of a certified copy of a resolution of the City Council levying assessment installments in lieu of payment of wastewater fees, the Engineer shall cause the resolution to be recorded in the official records of the County of Sutter.
- (2) After the date of such recordation, the assessments provided for by such resolution shall constitute a lien upon the premises which are the subject of the resolution which shall have the priority and effect of an assessment lien as provided for by Article 13, Chapter 4, Part 1, Division 2, Title 5 of the California

Government Code (commencing with Section 53930) or any other law of the State of California applicable to assessment liens levied by a municipality.

- (3) Following recordation, the Engineer shall ensure that such resolution be transmitted to the Sutter County Auditor with the request that the assessment installments levied by the resolution be added to the County tax rolls at the time and manner provided therein.
- (4) Thereafter, all assessment installments provided for in the resolution which become due in any year, together with all interest thereon, shall be payable in the same manner and at the same time that general taxes of the County on real property are payable, and such assessment installments and all interest and fees thereon shall become delinquent at the same time and bear the same proportional penalty and interest after delinquency as do the general taxes of the County on real property.

(g) *Assessment installments.*

- (1) *Timing of payment.* Assessments in lieu of the payment of wastewater fees, including interest thereon and any required administrative fees, shall be levied in ten equal installments of principal, interest, and administrative fees due and payable as follows:
 - (i) Where the resolution levying the assessment installments is adopted by the City Council between January 1st and July 10th, assessment installments shall be due payable commencing on November 10th of the calendar year in which the resolution was adopted and on November 10th of each year thereafter until all assessment installments have been paid in full, November 10th being the same date that County property taxes are due and payable under the laws of the State of California.
 - (ii) Where the resolution levying the assessment is adopted by the City Council between July 11th and December 31st, assessment installments shall be due and payable commencing on November 10th of the calendar year next succeeding the calendar year in which the resolution was adopted and on November 10th of each year thereafter until all assessment installments have been paid in full.
- (2) *Calculation of interest.* Interest on assessment installments shall be computed on the basis of an interest rate equal to the rate of cash held in pooled investments (LAIF), as calculated and published for the previous fiscal quarter, together with all appurtenant documents and fees required by this section, is filed in the office of the Engineer, plus 2% annual interest and an annual administrative fee of 2%.
- (3) *Prepayment.* Assessment installments may be prepaid at any time between the date of adoption of the City Council resolution and the date the last assessment installment is due and payable by depositing with the Treasurer-Tax Collector of the County of Sutter a sum equal to the principal, interest, fees, and any penalties due on any delinquent installments on prior tax years and a sum equal to the principal, interest, and fees due on the current tax year assessment roll, and then depositing with the City Finance Director a sum equal to the unpaid principal of any remaining assessment installments, exclusive of any interest or fees thereon.
 - (i) Upon prepayment of the remaining assessment installments, the City Finance Director shall request the Sutter County Auditor to remove all such assessment installments from the County tax rolls and shall also cause the assessment lien levied by the City Council resolution to be released in the manner herein provided by this section.
- (4) *Penalty for unpaid assessment installments.* In the event any assessment installment levied per this section and/or any interest, penalties, or other charges accruing thereon are not paid when due, the City Council may, not later than four years after the due date of the last such installment, order that the same be collected by an action brought in the Superior Court to foreclose the lien thereof, all in the manner provided for by the Improvement Bond Act of 1915, as set forth in Part 14, Division 10 of the Streets and Highways Code.

- (h) *Release of assessment lien.* Where all assessment installments levied in the manner provided for by this chapter have been paid in full, either by reason of the prepayment of such assessment installments or otherwise, the Finance Director shall execute and record in the official records of the County of Sutter a notice stating that the assessment lien levied by the City Council resolution is being released.

Article 6. Administrative Enforcement Remedies

Sec. 6-5.601. Public Works Utilities Director enforcement.

Sec. 6-5.601.A. Notification of violation.

When the Public Works Utilities Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Public Works Utilities Director may serve upon that user a written notice of violation (NOV). The industrial user in noncompliance may be required to provide an explanation of the violation and a plan for the satisfactory correction and prevention thereof, including specific required actions, which shall be submitted by the user to the Public Works Utilities Director. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the notice of violation. Nothing in this section shall limit the authority of the Public Works Utilities Director to take any action, including emergency actions or any other enforcement action, without first issuing a notice of violation.

Sec. 6-5.601.B. Consent orders.

The Public Works Utilities Director may enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 6-5.601.D and 6-5.601.E of this chapter and shall be judicially enforceable.

Sec. 6-5.601.C. Show cause hearing.

The Public Works Utilities Director may order a user which has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, to appear before the Public Works Utilities Director and show cause as to why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause as to why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 30 days prior to the hearing. Such notice may be served on any authorized representative of the user. A show-cause hearing shall not be a bar against, nor prerequisite for, taking any other action against the user.

Sec. 6-5.601.D. Compliance orders.

When the Public Works Utilities Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Public Works Utilities Director may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the

deadline for compliance established for a pretreatment standard or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, nor a prerequisite for, taking any other action against the user.

Sec. 6-5.601.E. Cease and desist orders.

When the Public Works Utilities Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, or that the user's past violations are likely to recur, the Public Works Utilities Director may issue an order to the user directing it to cease and desist all such violations and directing the user to:

- (a) Immediately comply with all requirements; and
- (b) Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, nor a prerequisite for, taking any other action against the user.

Sec. 6-5.601.F. Administrative fines.

- (a) When the Public Works Utilities Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit or order issued hereunder, or any other pretreatment standard or requirement, the Public Works Utilities Director may fine such user in an amount not to exceed \$25,000 per violation, per day. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation.
- (b) Unpaid fines under this section shall, after 60 days, constitute a lien against the real property of the discharger from which the discharge originated. The lien shall have no force and effect until recorded with the County Recorder after which its applicability will remain, in accordance with provisions of California Civil Procedure Code §§ 683.110 to 683.220, inclusive.
- (c) Users desiring to dispute such fines must file a written request for the Public Works Utilities Director to reconsider the fine, along with full payment of the fine amount, within 30 days of being notified of the fine. Where a request has merit, the Public Works Utilities Director may convene a hearing on the matter. In the event that the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user. The Public Works Utilities Director may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (d) Issuance of an administrative fine shall not be a bar against, nor a prerequisite for, taking any other action against the user.

The City has established an administrative penalty (noncompliance fee) for specific violations incorporated below. The following penalty schedule provides guidance as to the level of fine appropriate for that type of violation. The actual fine, if any, is determined based on the specific circumstances of each individual violation. Noncompliance fees are based on the actual time (staff hourly rates) and monitoring and testing costs incurred by the City in the investigation and resolution of noncompliance events. The responsible party shall be responsible to pay any type of administrative fines.

Violation	Penalty Schedule
Failure to submit discharge permit application by NOV deadline	\$500
Failure to submit discharge permit renewal by NOV deadline	\$500
Failure to meet schedule set forth in Administrative Order for discharge permit application or renewal	\$750
Failure to submit report by NOV deadline	\$500

Submittal of chronically late or unacceptable reports	\$500
Failure to comply with sampling/monitoring requirements of NOV and/or Warning Letter	\$750
Failure to comply with pretreatment, sampling, or monitoring equipment installation/maintenance requirements of NOV and/or Warning Letter	\$750
Publication of SNC	\$750
Frequent (insignificant) exceedances of discharge limit (permit, local limit, and/or categorical)	\$500
Failure to comply with NOV requirements related to the FOG program	\$500

Sec. 6-5.601.G. Emergency suspensions.

The Public Works Utilities Director may immediately suspend a user's discharge, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons. The Public Works Utilities Director may also immediately suspend a user's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents or may present an endangerment to the environment.

- (a) Any user notified of a suspension of its discharge shall immediately stop or eliminate its contribution to the POTW. In the event of a user's failure to immediately comply voluntarily with the suspension order, the Public Works Utilities Director may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW and/or its receiving stream or endangerment to any individuals. The Public Works Utilities Director may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the Public Works Utilities Director that the period of endangerment has passed, unless the termination proceedings in Section 6-5.601.H of this chapter are initiated against the user.
- (b) A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Public Works Utilities Director prior to the date of any show cause or termination hearing under Sections 6-5.601.C and 6-5.601.H of this chapter.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

Sec. 6-5.601.H. Termination of discharge.

In addition to the provisions in Section 6-5.403.F of this chapter, any user who violates the following conditions is subject to discharge termination:

- (a) Violation of wastewater discharge permit conditions;
- (b) Failure to accurately report the wastewater constituents and characteristics of its discharge;
- (c) Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- (d) Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling;
- (e) Violation of the pretreatment standards in Article 2 of this chapter; or
- (f) Failure to comply with the other requirements of this chapter.

Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 6-5.601.C of this chapter as to why the proposed action should not be taken. Exercise of this option by the Public Works Utilities Director shall not be a bar to, nor a prerequisite for, taking any other action against the user.

Sec. 6-5.601.I. Publication of users in significant noncompliance.

The Public Works Utilities Director shall publish annually, in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW of industrial users, a list of the users, which, at any time during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. The term "significant noncompliance" (SNC) shall be applicable to all significant industrial users (or any other industrial user that violates paragraphs (c), (d) or (h) of this section) and shall mean:

- (a) Chronic violations of wastewater discharge limits, defined here as those in which 66% or more of all the measurements taken for the same pollutant parameter during a six-month period exceeded (by any magnitude) a numerical pretreatment standard or requirement, including instantaneous limits, as defined by Article 2;
- (b) Technical review criteria (TRC) violations, defined here as those in which 33% or more of wastewater measurements taken for each pollutant parameter during a six-month period equals or exceeds the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined by Article 2 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils, and grease, and 1.2 for all other pollutants except pH);
- (c) Any other violation of a pretreatment standard or requirement as defined by Article 2 (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Public Works Utilities Director determines has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of POTW personnel or the general public;
- (d) Any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the Public Works Utilities Director's exercise of its emergency authority to halt or prevent such a discharge;
- (e) Failure to meet, within 90 days of the scheduled date, a compliance-schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (f) Failure to provide within 30 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (g) Failure to accurately report noncompliance; or
- (h) Any other violation(s), which may include a violation of Best Management Practices, which the Public Works Utilities Director has determined will adversely affect the operation or implementation of the local pretreatment program.

Article 7. Judicial Enforcement Remedies

Sec. 6-5.701. Injunctive relief.

When the Public Works Utilities Director finds that a user has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement, the Public Works Utilities Director may petition the Superior Court of California, County of Sutter through the City Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the user. The Public Works Utilities Director may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

Sec. 6-5.702. Civil penalties.

- (a) A user who has violated, or continues to violate, any provision of this chapter, a wastewater discharge permit, or order issued hereunder, or any other pretreatment standard or requirement shall be liable to the City for a maximum civil penalty of \$25,000 per violation, per day. In the case of a monthly or other long-term average discharge limit, penalties shall accrue for each day during the period of the violation.
- (b) The Public Works Utilities Director may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by the City.
- (c) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the user's violation, corrective actions by the user, the compliance history of the user, and any other factor as justice requires.
- (d) Filing a suit for civil penalties shall not be a bar against, nor a prerequisite for, taking any other action against a user.

Sec. 6-5.703. Criminal prosecution.

- (a) Any user who negligently violates any provision of Water Code §§ 13387(a)1—6, upon conviction, is guilty of a misdemeanor, punishable by a fine of not more than \$25,000 per violation, per day, or imprisonment in the County jail for not more than one year, or both.
- (b) A user who willfully or knowingly introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a fine of not less than \$5,000 nor more than \$50,000, or be subject to imprisonment, in state prison, for not more than three years, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under state law.
- (c) A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this chapter, wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be punished by a civil penalty of not more than \$5,000 per violation, per day.
- (d) In the event of a second conviction, a user shall be punished by a fine of not more than \$100,000 per violation, per day, or imprisonment for not more than six years, or both.

Sec. 6-5.704. Remedies nonexclusive.

The remedies provided for in this chapter are not exclusive. The ~~Public Works~~Utilities Director may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan, which is located in Article 10 of this chapter; however, the ~~Public Works~~Utilities Director may take other action against any user when the circumstances warrant. Further, the ~~Public Works~~Utilities Director is empowered to take more than one enforcement action against any noncompliant user.

Sec. 6-5.705. Damages to City facilities.

Any unauthorized entering, breaking, damaging, destroying, uncovering, defacing, or tampering with any structure, equipment, or appurtenances which are a part of the City's sewerage system shall be a violation of this chapter. Damages to the City's facilities as a result of such unauthorized entering, breaking, damaging, destroying, uncovering, defacing, or tampering shall be paid by the responsible party or parties. The responsible party shall also be responsible to pay any type of fines resulting from damages to the POTW.

Sec. 6-5.706. Persons responsible for payment.

- (a) *Municipal water system connection.* Where the premises are connected to the municipal water system, the sewer service charges shall be billed to the person who requested such connection to the water system, or their successor in interest, or to any person requesting that such bill be charged to them.
- (b) *Non-municipal water system connection.* Where the premises are not connected to the municipal water system, the sewer service charges shall be billed to the person who requested such connection to the sewerage system, or their successor in interest, or, if no such request was made, to the owner of record of such premises on the date on which such premises were required by the City to be connected to the sewerage system, or to the successor in interest of such person, or to any person requesting that such bill be charged to him or her.
- (c) *Enforcement of payment.* In each case where a bill for sewer services becomes delinquent, the City Manager or Finance Director shall order the premises shut off from the municipal water system. In the event of continued or repeated delinquencies, the City Manager or Finance Director may order the premises disconnected from the municipal water system and/or the sewerage system. When any premises have been shut off or disconnected from either the municipal water system or the sewerage system for the nonpayment of sewer service charges, such water or sewer service shall not be restored and such premises shall not be reconnected until all the delinquencies have been paid to the Finance Department, together with such reasonable charges for reconnecting as may be established.
- (d) *Owner responsible.* Notwithstanding any provisions of this chapter, the property owner shall be additionally responsible for payment of all unpaid water/sewer bills and other fees owed to the City. Any agreement between landlords and tenants to the contrary will not relieve the landlord or record owner of the property of the responsibility for payment of the water and/or sewer service charges to the City.
- (e) *Collection of delinquent sewer charges.* All rates, charges, penalties and interest which remain delinquent as of June 30 of each year may be collected in the same manner as the general taxes for the City for the forthcoming fiscal year, as follows:
 - (1) The City's Finance Department shall prepare a written report, which shall be filed with the City Clerk. The report shall describe each parcel of real property for which there are any delinquencies in any rates or charges for services rendered to each parcel during the preceding year, and the amount of the delinquency. The report of delinquent sewer charges may be combined with the report of any other

delinquent charges, as long as the report identifies the delinquent charges for each service for each parcel.

- (2) The City Clerk shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published once a week for two successive weeks prior to the hearing. The Finance Department shall also mail written notice of the report's filing to each property owner whose property or parcel is identified as being subject to delinquent charges, setting forth individually each property and each of the services and charges due for that property.
- (3) At the time stated in the notice for the prehearing, the Finance Director and/or designee shall hear and consider all objections or protests, if any, to the report concerning the delinquencies in a "prehearing." Thereafter, the Finance Director may revise, change, reduce, or modify any delinquency, or overrule any or all objections thereto. The Finance Director shall then make his or her determination on each delinquency identified in the report, and present the list to the City Council for final determination at the public hearing stated in the notice.
- (4) At the time stated in the notice, following the prehearing and prior to submission to the County of Sutter, the City Council shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter the City Council may adopt, revise, change, reduce, or modify any delinquency or overrule any or all objections thereto. The City Council shall then make its determination on each delinquency identified in the report; the City Council's determination shall be final.
- (5) Following the hearing, on or before August 10 of each year, the City Clerk shall file with the City's Finance Director a copy of the signed report to submit to the County. The Finance Director will submit a request to the Sutter County to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

Sec. 6-5.707. Violations infractions.

In addition to the foregoing, violations of this chapter shall be infractions as provided in Chapter 2 of Title 1 of this Code.

Sec. 6-5.708. Appeals to the City Manager.

- (a) *Procedure.* Except for any decision, action, or determination made by the City Council, any permit applicant, permit holder, or other discharger affected by any decision, action, or determination, including cease and desist orders, made by the City in interpreting or implementing the provisions of this chapter, or any permit issued hereunder, may file with the City Manager a written request for reconsideration within ten days after such decision, action, or determination, setting forth in detail the facts supporting the request. The City Manager may elect to hold a hearing on the request. The request for reconsideration shall be acted upon by the City Manager within ten days after the date of filing or the close of the reconsideration hearing. The decision, action, or determination shall remain in effect during such period of review by the City Manager.
- (b) *Action by the City Manager.* If the ruling made by the City Manager is unsatisfactory to the person requesting reconsideration, he may, within ten days after notice of the action by the City Manager, file a written appeal to the Council.

Sec. 6-5.709. Appeals to the Council.

Any person who is dissatisfied with the action of the City Manager may appeal to the Council in accordance with Chapter 4 of Title 1 of this Code. In the event of such an appeal, the City Manager shall transmit to the Council a report setting forth the reasons for the action taken.

Article 8. Reporting Requirements

Sec. 6-5.801. Baseline monitoring reports.

- (a) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the **Public Works Utilities** Director a report which contains the information listed in paragraph (b), below. At least 90 days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the **Public Works Utilities** Director a report which contains the information listed in paragraph (b), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
- (1) *Identifying information.* The name and address of the facility, including the name of the operator and owner.
 - (2) *Environmental permits.* A list of any environmental control permits held by or for the facility.
 - (3) *Description of operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
 - (4) *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
 - (5) *Measurement of pollutants.*
 - (i) The user shall provide the following information:
 - A. The categorical pretreatment standards applicable to each regulated process and any new categorically regulated process for existing sources.
 - B. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the **Public Works Utilities** Director, of regulated pollutants in the discharge from each regulated process.
 - C. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - D. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Sections 6-5.810 and 6-5.811 of this chapter. Where the standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documents as required by the **Public Works Utilities** Director or the applicable standard to determine compliance with the standard.
 - (ii) The user shall take a minimum of one representative sample to compile the data necessary to comply with the requirements of this paragraph.
 - (iii) Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the user should measure the flows and concentrations necessary to allow use of the combined waste stream

formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e), this adjusted limit along with supporting data shall be submitted to the control authority.

- (iv) Sampling and analysis shall be performed in accordance with Sections 6-5.810 and 6-5.811 of this chapter.
 - (v) The [Public Works Utilities](#) Director may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
 - (vi) The baseline report shall indicate the time, date, and place of sampling and methods of analysis, and shall certify that such sampling and analysis are representative of normal work cycles and expected pollutant discharges to the POTW.
- (6) *Compliance certification.* Compliance certification is a statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) *Compliance schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 6-5.802. of this chapter.
- (8) *Signature and report certification.* All baseline monitoring reports must be signed and certified in accordance with Section 6-5.402.F of this chapter.

Sec. 6-5.802. Compliance schedule progress reports.

The following conditions shall apply to the compliance schedule required in Section 6-5.801(b)(7) of this chapter:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine months;
- (c) The user shall submit a progress report to the [Public Works Utilities](#) Director no later than 14 days following each date in the schedule and the final date of compliance, including, as a minimum, whether or not it complied with the designated increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (d) In no event shall more than nine months elapse between such progress reports to the [Public Works Utilities](#) Director.

Sec. 6-5.803. Reports on compliance with categorical pretreatment standard deadline.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the [Public Works Utilities](#) Director a report containing the information described in Section 6-5.801(b) of this chapter. For users subject to equivalent

mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 6-5.402.(F) of this chapter.

Sec. 6-5.804. Periodic compliance reports.

- (a) All significant industrial users shall, at a frequency determined by the [Public Works Utilities](#) Director but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the [Public Works Utilities](#) Director or the pretreatment standard necessary to determine the compliance status of the user. All periodic compliance reports must be signed and certified in accordance with Section 6-5.402.(F) of this chapter.
- (b) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep their monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of their discharge.
- (c) If a user subject to the reporting requirement in this section monitors any pollutant at appropriate sampling location more frequently than required by the [Public Works Utilities](#) Director, using the procedures prescribed in Section 6-5.811 of this chapter, the results of this monitoring shall be included in the report.

Sec. 6-5.805. Reports of changed conditions.

Each user must notify the [Public Works Utilities](#) Director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of their wastewater at least 180 days before the change.

- (a) The [Public Works Utilities](#) Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 6-5.402.(E) of this chapter.
- (b) The [Public Works Utilities](#) Director may issue a wastewater discharge permit under Section 6-5.402.(G) of this chapter or modify an existing wastewater discharge permit under Section 6-5.403.(D) of this chapter in response to changed conditions or anticipated changed conditions.
- (c) For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20% or greater and the discharge of any previously unreported pollutants.

Sec. 6-5.806. Reports of potential problems.

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine episodic nature, a non-customary batch discharge, or a slug discharge or slug load, that may cause potential problems for the POTW, the user shall immediately notify the [Public Works Utilities](#) Director and/or his designee of the incident by telephone or email. This notification shall include the location of the discharge, type of waste, concentration, and volume, if known, and corrective actions taken by the user.
- (b) Within five days following such discharge, the user shall, unless waived by the [Public Works Utilities](#) Director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense,

loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this chapter.

- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place readily visible by employees advising how to notify the City in the event of a discharge as described in paragraph (a), above. Employers shall ensure that all employees who may cause such a discharge are advised of the emergency notification procedure.
- (d) Significant industrial users are required to notify the [Public Works Utilities](#) Director immediately of any changes at their facility affecting the potential for a slug discharge.

Sec. 6-5.807. Reports from unpermitted users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the [Public Works Utilities](#) Director as the [Public Works Utilities](#) Director may require.

Sec. 6-5.808. Notice of violation/repeat sampling and reporting.

If sampling performed by a user indicates a violation, the user must notify the [Public Works Utilities](#) Director and/or designee within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the [Public Works Utilities](#) Director and/or designee within 30 days after becoming aware of the violation. The user is not required to resample if the [Public Works Utilities](#) Director and/or designee monitors the user's facility at least once a month for the pollutant that is exceeding permitted limits or if the [Public Works Utilities](#) Director and/or designee samples between the user's initial sampling and when the user receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the industrial user.

Sec. 6-5.809. Discharge of hazardous waste.

The City prohibits the discharge of any hazardous waste into the POTW (as defined in 40 CFR 261).

Any user who commences the discharge of hazardous waste, whether illegally, accidentally, or otherwise, shall immediately notify the POTW, the EPA Regional Waste Management Division Director, and sState hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of Sections 6-5.801, 6-5.803, and 6-5.804 of this chapter.

Sec. 6-5.810. Analytical requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or other applicable sampling and analytical procedures, including procedures suggested by the [Public Works Utilities](#) Director or other parties approved by the EPA. Minimum detection levels shall be as approved by the [Public Works Utilities](#) Director.

Sec. 6-5.811. Sample collection.

- (a) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (b) Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of the conditions occurring during the reporting period.
- (c) Except as indicated in paragraphs (d) and (e) below, the user must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the **Public Works Utilities** Director. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.
- (d) Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- (e) For sampling required in support of baseline monitoring and 90-day compliance reports required in Sections 6-5.801 and 6-5.803 (40 CFR 403.12(b) and (d)), a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the **Public Works Utilities** Director may authorize a lower minimum. For reports required by paragraphs Section 6-5.804 (40 CFR 403.12(e) and 403.12(h)), the industrial user is required to collect the number of grab samples necessary to assess and assure compliance with applicable pretreatment standards and requirements.

Sec. 6-5.812. Timing.

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report by the carrier shall govern.

Sec. 6-5.813. Record keeping.

Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with Best Management Practices established under Section 6-5.208(b). Records shall include the date, exact place, method, and time of sampling and the name of the person(s) taking the samples, and the dates, analytical techniques or methods, and results of analyses performed and the name of the person(s) who performed the analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the **Public Works Utilities** Director.

Article 9. Miscellaneous Provisions

Sec. 6-5.901. Pretreatment program fees.

The City may adopt reasonable fees [in the City's fee schedule](#) for reimbursement of costs of setting up and operating the City's pretreatment program. Fees may include;

- (a) Fees for wastewater discharge permit applications, including the cost of processing such applications;
- (b) Fees for monitoring, inspection, and surveillance procedures including the cost of collecting and analyzing a user's discharge, and reviewing monitoring reports submitted by users;
- (c) Fees for reviewing and responding to accidental discharge procedures and construction;
- (d) Fees for filing appeals; and
- (e) Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines, and penalties chargeable by the City.

Sec. 6-5.902. Severability.

If any court of competent jurisdiction invalidates any provision of this chapter, the remaining provisions shall not be affected and shall continue in full force and effect.

Sec. 6-5.903. Affirmative defenses to discharge violations.

Sec. 6-5.903.A. Upset.

- (a) For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventative maintenance, or careless or improper operation.
- (b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (c), below, are met.
- (c) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs and/or other relevant evidence that:
 - (1) An upset occurred and the user can identify the cause(s) of the upset;
 - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The user submitted the following information to the [Public Works Utilities](#) Director within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):
 - (i) A description of the indirect discharge and cause of noncompliance;

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- (ii) The period of noncompliance, including exact dates and times or, if not corrected, the anticipated timeframe that the noncompliance is expected to continue; and
 - (iii) Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
 - (d) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
 - (e) Users shall have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
 - (f) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

Sec. 6-5.903.B. Bypass.

- (a) For the purpose of this section:
 - (1) "*Bypass*" means the intentional diversion of waste streams from any portion of a user's treatment facility.
 - (2) "*Severe property damage*" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. "Severe property damage" does not mean economic loss caused by delays in production.
- (b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (c) and (d) of this section.
- (c) *Bypass notifications.*
 - (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the **Public WorksUtilities** Director, at least ten days before the date of the bypass, if possible.
 - (2) A user shall submit oral notice to the **Public WorksUtilities** Director of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The **Public WorksUtilities** Director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (d) *Bypass.*
 - (1) Bypass is prohibited, and the **Public WorksUtilities** Director may take an enforcement action against a user for a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of unwanted wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the

exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

- (iii) The user submitted notices as required under paragraph (c) of this section.
- (2) The ~~Public Works~~Utilities Director may approve an anticipated bypass, after considering its adverse effects, if the ~~Public Works~~Utilities Director determines that it will meet the three conditions listed in paragraph (d)(1) of this section.

Article 10. Enforcement Response Plan for Industrial User Noncompliance

Sec. 6-5.1001. General overview.

- (a) *Purpose of enforcement response plan.* The enforcement response plan (ERP) in this article enumerates the enforcement actions and their respective time frames that may be taken by the City of Yuba City against an industrial user for noncompliance with permit conditions, this Code, or Federal and State regulations.
- (b) *Definitions.*
 - (1) *Major violations—significant noncompliance (SNC).* Any violation of pretreatment requirements (including limits, sampling, analysis, reporting, and meeting compliance schedules and regulatory deadlines) is an instance of noncompliance for which the industrial user is liable for enforcement, including monetary penalties. Instances of SNC are industrial user violations which meet one or more of the following criteria:
 - (i) Significant violations of wastewater discharge limits:
 - A. *Chronic violations.* 66% or more of all the measurements taken for the same pollutant parameter taken during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits as defined in Article 2;
 - B. *Technical review criteria (TRC) violations.* 33% or more of the measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits, as defined by Article 2 multiplied by the applicable criteria:

There are two groups of TRCs:

Group I for conventional pollutants (BOD, TSS, fats, oils, and/or grease) TRC = 1.4

Group II for all other pollutants except pH TRC = 1.2
 - C. Any other violation(s) of a pretreatment standard or requirement as defined by Article 2 that the ~~Public Works~~Utilities Director determines has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass-through, or endangered the health of the wastewater treatment personnel or the public;
 - D. Any discharge of a pollutant that has caused imminent endangerment to human health/welfare or to the environment or has resulted in the treatment plant's emergency authority to halt or prevent such a discharge;
 - E. Failure to meet, within 90 days of the scheduled date, a compliance-schedule milestone contained in a local control mechanism or enforcement order, for starting construction, completing construction, or attaining final compliance by 90 days;
 - F. Failure to provide, within 30 days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard

deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

- G. Failure to accurately report noncompliance; or
- H. Any other violation or group of violations, which may include a violation of best management practices, which the Public Works Utilities Director determines will adversely affect the operation or implementation of the local pretreatment program.

- (2) *List of violators.* The Public Works Utilities Director shall publish annually, in a newspaper of general circulation in the Yuba City area, a list of the industrial users who significantly violated applicable pretreatment requirements or standards at least once during the 12 previous months. The notification shall also summarize any enforcement actions taken against the industrial user(s) during the same 12 months.
 - (3) *Officials responsible.* The Public Works Utilities Director or designee, in accordance with this chapter of this Code, will notify the City Attorney of any civil action or municipal code enforcement required. The District Attorney will prosecute criminal violations of sState water or health and safety laws.
- (c) *Notice of violation and follow-up.* When a violation occurs (with the exception of certain insignificant/minor first offenses), a notice of violation (NOV) or a warning letter shall be sent via a certifiable means (U.S. Postal Service, FedEx, UPS, etc.) to the responsible party at the place of business. A written response by the industrial user may be required, which states the cause of the violation, the corrective actions which will be taken to prevent recurrence, and the time frame to complete corrective actions.
- (1) If an industrial user fails to take corrective action, if the violation appears to be a part of a recurring pattern, or the level of the violation is of a large magnitude, a formal meeting will be arranged with representatives of the firm and the Public Works Utilities Director or designee to discuss the problem or possible corrective actions. At this time, the firm may be issued an administrative order containing or requesting a time schedule for compliance and additional monitoring requirements and/or fines.
 - (2) Any industrial user who intentionally or willfully violates any provision of any permit issued pursuant to this chapter; intentionally or willfully discharges waste or wastewater which causes pollution; or violates any cease and desist order, established effluent limitations, national standard of performance, or national pretreatment or toxicity standard shall be fined not more than \$50,000 for each offense. The Public Works Utilities Director, after determining the existence of a violation, may levy fines, which shall be in accordance with this chapter of this Code and applicable sState and fFederal law. Each day on which a violation occurs or continues shall be deemed a separate and distinct offense.
 - (3) If noncompliance has been deemed significant (SNC) or in situations where a discharge may pose a threat to the safety of operation of the POTW or its personnel, the industrial user will be issued a cease-and-desist order. This order, issued by the Public Works Utilities Director, may order the user to comply immediately or impose additional requirements.
 - (4) Violations believed to be caused through deliberate acts or intentional discharge of hazardous wastes, as specified in 40 CFR 413 and 433, will be referred to the City Attorney for further enforcement. The City Attorney may then petition the Superior Court of California, County of Sutter for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the required performance.
- (d) *Appeal.* Any permit applicant, permit holder, or other discharger affected by any decision, action, or determination made by the Public Works Utilities Director, including cease-and-desist orders, may file with the Public Works Utilities Director a written request for reconsideration within ten days of such decision, action, or determination, setting forth in detail the facts supporting the request. The Public Works Utilities Director will then decide whether to hold a hearing on the request. The Director shall act upon a request for reconsideration within ten days from the date of filing or the close of the reconsideration hearing. The decision, action, or determination shall remain in effect during such period of review by the Director.

If the ruling made by the ~~Public Works~~Utilities Director is unsatisfactory to the person requesting reconsideration, they may, within ten days after notice of the action by the Director, file a written appeal to the City Manager.

The written appeal shall state all pertinent aspects of the matter, and shall include the hearing record if one was requested. Within 30 days after the written appeal is received, the City Manager shall hold a hearing after due notice to the appellant. The City Manager may establish rules and regulations governing the hearing of such appeals. The City Manager shall make a final ruling on the appeal within ten days after close of the hearing. The decision, action, or determination shall remain in effect during such period of review by the City Manager.

Any person who is dissatisfied with the action of the City Manager may appeal to the Council in accordance with Chapter 4 of Title 1 of this Code. In the event of such an appeal, the City Manager shall transmit to the Council a report setting forth the reasons for the action taken.

(e) *Civil and criminal penalties.* If the industrial user fails to comply with the administrative cease-and-desist order, the City may pursue any of the alternative civil or criminal remedies herein against any discharger.

Sec. 6-5.1002. Enforcement response plan outline.

The following is an outline of the City's ERP enforcement procedures. These procedures were developed according to the September 1989 EPA guidelines for "Developing Control Authority Enforcement Response Plans." This section is sometimes referred to as the enforcement response guide (ERG).

(a) *Administrative.*

- (1) Telephone call, email, or reminder letter to notify industrial user (IU) of violation. May include request for explanation of violation from IU.
 - (i) Done as soon as possible upon discovery of violation.
- (2) Notice of violation (written):
 - (i) Sent by certifiable means (U.S. Mail, FedEx, UPS, etc.) within a timely manner after the violation.
- (3) Fines assessed by City for violation(s):
 - (i) Intended to punish the IU for noncompliance.
 - (ii) No court intervention unless IU contests fine.
- (4) Administrative order types:
 - (i) Show-cause order: allows the IU to appear before the ~~Public Works~~Utilities Director or representative and explain the noncompliance and why more severe enforcement actions should not be taken.
 - (ii) Enforcement documents: directs IU to implement corrective or remedial measures (compliance orders).
 - (iii) Cease-and-desist order(s).
 - (iv) Consent orders: negotiated settlement agreed upon by the City and the IU.
 - (v) Revocation of permit:
 - A. Failure of an industrial user to factually report the sewage constituents and characteristics of their discharge;
 - B. Failure of an IU to report significant changes in operations, site plans, floor plans, mechanical and plumbing plans, or sewage constituents and characteristics; or

- C. Refusal of reasonable access to an IU's premises for the purpose of inspection or monitoring.
 - (vi) Industrial wastewater service termination.
 - (5) Administrative fines:
 - (i) Assessed for repeated or serious violations.
 - (ii) Attached to an administrative order.
- (b) *Judicial enforcement.*
- (1) *Civil Litigation.*
 - (i) *Lawsuits filed against IU to:*
 - A. Recover costs associated with noncompliance;
 - B. Impose civil penalties;
 - C. Seek injunctive relief;
 - D. Acquire a court order to return IU to compliance.
 - (ii) *Process of litigation:*
 - A. City decides to sue;
 - B. City Attorney files complaint with the Court;
 - C. IU responds to complaint by filing an answer;
 - D. Depositions and interrogations;
 - E. Trial date set;
 - F. Settlement negotiations, if any;
 - G. Trial occurs;
 - H. Verdict is issued;
 - I. Appeals are made.
- (c) *Criminal prosecution.*
 - (1) Purpose:
 - (i) To punish noncompliance rather than recover costs;
 - (ii) To deter future noncompliance.
 - (2) City must prove intent and/or negligence;
 - (3) Criminal prosecution process:
 - (i) Discovery of the crime;
 - (ii) Gathering evidence;
 - (iii) Initiating criminal prosecution;
 - (iv) Defendant's pretrial options:
 - A. Plead guilty;
 - B. Jury trial.
 - (4) The criminal trial;

- (5) Sentencing and appeals.

Sec. 6-5.1003. Enforcement response plan procedures.

The table below describes the City's enforcement response options per violation type. The official(s) responsible for enforcement shall be the Public Works-Utilities Director and/or duly authorized representative. The following abbreviations shall be used throughout the ERP table:

- AO = Administrative Order
- CO = Consent Order
- NOV = Notice of Violation
- SCO = Show Cause Order
- WL = Warning Letter

Item	Nature of Violation	Enforcement Option
A. Unauthorized Discharges (no permit or approval)		
1. Non-Permitted Discharge Violations		
1A	Industrial waste discharger unaware of wastewater discharge permit requirement; no harm to POTW/environment	Email or phone call and Issue WL with time schedule. Deadline for application submittal not to exceed 30 days.
1B	Industrial waste discharge without a permit resulting in violation of POTW NPDES permit, potential harm to POTW, environment or personnel.	Invoke emergency enforcement as necessary to abate discharge. May proceed with any of the following: a) Issue Administrative Order; b) Assess fine; c) Civil litigation seeking penalties up to \$10,000; d) Terminate service
1C	Industrial waste discharge without a permit and evidence of intentional dumping or discharge of toxic pollutants of concern (metals and/or priority organics).	Issue AO to immediately halt discharge and issue NOV with time schedule. Deadline for application submittal not to exceed 15 days May proceed with any of the following: a) Assess Administrative Fine b) Civil/Criminal Action
1D	Failure to submit acceptable permit application by deadline	Issue NOV with time schedule. Deadline for application submittal not to exceed 15 days.
1E	Failure to submit acceptable permit application by NOV deadline.	Issue AO and fine. May proceed with any of the following: a) Civil action; b) Terminate Service
2. Non-permitted discharge (expired Permit or significant change in discharge)		
2A	Failure to apply for permit renewal. No environmental or POTW harm. Less than 30 days late	Phone/email; May proceed with any of the following: a) Issue WL with time schedule (Deadline for application submittal not to exceed 30 days).
2B	Failure to submit acceptable renewal application by deadline.	Issue NOV with time schedule. Deadline for application submittal not to exceed 15 days.

2C	Failure to submit renewal by NOV	Proceed with any of the following: a) Issue AO and fine; b) Terminate service; c) Civil/Criminal action.
B. Discharge Violations		
1. Industry exceeds final limits (categorical, local, or prohibited)		
1A	Isolated, not significant violation	Telephone call/email and require follow-up sampling Further enforcement actions: a) Issue WL
1B	Frequent, insignificant (repeated offense)	Issue NOV
1C	Frequent, insignificant (any offense)	Issue NOV
1D	Significant Violations that are SNC	Proceed with all the following: Issue NOV Issue Fine SNC publication in local newspaper
1E	Causes known; environmental or POTW damage (endangerment of life)	Issue AO to halt discharge; May proceed with any of the following: a) Issue fines b) Civil litigation c) Terminate services
1F	Failure to meet requirements specified in any NOV	Any of the following: a) Meet with IU; b) Issue AO; c) Issue Fine.
2. Slug load discharge without notifying the City		
2A	Isolated; no known damage	Issue NOV; Require IU to develop a spill control program
2B	Isolated with known interference, pass through, or damage	Any of the following: a) Fine up to \$50,000 per day b) Civil action
2C	Recurring	Any of the following: a) Fine up to \$50,000 per day; b) Civil action; c) Terminate service
C. Sampling, Monitoring, Equipment maintenance, and Reporting Violations		
1. Late Report (any type, includes incomplete report)		
1A	Once; report less than five days late	Any of the following: a) Telephone call b) Email c) Issue WL
1B	Report less than 30 days late	Issue NOV
1C	Report greater than 30 days late	Issue NOV with Fine; SNC publication
1D	Twice during any consecutive four-quarter period	Issue NOV

1E	Three times during any consecutive four-quarter period	Issue NOV, Fine
2. Improper Signature or Certification		
2A	Report is improperly signed or certified	Telephone call/Email; or Issue WL
2B	Report is improperly signed or certified after notice by City	Issue NOV with option of fine
3. Failure to sample during Monitoring period		
3A	Sample collected greater than 30 days late	Issue NOV; May proceed with any of the following: a) Issue Fine; b) SNC publication
3B	Twice during any consecutive four-quarter period	Issue NOV; option of fine
3C	Three times during any consecutive four-quarter period	Issue NOV May follow with: a) Issue fine b) SNC publication
4. Improper Sampling		
4A	Incorrect sample type and/or missed hold time	Issue WL with requirement for sample collection within 30 days
4B	Repeated Incorrect sample type, miss hold time, resample later than 30 days	Issue NOV, option of fine
5. Failure to Report Instances of Noncompliance		
5A	Failure to report discharge limit violation, spill, upset, bypass or changed discharge (no harm)	Issue NOV
5B	Failure to report discharge limit violation, spill, upset, bypass or changed discharge (results in harm to POTW, personnel, environment, and/or any City discharge limit)	Issue AO May proceed with any of the following: a) Issue Fine b) Terminate Service c) Civil action
5C	Repeated failure to report discharge limit violation, spill, upset, bypass, or change discharge	Any of the following: a) Civil Action b) Terminate Service
6. Failure to install monitoring equipment		
6a	Delay of less than 30 days	Any of the following: a) Telephone call b) Email c) Issue WL
6b	Delay of greater than 30 days	Any of the following: a) Issue NOV b) Issue AO c) Issue Fine
6c	Recurring Violation of Administrative Order	Any of the following: a) Civil Action

		b) Criminal Investigation c) Terminate service
7. Failure to properly operate and Maintain pretreatment equipment		
7a	No Harm	Any of the following: a) Issue WL b) Issue NOV c) Issue Fine d) Issue CO
7b	Results in harm	Issue AO May proceed with any of the following: a) Show Cause Hearing; b) Issue Fine; c) Civil Action; d) Terminate Service
8. Reporting False Information; Falsification		
8a	Falsification of any type, including but not limited to reporting and sampling	Any of the following: a) Criminal investigation b) Civil litigation c) Criminal Prosecution seeking maximum penalties allowed by State Law d) Terminate Services
D. Compliance Schedule Violations		
1. Missed Milestone date		
1a	Less than 30 days or will not affect final milestone	Any of the following: a) Telephone call b) Email c) Issue a WL d) Issue AO with fine
1b	Missed by more than 30 days, or will affect final milestone Violation for good cause (weather, materials unavailable, etc.)	Schedule a meeting to change final date; May proceed with any of the following: a) Issue AO b) Issue Fine
1c	Missed by more than 30 days, or will affect final milestone. Violation without good cause	Show cause hearing, seek penalties of \$500 per day of violation
2. Failure to meet Compliance Schedule, Reporting requirements		
2a	Did not submit report but did complete milestone	Any of the following: a) Telephone call b) Email c) Issue WL
2b	Did not submit report or meet milestone	Schedule a meeting; May proceed with the following: a) Issue AO b) Issue fine
3. Missed Final date		
3a	Good Cause	Telephone call or Email

3b	30 days or more outstanding; failure or refusal to comply without good cause	Any of the following: a) Show Cause hearing b) Issue AO with fines c) Judicial Action
E. Spill Incidents		
1. Spill Incident		
1a	Reported by industry	Any of the following: a) Issue WL b) Issue NOV c) Meet with IU
1b	Failure to report spill	Issue NOV May proceed with any of the following: a) Issue AO with fines
2. Repeated Spill incidents		
2a	Failure to develop and/or upgrade spill prevention program	Issue NOV May proceed with any of the following: a) Issue AO with fines b) Show cause hearing
2b	Failure to act on a decision of compliance meeting and results in known environmental damage and/or POTW damage	Judicial Action, terminate service
F. Violations detected through industrial inspections/investigations		
1. Entry Denial		
1a	Entry denied or consent withdrawn Copies of records denied	Obtain warrant and return to IU
2. Illegal Discharge		
2a	No harm	Issue NOV May proceed with any of the following: a) Issue AO with Fine
2b	Results in harm to POTW, environment or personnel	Show Cause Hearing: May proceed with any of the following: a) Issue AO with fine b) Civil Action c) Terminate service
2c	Harm to POTW, environment or personnel and evidence of "willful or neglect" action	Any of the following: a) Civil Action b) Criminal Investigation c) Terminate Services
3. Improper Sampling		
3a	Unintentional; incorrect location, incorrect sample type, incorrect sample technique/preservation	Any of the following: a) Telephone call b) Correct at site c) Email d) Issue WL e) Issue NOV
4. Inadequate record keeping		

4a	Inspector finds files incomplete or missing, and no evidence of "willful or negligent" action	Issue NOV
4b	Inadequate record keeping continues after notice by City	Issue AO with fine
4c	Incomplete or missing files and evidence of "willful or negligent" action	Any of the following: a) Criminal Investigation b) Criminal Action c) Terminate Service
4d	Inspector finds additional files/data	Issue NOV
5. Failure to report additional monitoring		
5a	No harm to POTW, et al.	Issue NOV
5b	Failure to report additional data	Issue NOV
5c	Failure to report additional data after notice from City	Issue AO with fine
G. Other permit Violations		
1. Waste streams are diluted in lieu of treatment		
1a	Initial Violation	Issue AO
1b	Dilution continues in lieu of treatment after notification by City	Any of the following: a) Show Cause hearing b) Civil action c) Terminate Service
2. Failure to mitigate noncompliance		
2a	Does not result in harm	Issue NOV
2b	Results in harm to POTW, environment, or personnel	Issue AO with fine; May proceed with any of the following: a) Civil Action b) Terminate Service c) Criminal Investigation

Article 12. Fats, Oils, and Grease Discharge from Food Service Establishments

Sec. 6-5.1201. General overview.

Purpose. The purpose of this chapter is to facilitate the maximum beneficial public use of the City's sewer services and facilities while preventing blockages of the sewer lines resulting from discharges of fats, oils, and grease (FOG) from residential, industrial, and food service establishments (FSE) to the sewer facilities, and to specify appropriate FOG discharge requirements for FSEs.

Sec. 6-5.1202. Regulations.

- (a) *Permits.* Nonresidential facilities, including not-for-profit and government-owned facilities, that prepare, process, or serve food, as determined by the [Public Works Utilities](#) Director or designee, may be required to keep a valid wastewater discharge permit issued by the City as outlined in the provisions of Section 6-5.402.

- (1) The wastewater discharge permit for any facility shall be renewed whenever there is a change in operation including facility expansion, remodeling, or change in ownership. Permits are issued for a specifically named establishment at a particular location and are not transferable.
 - (2) A limited food preparation establishment is not considered an FSE and is exempt from obtaining a wastewater discharge permit. Exempt establishments shall be engaged only in reheating, hot holding, or assembly of ready-to-eat food products, and, as a result, there is no wastewater discharge containing significant FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
- (b) *Discharge limitations.* No FSE shall discharge FOG or cause FOG to be discharged into the public sewer that causes an SSO, exceeds a concentration level set forth in Section 6-5.208, or that may accumulate and/or cause or contribute to blockages in the public sewer.
- (c) *Prohibitions.* FSEs are prohibited from the following:
- (1) Installing food grinders in the plumbing system of new construction. All FSEs that undergo a change in operations or remodeling shall remove any existing food grinders concurrent with such change or remodeling, except as otherwise expressly allowed by the [Public Works/Utilities](#) Director;
 - (2) Introducing any additives into an FSE's plumbing system, grease trap, and/or grease interceptor for the purpose of emulsifying FOG, biologically and/or chemically treating FOG for grease remediation, and/or as a supplement to grease interceptor maintenance;
 - (3) Disposing waste cooking oil into the public sewer or storm drain. All waste cooking oils shall be collected and stored properly in receptacles such as rendering bins, barrels, or drums for recycling or other acceptable methods of disposal;
 - (4) Discharging wastewater from dishwashers to any grease removal device;
 - (5) Discharging wastewater with temperatures in excess of 140° Fahrenheit (60° Celsius) into any grease control device, including grease traps and interceptors;
 - (6) Discharging wastes containing fecal materials from toilets, urinals, wash basins, or other fixtures to waste lines directed to grease interceptors and/or other grease control devices;
 - (7) Discharging FOG and solid materials removed from a grease control device to the public sewer. Grease removed from grease interceptors shall be waste hauled to an approved disposal site as part of the operation and maintenance requirements for grease interceptors;
 - (8) Operating grease interceptors with FOG and solids accumulation exceeding 25% of the design hydraulic depth of the grease interceptor (25% rule);
 - (9) Discharging FOG and other pollutants above the local discharge limits set forth in Section 6-5.208.
- (d) *Violations.* Any violation of the terms and conditions of a wastewater discharge permit, BMP, or any requirement or prohibition of the FOG control program shall be deemed a violation of this chapter and subjects the wastewater discharge permittee and/or FSE to the sanctions set out in Articles 6 and 7 of this chapter.

Sec. 6-5.1203. Requirements.

- (a) *Design.* All grease removal devices shall be designed and sized in accordance with the standards outlined in the most recent version of the California Plumbing Code (CPC) or as required by the City, whichever is more stringent.
- (b) *Installation.*
 - (1) The owner of every newly constructed, remodeled, or converted commercial or industrial FSE with one or more grease-generating activities, including FSEs with new or replacement kitchens for which a

building permit is issued, shall install an approved grease interceptor for each grease-generating activity, of a size equal to or greater than the minimum size requirements as set forth in the most recent CPC.

- (2) Existing FSEs, which do not currently have a grease interceptor installed, which have caused or contributed to grease-related blockage in the sewer system, or which have service laterals connected to hot spots, or which have been determined to contribute significant FOG to the sewer system by the City based on inspection or sampling, shall be deemed to have reasonable potential to adversely impact the sewer system, and shall install grease interceptors within 180 days upon notification by the [Public Works Utilities](#) Director or designee.
 - (3) All grease-removal devices must be installed in a location that allows for easy accessibility for inspections and maintenance.
- (c) *Variance.* An FSE may obtain a variance from the grease-interceptor requirement to allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, if the FSE demonstrates that it is impossible or impracticable to install, operate, or maintain a grease interceptor. The [Public Works Utilities](#) Director or designee's determination to grant a variance will be based upon, but not limited to, existence of the following conditions:
- (1) There is no adequate space for installation and/or maintenance of a grease interceptor;
 - (2) There is no adequate slope for gravity flow between kitchen plumbing fixtures and the grease interceptor and/or between the grease interceptor and the private collection lines or the public sewer; or
 - (3) The FSE can justify that the alternative pretreatment technology is equivalent or better than a grease interceptor in controlling its FOG discharge.
- (d) *Conditional waiver.* An existing FSE may obtain a conditional waiver from installation of a grease interceptor if the FSE demonstrates that it has negligible FOG discharge and insignificant impact to the sewer system. The [Public Works Utilities](#) Director or designee's determination to grant or revoke a conditional waiver shall be based upon, but not limited to, existence of the following conditions:
- (1) Quantity of FOG discharge as measured or as indicated by the size of the FSE based upon seating capacity, number of meals served, menu, water usage, amount of on-site consumption of prepared food, and other conditions that may reasonably be shown to contribute to FOG discharges;
 - (2) Adequacy of implementation of BMPs and compliance history;
 - (3) Sewer size, grade, condition based on visual information, FOG deposition in the sewer by the FSE, and history of maintenance and sewage spills in the receiving sewer system;
 - (4) Changes in operations that significantly affect FOG discharge; or
 - (5) Any other condition deemed reasonably related to the generation of FOG discharge by the [Public Works Utilities](#) Director or designee.
- (e) *Maintenance.*
- (1) Grease interceptors/traps shall be maintained in efficient operating condition by periodic removal of the full contents of the device, which includes wastewater, accumulated FOG, floating materials, sludge, and solids. This includes scraping the sides of the device to remove any build-up on the walls, baffle, and inlet or outlet tees.
 - (2) Grease interceptors shall be fully pumped out and cleaned by a licensed hauler at a minimum of every 90 days. The [Public Works Utilities](#) Director or designee may change the required maintenance frequency at any time to reflect current operating conditions or frequency when one or more of the following conditions occur:

- (i) 25% or more of the wetted height, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils, or grease prior to 90 days;
 - (ii) The discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the City; or
 - (iii) A history of noncompliance issues.
- (3) If the grease interceptor, at any time, contains FOG and solids accumulation that does not meet the requirements described in Section 6-5.1203(e)(2), the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the [Public Works Utilities](#) Director or designee may also increase the maintenance frequency of the grease interceptor from the current frequency.
 - (4) Grease traps shall be cleaned at a minimum of once per month or as often as necessary to prevent pass through of grease into the collection system. Grease traps shall be cleaned and inspected by a licensed grease hauler at a minimum of once per year or as often as necessary as determined by the [Public Works Utilities](#) Director and/or designee. Grease traps shall be maintained free of all food residues and any FOG waste removed during the cleaning and scraping process.
 - (5) Grease interceptors or traps shall be periodically inspected to ensure the device remains in good working condition, including any plumbing, pipes, fittings, and manhole covers. Any repairs to the device deemed necessary by the [Public Works Utilities](#) Director or designee must be completed within 14 days at the sole expense of the establishment.
 - (6) Wastes removed from each interceptor shall be disposed of at a facility permitted to receive such wastes. In no way shall the wastes be returned to any private or public portion of the collection system, storm drain, or the wastewater treatment facility.
 - (7) FSEs may be required to provide a collection drum or container for the purpose of physically segregating oils, greases, and greasy solids (such as fryer oil). FSEs shall establish procedures for personnel to practice maximum segregation of oils, greases, and greasy solids to the collection drum or container prior to washing and other water cleaning which goes to the sewers. The FSE is responsible for the proper removal and disposal by a licensed rendering company of the material captured from either grease pretreatment devices on wastewater lines or the collection drum.
 - (8) All costs associated with proper maintenance and cleaning of the grease interceptor or trap shall be borne by the FSE.
 - (9) Property owners of commercial properties or their official designee(s) shall be responsible for the installation and maintenance of the grease interceptor serving multiple FSEs that are located on a single parcel.
- (f) *Recordkeeping.* The FSE shall be required to keep all manifests, receipts, and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier, and disposal site location for no less than three years. The FSE shall, upon request, make the manifests, receipts, and invoices available to any City representative or inspector. These records shall include:
 - (1) A logbook of grease interceptor, grease trap, or grease control device cleaning maintenance practices.
 - (2) A record of BMPs being implemented including employee training.
 - (3) Copies of records and manifests of waste-hauling interceptor contents.
 - (4) Records of sampling data and sludge height monitoring for FOG and solids accumulation in the grease interceptor.
 - (5) Records of any spills and/or cleaning of the lateral or sewer system.

- (6) Any other information deemed appropriate by the Public Works Utilities Director or designee to ensure compliance with this chapter.
- (g) *Best management practices (BMPs)*. All FSEs are required to implement BMPs in its operations to reduce grease discharged to the sanitary sewer system. Detailed requirements for BMPs shall be specified in the FOG control program. All FSEs are required to comply with the BMPs as set forth therein as well as any additional BMPs established by the Public Works Utilities Director or designee.
- (h) *Falsifying information or tampering with process*. It shall be unlawful to make any false statement, representation, record, report, plan, or other document that is filed with the City, or to tamper with or knowingly render inoperable any grease-control device, monitoring device, method, or access point required under this chapter.
- (i) *Facility closure notification*. All FSEs are required to notify the Public Works Utilities Department of the facility's closure within 30 days of going out of business. It is the responsibility of the facility to conduct a final cleaning and pump out of any grease-removal device on hand. In the event the facility should fail to conduct a final pump out of the grease-removal device, the City reserves the right to perform such work at the expense of the property owner and/or outgoing utility customer of the closing facility. The property owner has ultimate responsibility for payment of any expenses or fees related to the facility closure, as per Section 6-5.706(d).
- (j) *Right-of-entry*. The Public Works Utilities Director or designee shall be provided reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the FSE is open, operating, or any other reasonable time. No persons or occupants of the premises shall interfere with, delay, resist, or refuse entrance to the Director, an inspector, and/or an enforcement officer attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the public sewer.

Sec. 6-5.1204. Sewer system overflows, public nuisance, abatement orders, and cleanup costs.

FSEs found to have contributed to a sewer blockage, SSO, or any sewer system interference resulting from the discharge of wastewater or waste containing FOG shall be ordered to install and maintain a grease interceptor, and may be subject to a plan to abate the nuisance and prevent any future health hazards created by sewer line failures and blockages, SSOs, or any other sewer system interferences. SSOs may cause threat and injury to public health, safety, and welfare of life and property and are hereby declared public nuisances. Furthermore, service lateral failures and SSOs caused by an FSE, alone or collectively, are the responsibility of the private property owner or FSE, and individual(s) as a responsible officer or owner of the FSE. If the City must act immediately to contain and clean up an SSO caused by blockage of a private or public sewer lateral or system serving an FSE, or at the request of the property owner or operator of the FSE, or due to the failure of the property owner or FSE to abate the condition causing immediate threat of injury to the health, safety, welfare, or property of the public, the City's costs for such abatement may be entirely borne by the property owner or operator of the FSE, and individual(s) as a responsible officer or owner of the FSE and may constitute a debt to the City and become due and payable upon the City's request for reimbursement of such costs. Cost recovery shall be in accordance with Title 4, Chapter 8, Nuisance Abatement Code of this Code.

Sec. 6-5.1205. Monitoring and reporting conditions.

- (a) *Monitoring for compliance with permit conditions and reporting requirements.*
 - (1) The Public Works Utilities Director or designee may require periodic reporting of the status of implementation of BMPs.
 - (2) The Public Works Utilities Director or designee may require visual monitoring at the sole expense of the FSE to observe the actual conditions of the FSE's service lateral and sewer lines downstream.

- (3) The Public Works Utilities Director or designee may require reports for self-monitoring of wastewater constituents and FOG characteristics of the FSE needed for determining compliance with any conditions or requirements as specified in the discharge permit, BMPs, or this chapter. Monitoring reports of the analyses of wastewater constituents and FOG characteristics shall be in the manner and form approved by the Public Works Utilities Director or designee and shall be submitted upon request of the Public Works Utilities Director or designee. Failure by the FSE to perform any required monitoring or to submit monitoring reports required by the Public Works Utilities Director or designee constitutes a violation of this chapter and shall cause the City to initiate all necessary tasks and analyses to determine the wastewater constituents and FOG characteristics for compliance with any conditions and requirements specified in the FOG control program, FSE discharge permit, or in this chapter. The FSE shall be responsible for any and all expenses of the City in undertaking such monitoring analysis and preparation of reports.
- (4) Other reports may be required such as compliance schedule progress reports, FOG control monitoring reports, and any other reports deemed reasonably appropriate by the Public Works Utilities Director or designee to ensure compliance with this chapter.

Sec. 6-5.1206. Inspection and sampling conditions.

- (a) *Inspection.* The Public Works Utilities Director or designee may inspect or order the inspection and sample of the wastewater discharges of any FSE to ascertain whether the intent of this chapter is being met and the FSE is complying with all requirements. The FSE shall allow the City access to the FSE premises during normal business hours for purposes of inspecting the FSE's GRD and reviewing the manifests, receipts, and invoices relating to the cleaning, maintenance, and inspection of the GRD.
- (b) *Sampling.* The Public Works Utilities Director or designee shall have the right to place or order the placement on the FSE's property or other determined locations such devices as are necessary to conduct sampling or metering operations. Where an FSE has security measures in force, the FSE shall make necessary arrangements so that representatives of the City shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

Sec. 6-5.1207. Notification of spill and/or sewer system overflow.

- (a) In the event an FSE is unable to comply with any permit condition or any section of this chapter due to a breakdown of equipment, accidents, or human error or the FSE has reasonable opportunity to know that their discharge will exceed the discharge provisions of the FSE discharge permit of this chapter, the discharger shall immediately notify the City. If the material discharged to the sewer has the potential to cause or result in sewer blockages or SSOs, the discharger shall immediately notify the local health department and the City.
- (b) Confirmation of this notification shall be made in writing to the Public Works Utilities Director or designee at the address specified in the FOG control program no later than five working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- (c) Such notification shall not relieve the FSE of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to the City or any other damage or loss to person or property; nor shall such notification relieve the FSE of any fees or other liability which may be imposed by this chapter or other applicable law.

Sec. 6-5.1208. Notification of planned changes.

An FSE shall notify the City at least 60 days in advance prior to any facility expansion, remodeling, or process modifications that may result in new or substantially increased FOG discharges or a change in the nature of the discharge. FSE shall notify the City in writing of the proposed expansion or remodeling and shall submit any information requested by the City for evaluation of the effect of such expansion on the FSE's FOG discharge to the sewer system.

Sec. 6-5.1209. Enforcement of fog program.

Noncompliance. Failure on the part of any FSE to maintain continued compliance with any of the requirements set forth in Sections 6-5.1201 through Sections 6-5.1208 may result in the initiation of enforcement action, as outlined in Sections 6-5.1001—Sections 6-5.1003. Such enforcement action may include, but is not limited to, the issuance of a verbal warning, written warning, notice of violation (NOV), administrative order, administrative civil liability, and/or imposition of administrative fines and/or penalties.

Exhibit B

The City Council of the City of Yuba City does ordain as follows:

TITLE 6. - PUBLIC WORKS CHAPTER 6. WATER SYSTEM

Sec. 6-6.01. General provisions.

- (a) *Short title.* This chapter shall be known and may be cited as the "Yuba City Water Regulations."
- (b) *Words and phrases.* For the purposes of this chapter, all words used in this chapter in the present tense shall include the future tense, all words in the plural number shall include the singular number, and all words in the singular number shall include the plural number.
- (c) *Water system.* The City shall furnish a system, plant, works, and undertaking used for and useful in obtaining, conserving, and distributing water for public and private uses, including all parts of such system, all appurtenances to such system, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage, and distribution facilities and equipment.
- (d) *Separability.* If any section, subsection, sentence, clause, or phrase in this chapter is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter.
- (e) *Pressure conditions.* All applicants for service connections or water service shall be required to accept such conditions of pressure and service as are provided by the distribution system at the location of the proposed service connection and to hold the City harmless for any damages arising out of low-pressure or high-pressure conditions or interruptions in service.
- (f) *Tampering with City property.* No one, except an employee or representative of the City, shall at any time in any manner operate the curb cocks or valves, main cocks, gates, or valves of the City's system or interfere with meters or their connections, street mains, or other parts of the water system.
- (g) *Penalties for violations.* For the failure of the customer to comply with all or any part of this chapter, or any ordinance, resolution, or order fixing rates and charges of the City, a penalty for which has not hereafter been specifically fixed, the customer's service shall be discontinued, and the water shall not be supplied to such customer until he or she shall have complied with the rule, regulation, rate, or charge which he or she has violated or, in the event he or she cannot comply with such rule or regulation, until he or she shall have satisfied the City that in the future he or she will comply with all the rules and regulations established by the laws of the City and with all rates and charges. In addition thereto, he or she shall pay the City all fines and fees established in Section 6-6.18 and Section 6-6.20 of this chapter.
- (h) *Rulings final.* All rulings of the Council shall be final. All rulings of the City Manager shall be final unless appealed in writing to the Council within five days. When appealed, the Council ruling shall be final.
- (i) *Repeals.* Ordinance Nos. 272, 307, and 506, and all other ordinances or parts of ordinances in conflict with this chapter, are hereby repealed.
- (j) *Effective date.* The effective date of this chapter is July 1, 1975.
- (k) *Plan check and inspection fee.* In connection with any work of construction required by the terms of this chapter, a plan check and inspection fee shall be charged, the amount thereof being as set forth in the City's fee schedule.

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Sec. 6-6.02. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Council* shall mean the City Council of the City.
- (b) *City* shall mean the City of Yuba City, and the City Council of the City performing functions related to the City water service, together with the City Manager, the ~~Public Works~~Utilities Director, ~~the Public Works Director~~, the Finance Director, and other duly authorized representatives.
- (c) *Distribution mains* shall mean water lines in streets, highways, alleys, and easements used for public and private fire protection and for the general distribution of water.
- (d) *Service or service connection* shall mean the pipe-line and appurtenant facilities, such as curb stop, meter, and meter box, if any, all used to extend water service from a distribution main to premises. Where services are divided at the curb or property line to serve several customers, each such branch service shall be deemed a separate service.
- (e) *Public fire protection service* shall mean the service and facilities of the entire water supply and storage and distribution system of the City, including the fire hydrants affixed thereto and the water available for fire protection, excepting house service connections and appurtenances thereto.
- (f) *Regular water service* shall mean the water service and facilities rendered for normal domestic, commercial, and industrial purposes on a permanent basis and the water available therefor.
- (g) *Temporary water service* shall mean the water service and facilities rendered for construction work and other uses of limited duration and the water available therefor.
- (h) *Private fire protection service* shall mean the water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection and the water available therefor.
- (i) *Premises* shall mean a lot or parcel of real property under one ownership, except that any separate structure may be deemed separate premises. Apartment houses, motels, office buildings, and structures of like nature may be classified as single premises.
- (j) *Cross-connection* shall mean any physical connection between the piping system from the City service and that of any other water supply that is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the City distribution mains.
- (k) *Owner* shall mean the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over the same for himself or herself, or as executor, administrator, guardian, or trustee of the owner.
- (l) *Person* shall mean any human being, individual, firm, company, partnership, association, private, public, or municipal corporation, the United States of America, the State of California, and any district, political subdivision, governmental agency, and subsidiary thereof.
- (m) *Cost* shall mean the costs of labor, materials, transportation, supervision, engineering, and all other necessary or reasonable expenses.
- (n) *Dwelling* shall mean any residence, apartment, habitation, or other structure customarily occupied by a single person or family and which contains facilities for the preparation of meals.

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- (o) *Resale* shall mean any change of ownership by sale, or transfer, of real property as recorded by the Sutter County Recorder, except sale or transfer between members of an immediate family. Immediate family being limited to husband-wife, brother-sister, parent-child.

Sec. 6-6.03. Notices.

Notices from the City to a customer shall normally be given in writing and either delivered or mailed to their last known address. When conditions warrant and in emergencies, the City may resort to notification either by telephone, messenger, text, or email.

Sec. 6-6.04. Administration.

- (a) *Council*. The management, control, and care of the Municipal Water System of the City shall be vested in and under the direction of the Council.
- (b) *Finance Director*. The Finance Director shall operate under the direction of the City Manager and shall be in charge of the billing, collecting, and maintenance of the bookkeeping system for the Municipal Water System. The Finance Director shall be responsible for the collection and banking of all money due the City and shall keep controlling records which shall reflect monthly transactions of individual accounts.
- (c) ~~*Public Works Utilities Director*~~. The ~~Public Works Utilities~~ Director shall operate under the direction of the City Manager and shall perform all the duties connected with, and have supervision of, the water works system, other than the office of bill collection and bookkeeping and the office of professional engineering, and shall perform such other duties as may be required by the City Manager.
- (d) *Public Works Director*. The Public Works Director shall operate under the direction of the City Manager and shall be in charge of the professional engineering review and approval of extensions and connections to the Municipal Water System by private development. The Public Works Director shall also be responsible for or assist with the improvement or construction of the water works system capital infrastructure.

Sec. 6-6.05. Application for regular water service.

- (a) *Applications for service to premises with a service connection*. Applicants requesting service to commence during regular business hours will be connected without charge, provided a good payment history has been established with the City. Other customers may be requested to provide payment in advance and/or credit references before connection. There will be a service charge, as determined by Section 6-6.18 of this chapter, for customers requesting turn-on or turn-off to be performed on weekends, holidays, and after hours.
- (b) *Applications for water service with no existing service connection*. Applications for regular water service where no main extension is required shall be made upon a form provided by the City.
- (c) *Undertaking of applicant*. Each application shall signify the customer's willingness and intention to comply with the regulations relating to the regular water service and to make payment for the water services required.
- (d) *Payment for previous service*. An application shall not be granted unless payment in full has been made for water services previously rendered to the applicant by the City.
- (e) *Delinquencies on accounts in the name of a commercial or residential tenant*. In the event that a tenant of a residential or commercial rental property, where water service is furnished in the tenant's name, leaves delinquent and unpaid water charges when the tenant vacates the premises, the City may require any future service to be only in the name of the property owner and not in the name of any subsequent tenant.

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- (f) *Tenant application.* A tenant applying for water services must provide to the City a valid signed lease or rental agreement along with identification for all persons listed on the agreement over the age of 18. Identification provided must be in the form of a California identification card, military identification card, California driver's license, or other valid picture identification.
 - (g) *Installation of services.* Regular water service shall be installed at the location desired by the applicant. The size of such service shall be finally determined by the City. Service installations may be made only to property abutting on public streets or abutting on such distribution mains as may be constructed in alleys or easements, at the convenience of the City. Services installed in new subdivisions prior to the construction of streets or in advance of street improvements shall be accepted by the applicant in the installed location.
 - (h) *Changes in customers' equipment.* Customers making any material change in the size, character, or extent of the equipment or operations utilizing water service, or whose change in operation results in a large increase in the use of water, shall immediately give the City written notice of the nature of the change and, if necessary, amend their applications.
 - (i) *Installation charges.* Charges for installing a water service line from the main to the curb stop shall be established by Section 6-6.18 of this chapter.
 - (j) *Extension charges.* Extension charges provide for the extension of mains and the installation of necessary fire hydrants within the street right-of-way only, based on property zoned R-1 and R-2 paying one-half the cost of an eight-inch line and all other property paying one-half the cost of a 10-inch line. The extension charge shall be as set forth in Section 6-6.18 of this chapter.

Corner lots and lots having more than one frontage where water mains exist or are planned shall pay extension fees based on 60% of the first 175 feet of total frontage (as measured to the point of intersection of the property lines or the point of intersection of the prolongation of the property lines) and 100% of all frontage in excess of the first 175 feet.

This reduction shall apply only to existing corner lots and shall not apply to corner lots which would be created by a new subdivision, parcel map, or development. Such parcels shall pay extension fees based on 100% of all applicable frontage as measured prior to the creation of the side street.

Extension fees will not be applicable to lands within a subdivision or special assessment district if the water main was installed at no cost to the City (other than oversizing costs) unless an agreement exists providing for the repayment of extension costs to the original developer or to the special district.

Where a water main only serves property on one side of the water line, the charge shall be double the current extension fee.

- (k) *Connection charges.* The connection charge is designed to recover the capital costs of the treatment plant, reservoirs, and transmission lines.

The charge shall be paid at the owner's option at either the issuance of a building permit or at certificate of occupancy, not at the date of application for a building permit. The amount of the connection charges to be paid shall be those charges in effect at the time of payment of said connection fees. Charges shall be paid at the same time the owner chooses to pay all other development impact fees, if any. If no building permit is to be obtained, the charge shall be collected before service is established.

When a user requires a larger service than that which was previously serving the parcel, the user shall pay the difference between the old service and the new service based on those charges in effect at the time of the request as set forth in Section 6-6.18 of this chapter.

Sec. 6-6.06. Main extensions.

- (a) *Main extensions.* The following rules are hereby established:

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- (1) *Determination.* Upon the receipt of any application for water service or request for an application form, the City shall determine whether, in its judgment, a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this section whenever, in the judgment of the City, such main extension is necessary to provide regular water service to the property described in such application or request.
 - (2) *Applications.* Any owner or subdivider of one or more lots where, in the opinion of the Public Works Director, an extension is required shall make a written application. Such application shall contain a legal description of the property to be served, a map showing the location of the proposed connection, and any additional information which may be required.
 - (3) *Investigations.* Upon the receipt of the application, the City shall make an investigation of the proposed extension and reject, amend, or approve the application.
 - (4) *City lines.* All extensions provided for in accordance with these regulations shall be and remain the property of the City.
 - (5) *Dead-end lines.* No dead-end lines shall be permitted, except as approved by the Public Works Director.
 - (6) *Extent and design.* All main extensions shall extend to the far property line of developed property. All main extensions shall be subject to design approval by the City.
- (b) *General.* Where the City, at its own expense, extends a main to serve property within the corporate limits of the City, the extension charge shall be governed by the applicable portion of subsection (j) of Section 6-6.05 of this chapter.
- (c) *Main extensions by applicants.* If the cost of a main extension is in excess of what the City is prepared to appropriate, it shall be the responsibility of the applicant to provide for the main extension at his or her own expense to the standards established by the City and in accordance with an agreement for such extension.

Sec. 6-6.07. Main extensions to subdivisions.

Where water main extensions are required for subdivisions, it shall be the responsibility of the owner or subdivider to pay the entire cost for the complete installation of all water facilities required within the subdivision and for the extension of water transmission mains from the subdivision to the nearest existing main of adequate capacity for the area to be served. Such transmission mains shall be subject to all the requirements set forth in the subdivision regulations (Chapter 2 of Title 8 of this Code) and to any and all modifications and supplements to such regulations. Upon official acceptance by the City, the City shall assume the full ownership, maintenance, and control of such mains.

Sec. 6-6.08. General use regulations.

- (a) *Number of services per premises.* The applicant may apply for as many fire or landscape services as may be reasonably required for the parcel and approved by the Public Works Director provided the pipeline system from each service shall be independent of the others and they shall not be interconnected, except for approved internal loops. The cost of all services shall be borne by the applicant. No connection shall provide service to more than one parcel.
- (1) Minimum size of service: Single-family—one-inch diameter.
 - (2) Residential, single-family, and multi-family: Only one domestic service and meter shall be allowed per parcel.
 - (3) Commercial/industrial: Only one domestic service and meter shall be allowed per parcel without approval from the [Utilities Director or the](#) Public Works Director.

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- (b) *Water waste.*
- (1) No customer shall permit leaks or the waste of water. When water is wastefully or negligently used on a customer's premises, the City may discontinue the service if such conditions are not corrected.
 - (2) *Water leak adjustment.* Should a customer experience a leak that is not due to negligent or willful acts, the customer may be eligible for a leak adjustment in the form of a water service billing credit.
 - (i) *Qualifying criteria.* The following criteria must be met for the customer to be eligible for a water leak adjustment.
 - A. Leak(s) must be located in the customer's service line and be beyond the control of the owner, agents, tenants, contractors, or anyone else occupying or using the property. Leaking faucets, fixtures, appliances, and other leak causes which could have been reasonably foreseen do not qualify for adjustment.
 - B. Excess water use must be at least 100% higher than normal usage, based on an average of the same billing period for the previous three years (or the available history for the account).
 - C. A leak adjustment must not have been granted for the customer in 24 months.
 - D. Proof that repairs were completed must be included with the request form.
 - E. The request form may only be submitted within three months after the repair.
 - F. If any insurance payment is received, the customer must immediately notify the City, and may be required to pay back the adjustment.
 - (ii) *Procedure.*
 - A. Customers may request a leak adjustment credit by completing a water leak adjustment request form, which is available at City Hall and the City's website. The completed form must be accompanied by proof of repair in the form of a receipt or invoice.
 - B. The Finance Director or designee shall determine if the leak and form meet the requirements of this section and whether to grant or deny the leak adjustment request. All decisions from the Finance Director or designee are final.
 - C. If the leak adjustment is granted, staff will enter the adjustment as a bill credit. The credit is for one billing cycle only and shall be no more than \$500 in value.
- (c) *Responsibility for equipment on customer premises.* All facilities installed by the City on private property for the purpose of rendering water service shall remain the property of the City and may be maintained, repaired, or replaced by the City without the consent or interference of the owner or occupant of the property. The property owner shall use reasonable care in the protection of the facilities. No payment shall be made for placing or maintaining such facilities on private property. No person shall place or permit the placement of any object in a manner which will interfere with the free access to a service cock or meter box or which will interfere with the reading of the meter. The City is responsible for all piping and equipment up to and including the water meter and check valve. The property owner is responsible for all equipment, piping, and appurtenances downstream of the water meter and check valve.
- (d) *Damages to water system facilities.* The customer shall be liable for any damages to the City-owned customer water service facilities when such damages are from causes originating on the premises by an act of the customer or his or her tenants, agents, employees, contractors, licensees, or permittees, including the breaking or destruction of locks by the customer or others on or near a meter, and any damage to a meter which may result from hot water or steam from a boiler or heater on the customer's premises. The City shall

be reimbursed by the customer for any such damage promptly on presentation of a bill. No seal placed on a meter by the City shall be altered or broken except by an authorized employee.

- (e) *Control valve on customer property.* The property owner is responsible for all equipment, piping, and appurtenances downstream of the water meter and check valve. The property owner shall install a shutoff valve as required by the building code. The customer shall not use the service curb stop to turn water on and off for their convenience.
- (f) *Cross-connections.* See Cross-Connection Control Program, Section 6-6.21 of this chapter.
- (g) *Direct connections to stationary steam boiler, hydraulic elevators, power pumps, and similar apparatus.* See Cross-Connection Control Program, Section 6-6.21 of this chapter.
- (h) *Ingress and egress.* Representatives from the City shall have the right of ingress and egress to the customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.
- (i) *Commercial and industrial cooling systems.* See Cross-Connection Control Program, Section 6-6.21 of this chapter.
- (j) *Pools and tanks.* See Cross-Connection Control Program, Section 6-6.21 of this chapter.
- (k) *Responsibility for equipment.* The customer shall, at his or her own risk and expense, furnish, install, and keep in good and safe condition all equipment which may be required for receiving, controlling, applying, and utilizing water. The City shall not be responsible for damages to property caused by faucets, valves, and other equipment which is open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.
- (l) *Unlawful connections.* For any premises found to be receiving City water service without being billed for said service, for whatever reason, the customer may be billed for all services rendered since the installation of the water service. The decision of the Finance Director or designee as to the time and amount of prior costs due shall be final.
- (m) *Commercial, industrial, and institutional nonfunctional turf irrigation.* [Users shall comply with the requirements of State law, including the prohibition of the use of potable water for the irrigation of nonfunctional turf located on commercial, industrial, and institutional properties, other than a cemetery, and on the properties of homeowners' associations, common interest developments, and community service organization or similar entities. The city may enforce the provisions of Chapter 2.5 \(Nonfunctional Turf\) of Part 2.55 of Division 6 of the Water Code.](#)

Sec. 6-6.09. Meters.

- (a) *Installation.* All services as specifically designated by this chapter, or those as ordered so by the [Utilities Director or the Public Works Director](#), shall be metered. The sum of money set forth in subsection (i) and subsection (j) of Section 6-6.05 of this chapter shall be paid to the City prior to the installation of the meter facilities to pay all the costs of such installation, except as provided in subsection (b) of this section. The service connection, whether located on public or private property, shall be the property of the City, unless specifically otherwise provided, and the City hereby reserves the right to repair, replace, and maintain such service connection, as well as to remove it upon the discontinuance of service. Meters shall be located as close to the street as possible, preferably, within one foot of back of sidewalk.
- (b) *General.* All services shall be metered.
- (c) *Change in location of meters.* Meters moved for the convenience of the customer shall be relocated at the customer's expense. Meters moved to protect the City's property shall be moved at the City's expense.

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- (d) *Changes in size of meter.* Changes in the size of the meter shall be made on the request of the customer at his or her own expense. An allowance not to exceed one-half of the current cost of the replaced meter may be made.
 - (e) *Meter reading.* Meters shall be read as nearly as possible on the same day each month.
 - (f) *Meter testing.* Upon the deposit of a sum as determined by Section 6-6.18 of this chapter by any consumer, the City shall test the meter. The consumer shall be notified when the test is to be performed and may be represented at such test.

If the meter is found to over-register more than 2%, an accurate meter shall be installed, the deposit shall be repaid to the depositor and the excess charge for the time service was rendered the customer requesting the test or for a period of six months, whichever shall be the lesser, shall be refunded to the customer.

If the meter is found to be correct or to register less than the actual quantity of water passing through it, the deposit shall be retained by the City.

If a meter tested at the request of a customer is found to be more than 25% slow, in the case of domestic services, or more than 2% slow, for other than domestic services, the City may bill the customer for the amount of the undercharge based upon corrected meter readings for the period, not exceeding six months, the meter was in use.

All meters shall be tested prior to installation, and no meter which registers more than 2% fast shall be installed.

- (g) *Non-registering meters.* If a meter is found to be not registering, the charges for service shall be at the minimum monthly rate, or based on the estimated consumption for a comparable period, or by such other method as is determined by the City, and its decision shall be final.

Sec. 6-6.10. Billing.

- (a) *Billing period.* The regular billing period shall be monthly for all services.
- (b) *Opening and closing bills.* Opening and closing bills for less than the normal billing period may be prorated. Closing bills may be estimated by the City for the final period as an expediency to permit the customer to pay the closing bill prior to the time service is discontinued. See Section 6-6.05 for requirements for opening an account.
- (c) *Payment of bills.* Bills for water service and sanitary sewer service shall be rendered at the end of each billing period. Bills shall include the charges for water and sewage and shall be inseparable. Delinquency in any part of the bill shall be sufficient cause for the discontinuance of water service. Bills shall be payable on presentation. On each bill for water and sewer service rendered by the City shall be printed substantially the following: "If this bill is not paid on or before the 60th day after the bill was sent, service may be discontinued. A delinquency charge will be made and collected prior to renewing service following a discontinuance."
- (d) *Delinquency notices.* The City shall make the following reasonable, good faith efforts to notify the customer that their account has become delinquent and may be discontinued:
 - (1) *Additional notifications.* The City will make a reasonable, good faith effort to notify the customer that the account remains past due and further collection action will be forthcoming approximately 60 days after bill issuance. The means of notification will be based upon the notification preference selected by the customer, e.g. text, phone, or email. Customers who have not selected a means of notification will be notified by phone. The City assumes no responsibility for phone or email contact information that has not been kept up-to-date by the customer.
 - (2) *Written disconnection notice.* The City shall not discontinue water service for nonpayment until payment by the customer has been delinquent for at least 60 days. The City will make a reasonable,

good faith effort to contact the customer in writing at least ten business days before discontinuation of water service for nonpayment.

- (i) The written disconnection notice will be mailed to the mailing address designated on the account. If the mailing address and the address of the property which water service is provided are different, a second notice will be mailed to the physical service address. The written disconnection notice will include:
 - A. Customer's name and address;
 - B. Amount that is past due;
 - C. Date by which payment or payment arrangements are required to avoid discontinuation of service;
 - D. Description of the process to apply for an amortization plan;
 - E. Description of the process to dispute or appeal a bill;
 - F. City phone number and a web link to the City's Municipal Code Section 6-6.10.(k) - Collection of delinquent water charges.
 - (ii) *Notice to residential tenants/occupants in an individually metered residence.* The City will make a reasonable, good faith effort to inform the occupants, by means of written notice, when the water service account is in arrears and subject to disconnection at least ten days before water service is shut off. The written notice will advise the tenant/occupant that they have the right to become customers of the City without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water service at that address. In order for the amount due on the delinquent account to be waived, the tenant/occupant must provide verification of tenancy in the form of a rental agreement or proof of rent payments.
 - (iii) *Notice to tenants/occupants in a multi-unit complex served through a master meter.* The City will make a reasonable, good faith effort to inform the occupants, by means of written notice hung on the door of each residence, when the water service account is in arrears and subject to disconnection at least ten days before water service is shut off. The written notice will advise the tenant/occupant that they have the right to become customers of the City without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water services at the address(es) served by the master meter. If one or more of the occupants are willing and able to assume responsibility for the subsequent charges for water service to the satisfaction of the City, or if there is a physical means, legally available to the City, of selectively terminating service to those occupants who have not met the requirements for service, the City will make service available to the occupants who have met those requirements.
 - (iv) If the written disconnection notice is returned through the mail as undeliverable, the City will make a reasonable, good faith effort to visit the residence and leave a notice of discontinuance for nonpayment.
- (3) *48-hour notice of termination.* The City will make a reasonable, good faith effort to notify the customer 48 hours in advance of disconnection of water service for non-payment. The means of notification will be based upon the notification preference selected by the customer, e.g. text, phone, or email. Customers who have not selected a means of notification will be notified by phone. The City assumes no responsibility for phone or email contact information that has not been kept up-to-date by the customer.

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- (i) If the City is unable to make contact by text, phone, or email, a good faith effort will be made to visit the residence and leave a notice of termination of service.
- (e) *Separate billing.* Separate bills may be rendered for any service which has a separate connection to a City waterline. All City meters shall be billed separately.
- (f) *Responsibility.* Where there is more than one usage charge on a single parcel being served through a single service, such as a parcel with multiple dwellings, there shall be charged and collected from the parcel owner the water charge for the entire parcel.
- (g) *Liability for services rendered.* The owner of single- and multi-family residential property served by the City shall be charged with, and shall be personally responsible for, the water bills incurred for water service to such property. While the tenants or lessees of the premises may sign up for water service, the property owner shall remain ultimately responsible for any incurred water bills.
- (h) *Disputed bills.* If a customer disputes the water bill and exercises their right to appeal to the City Council, the City will not disconnect water service for nonpayment while the appeal is pending.
- (i) *Delinquent charges.* Where a rental property owner has past due charges for utility services, no new account can be established for service at the same property until payment is rendered for those same charges, unless a tenant or tenants elect to assume the responsibility for the account per Section 6-6.10.(d)(iii) - *Notice to tenants/occupants in a multi-unit complex served through a master meter.*
- (j) *Owner responsible.* Notwithstanding any provisions of this chapter, the property owner shall be additionally responsible for payment of all unpaid water/sewer bills and other fees owed to the City. Any agreement between landlords and tenants to the contrary will not relieve the landlord or record owner of the property of the responsibility for payment of the water and/or sewer service charges to the City.
- (k) *Collection of delinquent water charges.* All rates, charges, penalties and interest which remain delinquent as of June 30 of each year may be collected in the same manner as the general taxes for the City for the forthcoming fiscal year, as follows:
- (1) The City's Finance Department shall prepare a written report, which shall be filed with the City Clerk. The report shall describe each parcel of real property for which there are any delinquencies in any rates or charges for services rendered to each parcel during the preceding year, and the amount of the delinquency. The report of delinquent water charges may be combined with the report of any other delinquent charges, as long as the report identified the delinquent charges for each service for each parcel.
 - (2) The City Clerk shall publish notice of the report's filing and of the time and place of hearing on the report, prior to the date set for the hearing. The notice shall be published once a week for two successive weeks prior to the hearing. The Finance Department shall also mail written notice of the report's filing to each property owner whose property or parcel is identified as being subject to delinquent charges setting forth individually each property and each of the services and charges due for that property.
 - (3) At the time stated in the notice for the prehearing, the Finance Director and/or designee shall hear and consider all objections or protests, if any, to the report concerning the delinquencies in a "prehearing." Thereafter, the City Finance Director may revise, change, reduce, or modify any delinquency, or overrule any or all objections thereto. The Finance Director shall then make his or her determination on each delinquency identified in the report, and present the list to the City Council for final determination at the public hearing stated in the notice.
 - (4) At the time stated in the notice, following the prehearing and prior to submission to the County of Sutter, the City Council shall hear and consider all objections or protests, if any, to the report concerning the delinquencies. Thereafter the City Council may adopt, revise, change, reduce or modify

any delinquency or overrule any or all objections thereto. The City Council shall then make its determination on each delinquency identified in the report; the City Council's determination shall be final.

- (5) Following the hearing, on or before August 10 of each year, the City Clerk shall file with the City's Finance Director a copy of the signed report to submit to the County. The Finance Director will submit a request to the County of Sutter to include the amount of delinquencies on the bills for taxes levied against the properties identified in the report.

Sec. 6-6.11. Discontinuance of service.

- (a) *Discontinuance of service for nonpayment.* Service may be discontinued for the nonpayment of bills on or after the 60th day after the bill was sent.
- (1) Before service is disconnected, the customer will be notified by a written disconnection notice at least ten days prior to termination and a second notice 48 hours prior to termination of service by phone, text, or email and by written door hanger. The failure of the City to send, or any such person to receive, such notice shall not affect the City's power hereunder.
- (2) A customer's water service may be discontinued if water service furnished at a previous location is not paid for within the time fixed in this subsection for the payment of bills.
- (3) If a customer receives water service at more than one location, and the bill for service at any one location is not paid within the provided time for payment, water service at all locations may be turned off.
- (4) Domestic service shall not be turned off for the nonpayment of bills for other classes of water service, such as landscape or fire service.
- (b) *Delinquency charges.* A delinquency charge as determined by Section 6-6.18 of this chapter shall be made and collected on the date of scheduled shut-off and thereafter for nonpayment or other violations of this chapter. When bills are delinquent, the City may demand that the full amount of both delinquent and current bills be paid.
- (c) *Unsafe apparatus.* Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb the service to other customers.
- (d) *Fraud or abuse.* Service may be discontinued if necessary to protect the City against fraud or abuse.
- (e) *Noncompliance with regulations.* Service may be discontinued for noncompliance with the provisions of this chapter or any other laws or regulations relating to water service.
- (f) *Vacation of premises.* Customers desiring to discontinue service shall so notify the City in order to be relieved of continued liability for service charges.
- (g) *Short-term disconnections for repairs.* Upon notification to the City, short-term disconnections shall be made in order for the customer to complete necessary repairs to their service line. Disconnections will be made at the earliest convenience of the City.
- (h) *Reestablishment of service.* In order to resume or continue service that has been disconnected for any reason except short-term disconnections for repairs, the customer must pay a reestablishment fee. The customer will be charged a fee to reestablish service in the billing system regardless of whether the meter has physically been turned off.
- (1) The City will endeavor to reconnect service as soon as practicable but, at a minimum, will restore service before the end of the next working day following payment of any past due amount, delinquent fees attributable to the termination of service, and/or the abatement of any noncompliance issues.

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- (2) Water service that is turned on by any person other than City personnel or without City authorization may be subject to fines or additional charges or fees. Any damages that occur as a result of unauthorized restoration of service are the responsibility of the customer.

Sec. 6-6.12. Collection by suit.

- (a) *Suits.* All unpaid rates and charges provided for in this chapter may be collected by suit.
- (b) *Costs.* The defendant shall pay all the costs of suit in any judgment rendered in favor of the City.

Sec. 6-6.13. Public fire protection.

- (a) *Use of fire hydrants.* Fire hydrants shall be for use by the City or by organized fire protection agencies. Other persons desiring to use fire hydrants for any purpose shall first obtain written permission from the City prior to use and shall operate the fire hydrant in accordance with instructions issued by the City. Unauthorized use of fire hydrants shall be prosecuted according to law and is subject to enforcement measures established in Section 6-6.20.
- (b) *Moving fire hydrants.* When a fire hydrant has been installed in the location specified by the proper authority, the City shall have fulfilled its obligation. If a property owner or other person desires a change in the location of the fire hydrant, he or she shall bear all costs of such changes, without refund. Any change in the location of a fire hydrant shall be approved by the City.
- (c) *Public fire protection service.* Where water is furnished for public fire protection through the public distribution system, within and outside the corporate limits of the City, the City may make a charge for such protection.

Sec. 6-6.14. Private fire protection service.

- (a) *Adequate prevention—General.* A private fire protection service connection, two-inch pipe size and larger, shall be furnished only if adequate provision is made to prevent the use of water from such services for purposes other than fire extinguishing.
- (b) *Unlawful connections.* No person shall make, or allow to exist, any connection to any portion of any line used exclusively for unmetered private fire service for any other purpose.
- (c) *Check valves and bypass meters.* There shall be installed on all fire-line connections, two-inch pipe size and larger, used exclusively for unmetered private fire services, a detector check valve of a type approved by the National Board of Fire Underwriters and equipped with a bypass meter. Such installations shall be located within public streets, alleys, rights-of-way, or easements.
- (d) *Payment.* If the City installs the private fire protection service, the applicant shall make a deposit, in advance, of the estimated cost of installing the private fire protection service. The charge for such installation shall be based on the City's total cost of all labor, materials, equipment, and other costs incidental to the installation, including the cost of the detector check valve and bypass meter assembly if installed by the City.
- (e) *Title.* The service connection and all equipment appurtenant thereto, including the detector check valve and bypass meter assembly, shall be the sole property of the City, and no part of the cost shall be refunded to the applicant.
- (f) *Use.* The unmetered private fire service line shall be used only for fighting accidental fires and for testing the fire prevention system. No charge shall be made for water used for these two purposes.

Water lost through leakage, or used in violation of these regulations, shall be paid for by the applicant at double the rate charged for general use.

The City shall read such bypass meters for the purposes of detecting any unauthorized use of water through the system. If water is used in violation of these regulations, the City may, at its option, discontinue and remove the service.

(g) *Rates.* There will be no monthly service charge for fire protection systems.

Sec. 6-6.15. Temporary service.

(a) *Duration of service.* Temporary service connections shall be disconnected and terminated within six months after their installation, unless an extension of time is granted in writing by the City.

(b) *Deposits.* A deposit shall be paid for temporary service per Section 6-6.18 of this chapter. Upon the discontinuance of the service, an adjustment will be made as an additional charge, refund, or credit for the actual cost of installing and removing the facilities required to furnish such service, exclusive of the cost of salvageable materials, as determined by the City.

If service is supplied through a fire hydrant, the applicant shall be charged a flat charge per connection for the installation, moving, and removal of service facilities, including the meter and a deposit as determined by Section 6-6.18 of this chapter. The City will be notified when the service is no longer required. Billing for the usage of water will be at the metered rate schedule and deducted from the deposit, or an additional billing will be made if the usage exceeds the amount of the deposit.

(c) *Installation and operation.* All facilities for temporary service to the customer connection shall be installed by the City and shall be operated in accordance with its instructions.

(d) *Responsibility for meters and installation.* The customer shall use all possible care to prevent damages to the meter or any other loaned facilities of the City which are involved in furnishing the temporary service from the time they are installed until they are removed, or until 48 hours after notice in writing has been given to the City that the contractor or other person is through with the meter and the installation. If the meter or other facilities are damaged, the cost of making repairs shall be paid by the customer.

(e) *Temporary service from fire hydrants.* If temporary service is supplied through a fire hydrant, a permit for the use of the fire hydrant shall be obtained from the City. It is specifically prohibited to operate the valve of any fire hydrant other than by the use of a spanner wrench designed for such purpose.

(f) *Unauthorized use of hydrants.* Tampering with any fire hydrant, or the unauthorized use of water therefrom, or for any other purpose, shall be unlawful and subject to enforcement measures established in Section 6-6.20.

(g) *Rates.* The rates for temporary service shall be in accordance with regular service. The minimum charge for water shall be as set forth by Section 6-6.18 of this chapter.

(h) *Credit.* The applicant shall pay the estimated cost of service in advance or shall be otherwise required to establish credit.

Sec. 6-6.16. Vacancies.

If vacancies occur in any unmetered housing units, other than those on a reduced rate with no credit for vacancies, and if the water pipelines within and/or without any building or combination of buildings have been provided by owners with shutoff valves, there shall be no charge for such unit or units after such valve or valves have been closed and sealed by the City. The type of shutoff valves to be installed shall be approved by the City, and they shall be located in readily accessible places.

Where there are unusual circumstances which result in a substantial hardship upon the property owner from the strict application of the provisions of this section, the City Manager may grant a variance to these provisions;

however, such variance shall be conditioned to the faithful and accurate reporting of vacancies and service renewals which shall be checked by the City and verified in lieu of the turning on or off of the shutoff valve and, further, such variance shall be revoked automatically if it is found by the City that service renewals have not been promptly, accurately, and faithfully reported by the owner or person in responsible charge, and such persons shall not be allowed to declare any vacancies unless each unit is equipped with a shutoff valve as specified in this section.

Sec. 6-6.17. Reserved.

Sec. 6-6.18. Summary of charges.

~~All the latest and Fees and~~ current charges shall be found in the City's fee schedule document (also known as a master fee schedule), which may be updated or amended by resolution. Maximum rate and fee limits established by the Proposition 218 process shall also be adopted by resolution. The City updates the fee schedule document annually and posts it on the City's website. This section shows the applicable fee categories, which will be reviewed and adjusted by the City Council annually.

~~Beginning in 2017, all the charges related to the use of City water treatment and distribution system set out in Section 6-6.18(j) of this chapter will be reviewed by the City Council on an annual basis as part of the fiscal year budget review process, prior to the July 1 implementation of the increase for each year periodically to confirm alignment with budgetary needs and desired implementation. The City Council will retain the authority to set by resolution the actual rates less than the maximum rates set out in Section 6-6.18(j) of this chapter.~~

~~(a) Fee categories for installing a water service line from the main to the curb stop.~~

1" service without meter
1" meter
1" residential dual water meter (w/fire service)
1 1/2" service without meter
1 1/2" meter
2" service without meter
2" meter

~~Service lines larger than two inch shall be charged for actual time and materials (service and/or meter). A deposit will be required based on the cost estimate furnished by the Public Works Department City.~~

~~(b) Other fees.~~

Relocate existing water meter
Fire system flow test
Hot Tap—4"
Hot Tap—6"
Hot Tap—8"

Hot Tap—10"

(c) Extension charges (Section 6-6.05(j)).

Parcels zoned (extension fee per front foot*)
R-1 and R-2
All others

*—The indicated extension fee includes a surcharge of \$4 per front foot for fire hydrant installations where the City has installed, or plans to install, street fire hydrants serving the property.

(d) Connection charges (Section 6-6.05(k)).

Meter Size	Maximum Continuous Flow	Factor
1"	25 GPM	1.00
1½"	50 GPM	2.00
2"	100 GPM	4.00
3"	400 GPM*	16.00
4"	800 GPM*	32.00
6"	1,500 GPM*	60.00
8"	3,500 GPM*	140.00

*—Compound meter

Meter type for connections two-inch size and larger will be determined by the City after consultation with the new customer.

Any customer that purchases a connection charge prior to July 1, 2000, may complete the project at any time, and is not subject to connection charge rate adjustments or credit of interest. Any connection charges paid on or after July 1, 2000 and the project is completed within 18 months, will not be subject to any additional connection charges or interest credits. A project is deemed completed when all building permits are paid and a final inspection report is issued. Any connection charges paid on or after July 1, 2000, and the project is not completed within 18 months will be subject to the connection charge in effect at the time of project completion, and will be entitled to interest credit as to any connection charge increases. Interest will only be allowed as a credit toward connection charges increases and, in no event, shall customer be entitled to any refund of said interest. Interest will accrue, beginning 18 months after the initial purchase, based on the initial connection charge payment. Interest payment will be credited semi-annually on January 1 and July 1 based on the previous average semi-annual rate of the Local Agency Investment Fund administered by the California State Treasury. Connection permits or charges cannot be sold or transferred between any party other than the City of Yuba City.

(e) Meter test deposit (Section 6-6.09(f))

(f) After hours service charge

(g) *Delinquency charges (Section 6-6.11(b))*

(h) *Temporary service deposit (Section 6-6.15(b)) (per inch of desired size of service)*

(i) *Fire hydrant use (Section 6-6.15(b) and (c)).*

Connection and removal of meter
Move meter from one hydrant to another
Deposit (for usage charge)
Deposit (for damage to meter)
Minimum monthly usage charge:
Metered (5,000 cubic foot at current rate)
Flat rate (minimum monthly)

(j) *Water service rates.*

(1) *Quantity charges.* A rate per 100 cubic feet (HCF) is hereby established with a minimum billing for all metered services as set forth in subsection (2) of this subsection.

(2) *Monthly water rates.* The chart below enumerates the maximum charges authorized following the 202617 Proposition 218 process. Actual rates and effective dates are subject to annually to Council approval and shall be established via resolution.

Meter Size	Base Line HCFs*	8/1/2016 to 6/30/2017	7/1/2017 to 6/30/2018	7/1/2018 to 6/30/2019	7/1/2019 to 6/30/2020	7/1/2020 to 6/30/2021
1"	11	\$28.50	\$33.91	\$39.49	\$41.01	\$42.59
1.5"	22	\$57.00	\$67.83	\$78.98	\$82.03	\$85.18
2"	44	\$114.01	\$135.67	\$157.99	\$164.07	\$170.39
3"	176	\$456.02	\$542.66	\$631.93	\$656.26	\$681.53
4"	352	\$912.05	\$1,085.34	\$1,263.88	\$1,312.54	\$1,363.08
6"	660	\$1,710.09	\$2,035.00	\$2,369.76	\$2,461.00	\$2,555.74
8"	1,540	\$3,990.21	\$4,748.36	\$5,529.46	\$5,742.34	\$5,963.42

Water-Flow Rate: Per-Excess-HCF	\$1.430	\$1.701	\$1.981	\$2.057	\$2.137
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* 1 HCF = 748 gallons

~~(3) Unmetered service. Reserved.~~

~~(k) Meter surcharge for unmetered services. Reserved.~~

~~(l) Annual adjustments. Annually on July 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the Twenty City Average of Engineering News-Record Construction Index: 6-6.18(a), (b), (c) and (d).~~

Annually on July 1 of each year fees and charges in the following sections shall be adjusted based on the previous April value of the California Consumer Price Index (CPI) for all urban consumers: 6-6.18(e), (f), (h), (i), (m), and (n).

~~(m) Fees for cross-connection control program.~~

~~(1) Application for backflow tester~~

~~(2) Backflow test tags (per tag)~~

~~(3) Air gap inspection/sticker (per vehicle/equipment piece)~~

~~(n) Water service disconnection.~~

~~(1) Disconnect service (for non-payment)~~

~~(2) Meter lock-off (continued non-payment and/or illegal use)~~

~~(3) Meter removal (continued non-payment and/or illegal use)~~

~~(4) After hours reconnection~~

~~(5) Notice served in lieu of disconnect service (plus delinquency charge)~~

~~(a) Special water surcharge.~~

~~(1) Purpose and application. A special water surcharge shall be applied solely and strictly to the service area known as Regions 1, 2, and 3 of the "Former Hillcrest Water System" in accordance with City Resolution No. 10-114 dated December 21, 2010. The region map for the Former Hillcrest Water System is on file at the office of the Public Works Director.~~

~~(2) Schedule of special water surcharge and collection thereof. The surcharge shall be applied to the regular utility billing for City water customers within the Former Hillcrest Water System for a period of 20 years beginning in February 2011, in order to pay the determined portion of the two State Revolving Fund loans which were obtained for the conversion of the water system from groundwater to surface water, as determined by the Proposition 218 process and resolved by City Council. The water rate surcharge should not be indexed; the schedule of rates is shown in the chart below:~~

Service Size	Surcharge Amount
Up to 1"	\$13.57 /month
1-1/2"	\$27.14 /month
2"	\$54.28 /month
3"	\$173.70 /month
4"	\$312.11 /month

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6"	\$578.50 /month
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- (3) *Prepayment.* Surcharge installments may be prepaid at any time between the date of adoption of the City Council resolution and the date the last surcharge installment is due and payable, by depositing with the City Finance Director a sum equal to the unpaid principal of any remaining surcharge installments, exclusive of any interest or fees thereon.

Sec. 6-6.19. Emergency water restrictions.

- (a) Upon declaration of the City Council that water supply conditions are such that they dictate and justify the implementation of emergency water restrictions, the regulations in the Water Shortage Contingency Plan within the City's adopted Urban Water Management Plan will apply.
- (b) In the event that any provision of this section or the City Municipal Code conflicts or overlaps with any mandatory state regulation related to water conservation, the more stringent shall apply.
- (c) Violation of any water restrictions in effect shall be subject to the penalties enumerated in Section 6-6.20 - Enforcement measures.

Sec. 6-6.20. Enforcement measures.

- (a) For each violation of any of the provisions/regulations set forth in this chapter, there shall be assessed against the responsible party for the property on which the violation occurs, i.e. the owner, lessee, person in possession of said property, or the person reflected in the Yuba City utility records as the party to whom the water bill is sent, the following penalties:
 - (1) First violation: A written warning of such violation.
 - (2) Second violation: \$50 surcharge which shall appear on the next monthly water billing.
 - (3) Third violation: \$100 surcharge which shall appear on the next monthly water billing.
 - (4) Fourth and subsequent violations: \$250 surcharge which shall appear on the next monthly water billing.
- (b) For each violation of any of the cross-connections or other provisions/regulations as set forth in Section 6-6.08 or 6-6.21 there shall be assessed against the responsible party for the property on which the violation occurs, i.e. the owner, lessee, person in possession of said property, or the person reflected in the Yuba City utility records as the party to whom the water bill is sent, the following penalties:
 - (1) First violation: A written warning of such violation and five times the value of the water.
 - (2) Second violation: \$500 surcharge and ten times the value of the water, which shall appear on the next monthly water billing.
 - (3) Third and subsequent violation: \$5,000 surcharge and ten times the value of the water, which shall appear on the next monthly water billing.

Sec. 6-6.21. Cross-connection control program.

A cross-connection control program is established as provided in this section.

- (a) *Purpose/references/case history.*
 - (1) *Purpose.*

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- (i) To protect the public water supply against actual or potential cross-connection by isolating within the premises contamination that may occur because of some undiscovered or unauthorized cross-connection on the premises;
 - (ii) To eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;
 - (iii) To eliminate cross-connections between drinking water systems and sources of contamination;
 - (iv) To prevent the making of cross-connections in the future;
 - (v) This section is adopted pursuant to the State of California Code of Regulations, Title 17 and 22 Public Health, and entitled "Regulations Relating to Cross-Connections," requiring the water supplier to administer a program to ensure cross-connection devices are installed, maintained, and tested annually.
- (2) *References.*
- (i) Under Public Law 99-339 the Safe Drinking Water Act inclusive of amendments;
 - (ii) California Plumbing Code Chapter 6602.0602.1 602.2 602-3 602-4;
 - (iii) California Administrative Code Titles 17 and 22;
 - (iv) City of Yuba City Standard Details 408408A 410 413;
 - (v) Manual of Cross Connection Control, 9th Edition, published by University of Southern California Foundation for Cross-Connection Control and Hydraulic Research.
- (3) *Case History.* Manual of Cross Connection Control, 9th Edition, published by University of Southern California Foundation for Cross-Connection Control and Hydraulic Research.
- (b) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (1) *Air-gap separation (AG)* shall mean a physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.
 - (2) *Approved backflow prevention device* shall mean devices which have passed laboratory testing and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the (AWWA) American Water Works Association and possess a valid certification.
 - (3) *Approved water supply* shall mean any water supply whose potability is regulated by a state or local health agency, including the water supplier.
 - (4) *Auxiliary water supply* shall mean any water supply on or available to the premises other than the approved water supply.
 - (5) *AWWA standard* shall mean an official standard developed and approved by the American Water Works Association (AWWA).
 - (6) *Backflow* shall mean a flow condition, caused by a differential in pressure, that causes the flow of water or other liquids, gases, mixtures, or substances into the distributing pipes of a potable supply of water from any source or sources other than an approved water supply source, whether caused by back siphonage, backpressure, or otherwise.
 - (7) *Contamination* shall mean a degradation of the quality of the potable water by any substance which creates a hazard to the public health or which may impair the usefulness or quality of the water.

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- (8) *Cross-connection* shall mean any actual or potential connection between a potable water system used to supply water for potable purposes and any source or system containing unapproved water or a substance that is not or cannot be approved as safe, wholesome, and potable. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or any other devices through which backflow could occur, shall be considered to be cross-connections.
 - (9) *Double check-valve assembly* shall mean an assembly of at least two independently acting check-valves including tightly closing shutoff valves on each side of the check-valve assembly and test cocks available for testing the water-tightness of each check-valve.
 - (10) *Health agency* shall mean the California Department of Public Health.
 - (11) *Local health agency* shall mean Sutter County Environmental Health.
 - (12) *Person* shall mean an individual, corporation, company, association, partnership, municipality, public utility, or other public body or institution.
 - (13) *Premises* shall mean any and all areas on a property which are served or have the potential to be served by the public water system.
 - (14) *Public water system* shall mean water provided by the City of Yuba City.
 - (15) *Reclaimed water* shall mean a wastewater which as a result of treatment is suitable for uses other than potable use.
 - (16) *Reduced pressure principle backflow prevention assembly* shall mean an assembly incorporating two or more check-valves and an automatically operating differential relief valve located between the two checks, a tightly closing shut-off valve on each side of the check-valve assembly, and equipped with necessary test cocks for testing.
 - (17) *Service connection* shall mean and refer to the point of connection of a water user's piping to the water supplier's facilities.
 - (18) *Unprotected cross-connection* shall mean any cross-connection not outfitted with an air-gap separation, double check-valve assembly or reduced pressure principle backflow prevention assembly.
 - (19) *Water supplier* shall mean the City of Yuba City who operates the approved water supply system. For the purposes of this document, the term "water supplier" shall mean the City.
 - (20) *Water user* shall mean any person obtaining water from an approved water supply system of the City of Yuba City.
- (c) *Cross-connection protection requirements.*
- (1) *General provisions.*
 - (i) It is unlawful for any person, firm, or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes of water fixtures being served with water by the City and any other source of water supply, or to maintain any sanitary fixture or other appurtenances or fixtures which by reason of their construction may cause or allow backflow of water or other substances into the water supply system of the City and/or the service of water pipes or fixtures of any water user of the City.
 - (ii) Unprotected cross-connections with the City's water supply are prohibited.
 - (iii) Whenever the water supplier, health agency, or local health agency determines that backflow protection is required on a premises, the City will require the water user to install an approved

backflow prevention device at his/her expense for continued services or before a new service will be granted or continued.

- (iv) Wherever the water supplier, health agency, or local health agency determines that backflow protection is required on a water supply line entering a water user's premises, then any and all water supply lines from the City's mains entering such premises, buildings, or structures shall be protected by an approved backflow prevention device, to be installed at the water user's expense. The type of device to be installed will be in accordance with the requirements of this section.
- (v) Every fire protection system served by the water supplier shall be separately connected to the public water system, and not interconnected to plumbing systems serving domestic or irrigation water unless approved by the Utilities Director or the Public Works Director.
- (vi) All services to commercial or industrial users who apply for new construction or remodel permits shall at that time upgrade all service connection points to current standards. This includes domestic/irrigation/fire water service connection points.
- (vii) Any current device that does not meet current standards must be replaced. The water user must retrofit their assembly to meet current standards at the water user's expense.
- (viii) Backflow preventive assemblies shall have at least the same cross-sectional area as the water meter or less than the cross-sectional area with exception of those in parallel. In those instances where a continuous water supply is necessary, two sets of backflow preventive assemblies shall be installed in parallel, if the water supply cannot be temporarily interrupted for the testing of or the repair of the assemblies.
- (ix) *Cross-connections.* The customer shall comply with state and federal laws governing the separation of dual water systems or installations of backflow protective devices to protect the public water supply from the danger of cross-connections. Backflow protective devices shall be installed as near the service as possible and shall be open to tests and inspections by the City. Plans for the installation of backflow protective devices shall be approved by the City prior to installation.
- (x) In special circumstances, where the customer is engaged in the handling of especially dangerous or corrosive liquids or industrial or process waters, the City may require the customer to eliminate certain plumbing or piping connections as an additional precaution and as a protection to the backflow preventive devices.
- (xi) As a protection to the customer's plumbing system, a suitable pressure relief valve shall be installed and maintained by him or her, at his or her expense, when check valves or other protective devices are used. The relief valve shall be installed between the check valves and the water heater. The devices shall be serviced, overhauled, or replaced whenever they are found defective, and all costs of repair, replacement, and maintenance shall be borne by the customer.
- (xii) *Direct connections to stationary steam boiler, hydraulic elevators, power pumps, and similar apparatus.* No person shall draw water from City pipes directly into any stationary steam boiler, hydraulic elevator, power pump, or similar apparatus.
- (xiii) Where City water is used to supply a steam boiler, hydraulic elevator, or power pump, its owner shall provide tankage of sufficient capacity to afford a supply of at least 12 hours, into which the service pipe shall be discharged.
- (xiv) *Commercial and industrial cooling systems.* All commercial and industrial businesses shall be required to equip all air conditioning and evaporative cooler units using City water with cooling towers and/or recirculating water pumps in order to conserve City water.

(xv) *Responsibility for equipment.* The customer shall, at his or her own risk and expense, furnish, install, and keep in good and safe condition all equipment which may be required for receiving, controlling, applying, and utilizing water. The City shall not be responsible for damages to property caused by faucets, valves, and other equipment which is open when water is turned on at the meter, either originally or when turned on after a temporary shutdown.

(2) *Where protection is required.*

- (i) Each service connection from the City water system for supplying water to premises having an auxiliary water supply shall be protected against backflow of water from the premises into the public water system.
- (ii) Each service connection from the City water system for supplying water to any premises on which any substance, which has the potential to create contamination, is handled in such fashion as may allow its entry into the water system, shall be protected against backflow of the water from the premises into the public system by a backflow prevention device to be installed at the water user's expense. Backflow prevention devices shall also be installed, at the water user's expense, for service connections handling process waters and waters originating from the City water system which have been subjected to contamination from the premises.
- (iii) Each service connection from the City water system solely dedicated for landscape irrigation shall have a backflow prevention device installed to protect the public water system from potential contamination, to be installed at the water user's expense.
- (iv) Backflow prevention devices shall be installed on all service connections to any premises having any of the following:
 - A. Internal cross-connections that cannot be permanently corrected and controlled to the satisfaction of the state or local health agency and the City; or
 - B. Intricate plumbing and piping arrangements; or
 - C. Where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist; or
 - D. Any premises that has pumps to increase water pressure from the supplier.
- (iv) Any system or premises designated to serve multiple residential, commercial, or industrial tenants whose water practices are unknown at the time the plumbing or building permit is issued shall be protected against backflow of water from the premises to the public water system by a backflow prevention device of the type required by the City, health agency, or local health agency. The determination of the type of backflow prevention device required shall be based on a determination of the potential hazard that may reasonably be expected to be encountered in buildings of similar type or nature.
- (vi) All portable pressure spray or cleaning units (including water trucks, street sweepers, etc.) that have the capability of connecting to any water supplier's system shall be provided with an air-gap separation.

(3) *Type of protection required.*

- (i) The type of protection that shall be provided to prevent backflow into the approved water supply shall be commensurate with the degree of hazard that exists on the consumer's premises. The type of protective device that may be required (listed in an increasing level of protection) includes: double check-valve assembly (DC), reduced pressure principle backflow prevention device (RP), and an air-gap separation (AG). The water user may choose a higher level of

protection than required by the City, health agency, or local health agency. The minimum types of backflow protection required to protect the approved water supply at the user's water connection to premises with varying degrees of hazard are given in Table 1. Situations which are not covered in Table 1 shall be evaluated on a case-by-case basis and the appropriate backflow protection shall be determined by the City or health agency, consistent with the highest practicable protection of potable water supplies.

TYPE OF BACKFLOW PROTECTION REQUIRED
TABLE 1

Degree of Hazard	Minimum Type of Backflow Prevention
Sewage and Hazardous Substances	
(1) Premises where the public water system is used to supplement the reclaimed water supply.	AG
(2) Premises where there are wastewater pumping and/or treatment plants and there is not interconnection with the potable water system. This does not include a single-family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by both the health agency and the City.	AG
(3) Premises where reclaimed water is used and there is no interconnection with the potable water system. An RP may be provided in lieu of an AG if approved by both the health agency and the City.	AG
(4) Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single-family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by both the health agency and the City.	AG
(5) Premises where there are irrigation systems into which fertilizers, herbicides, or pesticides are, or can be, injected or assimilated.	RP
Auxiliary Water Supplies	
(1) Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. An RP may be provided in lieu of an AG if approved by both the health agency and the City.	AG
(2) Premises where there is an unapproved auxiliary water supply and there are no interconnections with the public water system. A DC may be provided in lieu of an RP if approved by both the health agency and City.	RP
<u>(3) Premises where there is a City water service connection solely for landscape irrigation.</u>	<u>RP</u>
Fire Protection Systems	
(1) Premises where fire system is directly supplied from the public water system and there is an unapproved auxiliary water supply on or to the premises (not interconnected).	RP
(2) Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. An RP may be provided in lieu of an AG if approved by both the health agency and City.	AG
(3) Premises where the fire system is supplied from the public water system and where either elevated storage tanks or fire pumps which take suction from the private reservoirs or tanks are used.	RP
(4) Dockside watering points and marine facilities.	RP
(5) Premises where there are marine facilities.	RP

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(6) Premises where entry is so restricted that the City determines that inspections for cross-connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross-connections do not exist.	RP
(7) Premises where cross-connections have been established or reestablished two or more times or any other water service that the health agency or the City determines that a cross-connection hazard may exist.	RP

(d) *Backflow prevention devices.*

(1) *Approved backflow prevention devices.*

- (i) Only backflow prevention devices which have been approved by the City shall be acceptable for installation by a water user connected to the City's potable water system.
- (ii) The City will provide, upon request, to any affected customer a list of approved backflow prevention devices.

(2) *Backflow prevention device installation.*

- (i) Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title 17/22, of the California Administrative Code of Regulations. Location of the devices shall be as close as practical to the user's connection to the public water supply. The City shall have the final discretionary authority in determining the required location of a backflow prevention device.
 - A. *Air-gap separation (AG).* The air-gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. No water use shall be provided from any point between the service connection and the air-gap separation. The water inlet piping shall terminate a distance of at least two pipe diameters of the supply inlet, but in no case less than one inch above the overflow rim of the receiving tank.
 - B. *Reduced pressure principal backflow prevention device (RP).* The approved reduced pressure principal backflow prevention device shall be installed on the user's side of and as close to the service connection as is practical. The device shall be installed a minimum of 12 inches above grade and not more than 36 inches above grade measured from the bottom of the device and with a minimum of 12 inches side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the City.
 - C. *Double check-valve assembly (DC).* The approved double check-valve assembly shall be located as close as practical to the user's service connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check-valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches between the bottom of the vault and the bottom of the device, so that the top of the device is no more than eight inches below grade, so there is a minimum of six inches of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three-inch clearance between the other side of the device and the side of the vault. Double check-valve assemblies of the "Y" type must be installed on their "side" with the test cocks in a vertical position so that the check-valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three-inch layer of gravel.

(3) *Backflow prevention device testing and maintenance.*

- (i) California Department of Public Health requires that the City administer a cross-connection program to ensure that annual testing is completed. The owners of any premises on which, or on account of which, backflow prevention devices are installed, shall have the devices tested by a person certified by the American Water Works Association and approved by the City. Backflow prevention devices must be tested at least annually and immediately after installation, relocation, or repair. The City may require a more frequent test schedule if it is determined to be necessary. No device shall be placed back in service unless it is functioning as required. A report in a form acceptable to the City shall be filed with the City each time a device is tested, relocated, or repaired. These devices shall be serviced, overhauled, or replaced whenever they are found to be defective and all costs of testing, repair, and maintenance shall be borne by the water user.
- (ii) The City will supply affected water users with a list of persons acceptable to the City to test backflow prevention devices. The City will notify affected customers by mail when annual testing of a device is needed and also supply users with the necessary forms which must be filled out each time a device is tested or repaired.

(4) *Backflow prevention device removal.*

- (i) Approval must be obtained from the City before a backflow prevention device is removed, relocated, or replaced.
 - A. *Removal.* The use of a device may be discontinued and the device removed from service upon determination by the City that a hazard no longer exists or is not likely to be created in the future. All well(s) must be abandoned by permit through Sutter County Environmental Health.
 - B. *Relocation.* A device may be relocated following confirmation by the City of Yuba City that the relocation will continue to provide the required protection and satisfy installation requirements. The City shall require a retest following the relocation of the device to verify the required level of protection.
 - C. *Repair.* A device may be removed for repair, provided the water use is either discontinued until repair is completed and the device is returned to service, or the service connection is equipped with other backflow protection approved by the City. The City shall require a retest following the repair of the device to verify the required level of protection.
 - D. *Replacement.* A device may be removed and replaced provided the water use is discontinued until the replacement device is installed. All replacement devices must be approved by the City and must be commensurate with the degree of hazard involved or updated to current standards.
- (e) *User supervisor.* At each premise where it is necessary, in the opinion of the City, a user supervisor shall be designated by and at the expense of the water user. This user supervisor shall be responsible for the monitoring of the backflow prevention devices and for avoidance of cross-connections. In the event of contamination or pollution of the drinking water system due to a cross-connection on the premises, the City shall be promptly notified by the user supervisor so that appropriate measures may be taken to overcome the contamination. The water user shall inform the City of the user supervisor's identity annually, and whenever a change occurs. Any cost incurred by the City due to contamination by the failure/tampering or removal of the backflow device caused by user negligence shall be the responsibility of the water user or the property owner.
- (f) *Administrative procedures.*
 - (1) *Water system survey.*

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- (i) The City shall review all requests for new services to determine if backflow protection is needed. Plans and specifications must be submitted to the City upon request for review of possible cross-connection hazards as a condition of service for new service connections. If it is determined that a backflow prevention device is necessary to protect the public water system, the required device must be installed before service will be granted.
 - (ii) The City may require an on-premises inspection to evaluate cross-connection hazards. The City will transmit a written 48-hour notice requesting an inspection appointment to each affected water user. Any customer who cannot or will not allow on-premises inspection of their piping system shall be required to install the backflow prevention device the City considers necessary.
- A. *Right of entry for inspections.* Upon presentation of official identification, any authorized employee of the City on official business shall be allowed access at reasonable hours to any premises supplied by City water supply.
 - B. Any person who, as owner or occupant of any premises, refuses admittance to or hinders or prevents inspection by an authorized employee of the City may have all water service to the premises terminated. Water will not be restored until an inspection is performed and any corrective action has been addressed. A reconnection fee will be charged in accordance with the fees established in Section 6-6.18 of this chapter.
 - C. The City may, at its discretion, require a re-inspection for cross-connection hazards of any premises to which it serves water. The City will transmit a written 48-hour notice requesting an inspection appointment to each affected water user. Any customer who cannot or will not allow on-premises inspection of their piping system shall be required to install the backflow prevention device the City considers necessary.
- (2) *Customer notification—Device installation.*
 - (i) The City will notify any affected water user of the survey findings, listing corrective action to be taken if required. A period of 30 days will be given to complete all corrective action required including installation of backflow prevention devices.
 - (ii) A second notice will be sent to each water user which does not take the required corrective action prescribed in the first notice within the 30-day period allowed. The second notice will give the water user a 15-day period to take the required corrective action. If no action is taken within the two-week period the City may terminate water service to the affected water user until the required corrective actions are taken. A reconnection fee will be charged per the City's fee schedule.
 - (3) *Customer notification—Testing and maintenance.*
 - (i) The City will notify each affected water user 15 days prior to the time for the backflow prevention device installed on their service connection to be tested. This written notice shall give the water user 60 days to have the device tested and supply the City with a completed test report. All test reports are due annually on the first day of the month in which the device was installed, repaired, or replaced.
 - (ii) A second notice shall be sent 30 days after the first notice to each City water user which does not have his/her backflow prevention device tested as prescribed in the first notice within the 60-day period allowed. The second notice will give the water user a 30-day period within the original 60-day period to have his/her backflow prevention device tested.
 - (iii) A third and notice shall be sent to have his/her backflow prevention device tested. If no action is taken within the remaining 14-day period, a 48-hour notice will be hand-delivered prior to the shut off time and date stated in the third notice. The City may terminate water service to the

affected water user at that time to the premises until the subject device is tested. A reconnection fee will be charged in accordance with the City's fee schedule before the water service will be restored.

(g) *Tester requirements.*

- (1) *Business license required.* All testers must possess a current business license issued by the City.
- (2) *Application for testers.* All parties that wish to test backflow prevention devices within the City surface or groundwater systems shall complete an application for approval to the City cross-connection control program and pay all applicable fees as set forth in Section 6-6.18 of this chapter. All fees for applications are non-refundable regardless of approval. If approved, this will permit testing for a period of three years from the approval date. Before the expiration of the initial three-year period, a notification letter of upcoming expiration will be sent. For renewal, a new application and all applicable fees must be paid. Notification by phone or mail will occur regardless of approval. All test equipment must be calibrated within the last 12 months and calibration reports must be submitted with each application. The responsibility for maintaining current approval status is solely the applicant's responsibility. Tester fees and backflow tag fees shall be waived for City employees for the testing of municipal devices only.
- (3) *Backflow tags.* Every individual backflow device must have a backflow test tag. Serial numbers from tags must be printed on all test report forms submitted. A new tag must be placed on each device at the number one test cock each time the device is tested, repaired, or relocated. All backflow tags must be purchased at the City Finance Department, 1201 Civic Center Boulevard, Yuba City, California, 95993 in accordance with the fees established in Section 6-6.18 of this chapter. Tags are valid from January 1 through December 31 of each year. Tags will expire on December 31 of every calendar year and each year's tags will be of differing color. Tag fees are nonrefundable and unused tags may not be returned for a refund.
- (4) *Application forms.* All application forms can be picked up and returned with fees paid at the time of application to the City of Yuba City Finance Department, 1201 Civic Center Boulevard, Yuba City, California, 95993 (Attention Cross-Connection Control Program).
- (5) *Test forms.* All test forms must be approved by The City of Yuba City Cross-Connection Program.

(h) *Water service termination.*

- (1) *General.* When the City encounters water uses that represent a clear and immediate hazard to the potable water supply that cannot be immediately abated, the City shall institute the procedure for discontinuing the City water service.
- (2) *Basis for termination.* Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:
 - (i) Refusal to install a required backflow prevention device;
 - (ii) Refusal to test a backflow prevention device;
 - (iii) Refusal to repair a faulty backflow prevention device;
 - (iv) Refusal to replace a faulty backflow prevention device;
 - (v) Direct or indirect connection between the public water system and a sewer line;
 - (vi) Unprotected direct or indirect connection between the public water system and a system or equipment containing contaminants;
 - (vii) Unprotected direct or indirect connection between the public water system and an auxiliary water system;

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- (viii) A situation which presents an immediate health hazard to the public water system.
 - (3) *Water service termination procedures.*
 - (i) For conditions (i), (ii), (iii) or (iv) of subsection (h)(2) of this section, the City will terminate service to a customer's premises after two written notices have been sent specifying the corrective action needed and the time period in which it must be done. If no action is taken within the allowed time period, water service may be terminated.
 - (ii) For conditions (v), (vi), (vii) or (viii) of subsection (h)(2) of this section, the City will take the following steps:
 - A. Make reasonable effort to advise the water user of intent to terminate water service;
 - B. Immediately terminate water supply and lock service valve. The water service will remain inactive until correction of violations has been approved by the City. A reconnection fee will be charged in accordance with the City's shutoff policy.
 - (i) *Fire hydrant use.*
 - (1) *Hydrant meter required.* It is unlawful for any unauthorized person to draw, cause to be drawn, or allow to be drawn, for any purpose whatsoever, any water from any fire backflow device or fire hydrant within the City's public water supply (surface or groundwater) without a hydrant meter issued from the Finance Department, except any authorized fire personnel. All unauthorized water use will be considered theft of a public utility and subject to the fees/fines established in Section 6.20 of this chapter. All conditions of subsection B of this section shall apply and the City may require additional backflow prevention devices in companion with the hydrant meter. The additional backflow device will be at the user's expense.
 - (2) *Air-gap inspection and stickers.* All water trucks, tanks, and other equipment drawing water from within the City's public water supply (surface or groundwater) shall be inspected annually and approved by the ~~Public Works~~Utilities Department for proper air gap prior to drawing water. Upon approval by the ~~Public Works~~Utilities Department a color-coded verification sticker that contains a specific serial number shall be applied to the vehicle's windshield or rear bumper. The sticker will be valid for one year from the date of issuance. All inspections are to be paid for in advance at the City of Yuba City Finance Department, 1201 Civic Center Boulevard, Yuba City, California, 95993 in accordance with the fees established in Section 6.18 of this chapter. All unauthorized water use will be considered theft of a public utility and subject to the fees/fines established in Section 6.20 of this chapter.
 - (3) *Pools and tanks.* When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements shall be made with the City prior to taking such water.

Sec. 6-6.22 Assessment installments in lieu of payment of water fees.

- (a) *Purpose/findings/definitions.*
 - (1) *Purpose.*
 - (i) To authorize and establish a procedure for levying assessment installments in lieu of payment of fees associated with the initial extension and connection of water service as outlined in Section 6-6.05. - Application for regular service and Section 6-6.18. - Summary of charges.
 - (2) *Findings.*
 - (i) There remain within the City's SPHERE OF INFLUENCE a number of residential and non-residential premises which are still being served by private wells rather than being connected to the City water distribution system.

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- (ii) One means of facilitating connection of the premises to the City water system is to provide the owners of such premises with an alternate means of financing the water extension and connection fees for assessment installments in lieu of lump sum payment of the fees, which ordinarily become due and payable at the time of connection of the premises to the City water system and before service is established, per the provisions of Section 6-6.05 - Application for regular water service.
 - (iii) The intent in enacting this section of the Municipal Code is to provide such financial assistance by allowing payment of such fees over a ten-year period through the levying of assessment installments in lieu of payment of water fees in the manner provided for by this section.
- (3) *Definitions.* The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (i) *Water fees* shall mean any and all fees and charges associated with the extension and connection of new regular water services, as described in Section 6.6-18 - Summary of charges. All charges and fees related to the installation of service, including meters and material costs, shall be made in lump sum at the time of request.
 - (ii) *Assessment installments* shall mean the assessments levied on the property's taxes over a ten-year period following approval by the City Council and direction to the County Auditor. This shall include any interest thereon or subject administrative fees.
 - (iii) *Engineer* shall mean the City Engineer, who may also be the Public Works Director.
 - (iv) *City water service area* shall mean the area within the City's incorporated limits and sphere of influence which is or may be served by City water.
- (b) *Applicability.* The provisions of this section shall apply to and authorize the levy of assessment installments in lieu of payment of water fees for the following residential and non-residential premises within the City water service area connecting to the City water distribution system:
- (1) *Premises within the incorporated territory of the City of Yuba City.* Where premises connecting to the City water distribution system are located in that part of the City water service area within the incorporated territory of the City, this section shall authorize the levy of assessment installments in lieu of payment of water fees if, and only if, such assessment has been approved and authorized by the City Council, and if such premises are presently being served by a private well, it will be abandoned entirely or separated from the City's water distribution systems by means of an approved backflow prevention device in accordance with Section 6-6.21 - Cross-connection control program.
 - (2) *Premises within the City's sphere of influence in the County of Sutter.* Where the premises being connected to the City water distribution system are located in that part of the City water service area within the City's sphere of influence in the County of Sutter, this section shall authorize the levy of assessment installments in lieu of payment of water fees if, and only if, such assessment has been approved and authorized by the City Council; if such premises are presently being served by a private well, it will be abandoned entirely or separated from the City's water distribution system by means of an approved backflow prevention device in accordance with Section 6-6.21 - Cross-connection control program; and upon execution of an extraterritorial agreement with the City.
- (c) *Petition for levying assessment installments in lieu of payment of water fees.*
- (1) Proceedings for levying assessment installments in lieu of the payment of water fees shall be initiated by a petition filed in the office of the Engineer.
 - (2) Such petition shall describe the premises to be connected to the City water distribution system by street address or other method sufficient to enable the Engineer to identify the location and

boundaries of such premises; shall include a declaration that if the premises are presently being served by a private well, it will be abandoned entirely or separated from the City's water distribution system by means of an approved backflow prevention device in accordance with Section 6-6.21. - Cross-connection control program; shall set forth the requests of the petitioners for the City Council to levy an assessment in lieu of payment of water fees in the manner provided for by this section; and shall be signed by and set forth the mailing address of all persons owning an interested in the fee title to the premises.

- (3) Any such administrative or operational costs incurred by the processing of the petition in the manner provided for by this section may be charged as a petition fee at the discretion of the Engineer.

(d) *Report of Engineer on assessment petition.*

- (1) Following receipt of an assessment petition, the Engineer shall promptly cause a report to be made on the petition.
- (2) The report shall set forth the following:
- (i) A description of the premises which are the subject of the petition both by legal description and assessor's parcel number;
 - (ii) The name and mailing address of all persons owning an interest in the fee title to the such premises;
 - (iii) A determination as to whether the premises are located in that part of the City water service area within the incorporated territory of the City or that part of the City water service area within the City's Sphere of Influence in the County of Sutter;
 - (iv) A computation of the total amount of the water fees which would become due and payable in accordance with the provisions of Sections 6-6.05. and 6-6.18. of this chapter at the time of connection of the premises to the City water distribution system and before service is established; and,
 - (v) A schedule of the assessment installments to be levied against the subject premises in order to pay all such water fees, together with interest and an administrative fee thereon, in ten annual installments, all at the time, in the amounts, and in the manner hereinafter provided by this section.
- (3) Following completion of such report, the Engineer shall cause the petition and report to be brought before the City Council for consideration for approval and authorization.

(e) *Consideration of assessment petition by City Council.*

- (1) On the date and at the time of the City Council meeting on the assessment petition, the City Council shall consider the assessment petition, the report of the Engineer on the assessment petition, and any other relevant matters bearing on the petition and/or the assessment installments to be levied in lieu of payment of water connection fees pursuant to the assessment petition.
- (2) Following consideration, of the assessment petition and report, the City Council may, by resolution:
- (i) Grant the petition and levy assessment installments in lieu of payment as outlined herein this section;
 - (ii) Direct the City Manager, Utilities Director, Engineer, Finance Director, and any other necessary staff to conduct any required action(s);
 - (iii) Approve an extraterritorial agreement in cases where the subject premises fall outside of City limits but within the City's sphere of influence.

(f) *Establishment of assessment installments.*

- (1) Upon receipt of a certified copy of a resolution of the City Council levying assessment installments in lieu of payment of water fees, the Engineer shall cause the resolution to be recorded in the official records of the County of Sutter.
- (2) After the date of such recordation, the assessments provided for by such resolution shall constitute a lien upon the premises which are the subject of the resolution which shall have the priority and effect of an assessment lien as provided for by Article 13, Chapter 4, Part 1, Division 2, Title 5 of the California Government Code (commencing with Section 53930) or any other law of the State of California applicable to assessment liens levied by a municipality.
- (3) Following recordation, the Engineer shall ensure that such resolution be transmitted to the Sutter County Auditor with the request that the assessment installments levied by the resolution be added to the County tax rolls at the time and manner provided therein.
- (4) Thereafter, all assessment installments provided for in the resolution which become due in any year, together with all interest thereon, shall be payable in the same manner and at the same time that general taxes of the County on real property are payable, and such assessment installments and all interest and fees thereon shall become delinquent at the same time and bear the same proportional penalty and interest after delinquency as do the general taxes of the County on real property.

(g) *Assessment installments.*

- (1) *Timing of payment.* Assessments in lieu of the payment of water fees, including interest thereon and any required administrative fees, shall be levied in ten equal installments of principal, interest, and administrative fees due and payable as follows:
 - (i) Where the resolution levying the assessment installments is adopted by the City Council between January 1st and July 10th, assessment installments shall be due payable commencing on November 10th of the calendar year in which the resolution was adopted and on November 10th of each year thereafter until all assessment installments have been paid in full, November 10th being the same date that County property taxes are due and payable under the laws of the State of California.
 - (ii) Where the resolution levying the assessment is adopted by the City Council between July 11th and December 31st, assessment installments shall be due and payable commencing on November 10th of the calendar year next succeeding the calendar year in which the resolution was adopted and on November 10th of each year thereafter until all assessment installments have been paid in full.
- (2) *Calculation of interest.* Interest on assessment installments shall be computed on the basis of an interest rate equal to the rate of cash held in pooled investments (LAIF), as calculated and published for the previous fiscal quarter, together with all appurtenant documents and fees required by this section, is filed in the office of the Engineer, plus 2% annual interest and an annual administrative fee of 2%.
- (3) *Prepayment.* Assessment installments may be prepaid at any time between the date of adoption of the City Council resolution and the date the last assessment installment is due and payable by depositing with the Treasurer-Tax Collector of the County of Sutter a sum equal to the principal, interest, fees, and any penalties due on any delinquent installments on prior tax years and a sum equal to the principal, interest, and fees due on the current tax year assessment roll, and then depositing with the City Finance Director a sum equal to the unpaid principal of any remaining assessment installments, exclusive of any interest or fees thereon.

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- (i) Upon prepayment of the remaining assessment installments, the City Finance Director shall request the Sutter County Auditor to remove all such assessment installments from the County tax rolls and shall also cause the assessment lien levied by the City Council resolution to be released in the manner herein provided by this section.
 - (4) *Penalty for unpaid assessment installments.* In the event any assessment installment levied per this section and/or any interest, penalties, or other charges accruing thereon are not paid when due, the City Council may, not later than four years after the due date of the last such installment, order that the same be collected by an action brought in the Superior Court to foreclose the lien thereof, all in the manner provided for by the Improvement Bond Act of 1915, as set forth in Part 14, Division 10 of the Streets and Highways Code.
 - (h) *Release of assessment lien.*
 - (1) Where all assessment installments levied in the manner provided for by this chapter have been paid in full, either by reason of the prepayment of such assessment installments or otherwise, the Finance Director shall execute and record in the official records of the County of Sutter a notice stating that the assessment lien levied by the City Council resolution is being released.

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Finance/IT Department
Presentation By:

Summary

Subject: Fiscal Year 2026-2027 Citywide Sole Source and Professional Services Purchases

Recommendation: Adopt a Resolution pre-authorizing the City Manager or designee to perform citywide sole source and professional service purchases from July 1, 2026 through June 30, 2027, for specified items based on each purchase recommendation being in the best interest of the City

Fiscal Impact: The listed purchases throughout the fiscal year 2026-2027, which must conform to the currently approved budget and purchasing policies, represent up to an estimated \$10,457,000 in existing or planned sole source agreements, professional service agreements and other frequently used vendors

Purpose:

Approve known future and recurring sole source and professional services purchases in the 2026-2027 fiscal year.

Strategic Focus Area:

This item supports the City Council priority of fiscal responsibility.

Background:

The purpose of this staff report is to consolidate known future and mostly reoccurring sole source and professional services purchases in the fiscal year 2026-2027. This approach streamlines purchases during the year and allows the City Council to have a broader knowledge of the upcoming sole source and professional services purchases. In 2008, the City Manager sought to improve efficiency and streamline routine large purchases by placing all known, professional service and sole source purchases required to go before City Council due to exceeding the City Manager's purchasing authority onto one agenda item that serves to streamline the agendas. To continue to improve the process, all multi-year professional service and sole source purchases are included on the staff report to provide the most transparency, even though the current Council, or a previous Council, had awarded the contract on a previous agenda.

The City's updated purchasing policy, effective March 2, 2022, authorizes the City Manager to enter

into purchase agreements up to \$100,000 without City Council approval. Therefore, vendors appearing in the analysis section attached include those providing support, maintenance, or upgrades for proprietary equipment. The vendors listed provide enough work and service for the City of Yuba City to potentially bring them above the \$100,000 City Manager purchasing threshold in a fiscal year. Some vendors listed are continuing in a multiple year agreement that totals over \$100,000 over the life of the contract, which may have been competitively selected and awarded by City Council already. Additionally, some of the vendors listed are subject to the Public Contract Code wherein the threshold is \$60,000, but are included for public, City Council, and staff knowledge.

Analysis:

All such contracts and purchasing will continue to follow the Purchasing Policy, as adopted by the City Council, sections 9-1 through 10-8. Additionally, formal bid purchases will continue to go through the formal bid process outlined in the City’s Purchasing Policies and Procedures, along with any sole source, professional services, and commodity purchases that are not in this report.

A sole source purchase is appropriate when:

- a. An integral repair part or accessory compatible with existing equipment is only available from one vendor, or
- b. A product has a unique design/performance specification or quality requirements essential to department operations, or
- c. This is only one known manufacturer or is the only authorized seller/servicer of the product in the region, or
- d. Staff has specialized training or expertise with a product and retraining is substantial, or
- e. Upgrading existing software, making emergency purchases, or special situations as they arise, or
- f. An emergency purchase arises, or
- g. A public project procurement under the established requirement established by Public Contract Code Section 22032(a), or
- h. Special situations as they arise.

If there is a change in circumstances such that any sole source, professional services or commodity purchases would not be warranted under the Purchasing Policy, staff will return to the City Council for approval as to another vendor, etc., as appropriate.

With a City Council approval of staff’s recommendation, the departments will still be required to work within their approved budgets for the fiscal year 2026-2027 and comply with the adopted Purchasing Policy when making purchases. The items in Attachment 2 were considered by City Departments when building their budgets and are expected to not affect budget reduction scenarios.

Fiscal Impact:

The listed purchases throughout the fiscal year 2026-2027, which must conform to the currently approved budget and purchasing policies, represent up to an estimated \$10,457,000 in existing or planned sole source agreements, professional service agreements and other frequently used vendors.

Alternatives:

Direct staff to formally bid on some or all the attached sole source purchases and solicit proposals for the professional services agreements.

Recommendation:

Adopt a Resolution pre-authorizing the City Manager or designee to perform citywide sole source and professional services purchases from July 1, 2026, through June 30, 2027, for specified items based on each purchase recommendation being in the best interest of the City.

Attachments:

1. Attachment 1 - FY 26-27 Citywide Purchases Resolution
2. Attachment 2 - FY 26-27 City Wide Staff Report List
3. Attachment 3 - Purchasing Policy Excerpt
4. Attachment 4 - Public Contract Code 22032

Prepared By:

Kaylayshia Byrd
Administrative Analyst II

Submitted By:

Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
PRE-AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ENTER INTO
CITYWIDE SOLE SOURCE AND PROFESSIONAL SERVICES PURCHASES
FROM JULY 1, 2026 THROUGH JUNE 30, 2027**

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

WHEREAS, the City of Yuba City is a public entity established under the laws of the State of California, and

WHEREAS, the City of Yuba City has a City Council adopted Purchasing Policy that provides direction to staff on all professional service and sole source agreements, and

WHEREAS, the City Council of the City of Yuba City has the intent to keep the efficient approval of routine and annual purchases through negotiated professional service and sole source agreements with well-vetted and competent vendors while maintaining transparency, and

WHEREAS, such a process promotes the efficient use of public resources, and is in the best interests of the City; and

WHEREAS, the City Council desires to authorize the City Manager, or designee, to enter into contracts with the vendors on the attached list, to be updated and brought before City Council annually.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City as follows:

1. From July 1, 2026 through June 30, 2027, the City Council pre-authorizes the City Manager, or designee, to enter into agreements with vendors, service providers, etc., as identified in Attachment 2, and in the amounts not to exceed those identified therein. The City Manager, or designee, shall otherwise have discretion as to the terms of said agreements, subject to review and approval of the City Attorney as to legal form. The actual selection and award of such contracts and purchasing items will continue to comply the City's adopted Purchasing Policy as may be amended. If there are circumstances such that an award of any sole source, professional service or commodity purchase to a pre-authorized business or person would not otherwise be warranted under the Purchasing Policy, then the award shall not be made to that pre-authorized person or business. Instead, the City Manager or designee will return to the City Council to obtain approval as to another person or business who would be appropriately awarded the bid or agreement consistent with the Purchasing Policy, unless the City Manager was otherwise authorized to make such an award under the Purchasing Policy or other authority previously granted by the City Council.
2. The City Council finds that the pre-authorization as provided for herein promotes the efficient use of public resources, and is in the best interests of the City.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNCIL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

Citywide Purchases:

Kronick of Sacramento, CA

Professional services agreement in the estimated amount of **\$120,000** for employment and labor law attorney services.

BLAIS & ASSOCIATES of Little Elm, TX and Irvine, CA

Grant monitoring and support services in the estimated amount of **\$200,000** per calendar year.

COP SHOP INSTALLATIONS of Yuba City, CA

Sole source purchases in the estimated amount of **\$250,000** for the purchase and installation of emergency vehicle accessories for Police and Fire Department vehicles such as light bars, decals, sirens, scanners, opticoms, etc.

LANDSCAPES BY STENTZEL of Live Oak, CA

Technical services in the estimated amount of **\$250,000** for maintenance of Landscape Maintenance Districts (LLMD) unfunded City street trees, and City facilities as part of RFP Contract No. 21-01.

Development Services Purchases:

DENIS COOK, LAND USE PLANNING CONSULTING of Thousand Oaks, CA

Professional services agreement in the estimated amount of **\$105,000** for assistance on an as-needed basis in the processing of land use entitlement applications including but not limited to General Plan Amendments, Specific Plans, Rezoning Tentative Subdivision and Parcel Maps, Use Permits, Variances and other entitlements or studies. Work may also include preparation of staff reports, ordinances, resolutions, legal notices and other items as needed. Includes preparation of environmental documentation for compliance with the California Environmental Quality Act (CEQA). Assistance may include other Planning or Local Agency Formation Commission (LAFCO) related items.

PLACEWORKS of Santa Ana, CA

Professional services agreement in the estimated amount of **\$770,000** for general plan updates, zoning code updates, and associated environmental work. Placeworks has worked with the City to complete the 2040 General Plan and updated the City's Housing Element and we are commencing the next phase of tasks utilizing grant funding and existing CIP funding for General Plan implementation to complete this work.

SACRAMENTO REGIONAL CONSERVATION CORPS of Sacramento, CA

Professional services agreement in an estimated total of **\$105,000** to utilize grant funds and existing property abatement funds to abate homeless impacts.

SERVPRO of Oroville, CA

Professional services agreement in the estimated amount of **\$105,000** for emergency board-up services

CRBR PROPERTY DAMAGE SERVICES of Yuba City, CA

Professional services agreement in the estimated amount of **\$105,000** for emergency board-up services

Finance/IT Purchases:

TYLER TECHNOLOGIES of Plano, TX

Sole source in the estimate amount of **\$600,000** for the City's financial/HR system annual maintenance and hosting agreement. This system is a collection of software modules that integrate to form a single system. Tyler is the developer and sole distributor of their software.

SHI of Somerset, NJ

Sole source in the estimated amount of **\$200,000** for the City's Microsoft Enterprise Agreement annual license. This agreement provides software for desktops, servers and applications including Office, email and databases. Our contract is part of the Riverside County Microsoft Agreement and the pricing on this agreement is the same for all participants and SHI is our administrator. SHI is now our administrator for our Adobe services as well.

SUTTER BUTTES COMMUNICATION of Yuba City, CA

Sole source in the estimated amount of **\$140,000** for parts, installation, radio service and warranty for patrol vehicles, fire vehicles, and the communication center. Sutter Buttes has been providing services for the City for many years and is very familiar with the parts and installation that are needed to keep our radio communications working.

MOTOROLA SOLUTIONS, INC of Schaumburg, IL

Sole source in the estimated amount of **\$250,000** for portable radios and accessories for personnel and vehicles. Motorola is the developer and sole distributor of their software.

AXON of Scottsdale, AZ

Sole source in the estimated amount of **\$200,000** for the annual maintenance agreement of the Police Department's in-car and body camera equipment, as well as the cloud storage for video recordings.

Fire Purchases:

ALLSTAR FIRE EQUIPMENT OF HAYWARD, CA

Sole source contract in the estimated amount of **\$192,000** for Fire Department purchases of Phos-Check Class A and Angus AR-AFFF Class B concentrated firefighting foam, structural firefighting helmets, hose, and Lyon structural firefighter turnouts.

LN CURTIS & SONS of Oakland, CA

Sole source contract in the estimated amount of **\$200,000** for Fire personal protective equipment, hose and apparatus equipment, and vehicle extrication equipment. LN Curtis & Sons has exclusive contracts with many manufacturers of Fire Equipment used by the Yuba City Fire Department. Standardization of equipment for all fire units is necessary for efficient use in emergencies.

Public Works and Utilities Purchases:

Professional Services:

CALTEST of Napa, CA

Professional services in the estimated amount of **\$250,000** for contracted laboratory and stormwater testing services.

COASTLAND CIVIL ENGINEERING of Auburn, CA

Professional services in the estimated amount of **\$300,000** for engineering, design, document preparation, and staff support.

E-SOURCE COMPANIES LLC of Boulder, CO

Professional services in the estimated amount of **\$125,000** for consulting services related to the water loss control and leak detection services.

LARRY WALKER ASSOCIATES of Davis, CA

Professional services in the estimated amount of **\$300,000** for consulting services related to the WWTF NPDES permit renewal, storm-water management, and Utilities CIP projects.

VERDANTAS of Marysville, CA

Professional services in the estimated amount of **\$300,000** for on-call engineering, surveying, and design services on a time-and-materials basis to support miscellaneous Engineering, CIP, water, and wastewater projects

PACIFIC ECORISK of Fairfield, CA

Professional services in the estimated amount of **\$140,000** for contracted laboratory services.

SOMACH SIMMONS & DUNN of Sacramento, CA

Professional services in the estimated amount of **\$250,000** for legal services for water rights and supply issues.

TESCO of Sacramento, CA

Professional services in the estimated amount of **\$150,000** for instrumentation system support, preventative maintenance services, and proprietary materials and parts at the Water Treatment Facility, Wastewater Treatment Facility.

TM PROCESS & CONTROLS, INC. of Elk Grove, CA

Professional and technical services in the estimated amount of **\$250,000** for support of the electrical, SCADA, and instrumentation systems at the Water and Wastewater Treatment Facilities.

ZANJERO of Sacramento, CA

Professional services in the estimated amount of **\$200,000** for water planning and supply consultant services.

Technical & Maintenance Services:

COMMERCIAL PUMP & MECHANICAL, INC. of Chico, CA

Sole source in the estimated amount of **\$325,000** for on-call mechanical, pump repair, upgrades, and full installation services on a time-and-materials basis for the City's infrastructure maintenance.

DOS RIOS of Yuba City, CA

Sole source in the estimated amount of **\$175,000** for construction services to be provided for the Water Treatment Plant.

FEATHER RIVER ELECTRIC MOTORS, LLC of Durham, CA

Sole source in the estimated amount of **\$200,000** for on-call services and parts on a time-and-materials basis for the water and wastewater systems.

KVILHAUG DRILLING & PUMP INC. of Winters, CA

Sole source in the estimated amount of **\$125,000** for pump repair, upgrades, and full installation services for the current and future wells in the City's parks and facilities.

MICHELS CORPORATION DBA MICHELS PIPELINE CONSTRUCTION of Salem, OR

Sole source in the estimated amount of **\$225,000** for water infiltration, manhole rehabilitation, storm drainage system, and related on-call services for the sewer collection system.

RICHALL ELECTRIC CO. of Yuba City, CA

Sole source in the estimated amount of **\$200,000** for on-call electrical services on a time-and-materials basis, including emergency and after-hours work, for the Water and Wastewater Treatment Facilities.

S & S AG AND CONSTRUCTION SERVICES INC of Gridley, CA

Sole source in the estimated amount of **\$200,000** for on-call scraping, excavation, hauling, and deep ripping of Water and Wastewater Treatment Facilities and other related services.

TELSTAR INSTRUMENTS of Sacramento, CA

Sole source in the estimated amount of **\$125,000** for on-call instrumentation system support, annual flowmeter calibration, and preventative maintenance.

XYLEM WATER SOLUTIONS USA, INC. of Rye Brook, NY and Fairfield, CA

Sole source in the estimated amount of **\$250,000** for parts and services for specialty pumps, parts, and supplies for the Water and Wastewater Treatment Facilities.

On-Call/Emergency Services:

H & H TRENCHING of Arboga, CA

Sole source in the estimated amount of **\$150,000** for on-call construction services on a time-and-materials basis for public works and utilities projects of \$75,000 or less in accordance with Public Contract Code Section 22032(a).

HYATT CONTRACTING of Marysville, CA

Sole source in the estimated amount of **\$150,000** for on-call construction services on a time-and-materials basis for public works and utilities projects of \$75,000 or less in accordance with Public Contract Code Section 22032(a).

NEWLAND ENTITIES of Marysville, CA

Sole source in the estimated amount of **\$150,000** for on-call construction services on a time-and-materials basis for public works and utilities projects of \$75,000 or less in accordance with Public Contract Code Section 22032(a).

NORTH STAR CONSTRUCTION AND ENGINEERING, INC. of Yuba City, CA

Sole source in the estimated amount of **\$225,000** for on-call construction and engineering services on a time-and-materials basis for public works and utilities projects of \$75,000 or less in accordance with Public Contract Code Section 22032(a).

Sole Source Purchases:

BADGER METER of Santa Rosa, CA

Sole source in the estimated amount of **\$300,000** for the continued provisions of the water meter reading system, such as software support and water meter equipment and repair parts.

FRANK OLSEN COMPANY of Livermore, CA

Sole source in the estimated amount of **\$150,000** for purchasing valves and actuators for the Water Treatment Plant conventional filters.

PACE SUPPLY CORP of Los Angeles, CA

Sole source in the estimated amount of **\$200,000** for parts, supplies, and services for the Public Works, Utilities, and Parks departments.

POLYDYNE, INC. of Riceboro, GA

Sole source in the estimated amount of **\$700,000** for polymer for the wastewater treatment process.

REXEL USA, INC. of Yuba City, CA

Sole source in the estimated amount of **\$250,000** for electrical parts, supplies, and services for the Water and Wastewater Treatment Facilities.

MISCOWATER of Pleasanton, CA

Sole source in the estimated amount of **\$150,000** for pumps, panels, parts and supplies for the Water and Wastewater Treatment Facilities.

SHAPE INCORPORATED of Pleasanton, CA

Sole source in the estimated amount of **\$150,000** for pump parts, repairs, and service for Flygt-brand equipment.

ATTACHMENT 3

SECTION 9: SPECIAL PROCUREMENT CIRCUMSTANCES

9-1. Finance Department Procurements

The Finance Department is charged with the duty to contract for purchase of the following equipment, materials, and services:

1. New or replacement vehicles or equipment
2. Items purchased from state contracts
3. Computer hardware and software (through the Information Technology Division)
4. Other items as may be determined in the future
5. When it is in the best interest of the City to negotiate an extension of an existing contract for supplies or technical services, based on satisfactory performance. Such negotiated price must be fair and reasonable. This shall also apply to products or services purchased through prior recent bidding.

9-2. CDBG and Other Applicable Federal Grants:

In compliance with the City's Community Development Block Grant, HOME funds, and other applicable federal funds administered by the United States Department of Housing and Urban Development (HUD), procurement procedures shall comply with federal regulations (24 CFR 85.36). The City will follow the Office of Management and Budget Guidance 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

9-3. Sole Source Purchases:

When competitive quotations for goods and services are not possible, such purchases shall be made through negotiated procurement. Sole source purchases may require City Manager or City Council approval, based upon procurement limits and Municipal Code requirements.

A sole source justification form must be signed by the requestor's Department Head and City Manager (if applicable), then forwarded to the Finance Department and filed to justify the sole source purchase. Sole-source specifications should be avoided whenever possible as they minimize or eliminate competition.

When the use of said sole-source vendor is expected to be repeated or ongoing, the operating department may indicate that it is a "recurring" sole source on the sole source justification form. The sole source justification shall then be valid for three years from date of approval by the Department Head.

9-3.1. Sole Source is Appropriate When:

1. The requested product is an integral repair part or accessory compatible with existing equipment and is only available from one vendor.
2. The requested product has unique design/performance specifications or quality requirements which are essential to department operations and are not available in comparable products.
3. Only known manufacturer of this product.
4. The requested product is one with which department staff have specialized training and/or extensive expertise. Retraining would incur substantial cost in time and/or money.
5. Only vendor authorized to sell/service this product in our region.
6. Upgrade to existing software. Available only from the producer of this software who sells on a direct basis only.
7. Emergency purchase.
8. Public project procurements under the requirements established by Public Contract Code Section 22032(a).
9. Special situations as they arise.

9-3.2. City Manager Approval:

Sole source requests between \$50,000.01 and \$100,000 require the approval of the City Manager.

9-3.3. City Council Approval:

Sole source requests over \$100,000 require the approval of the City Council.

9-4. Emergency Purchases up to \$100,000 (Not for Public Projects):

Emergency purchases may be made without the benefit of competitive bidding when time is of the essence. Emergency purchases should be made only for the following reasons: (1) to preserve life, health, or property; (2) upon a natural disaster; (3) to correct or forestall a shutdown to maintain essential public services; or (4) other unforeseeable events (as authorized by the City Manager). Emergency purchases are not valid for contrived urgencies resulting from lack of planning and organization. Since emergency orders do not normally provide the City an opportunity to obtain competitive quotes, nor properly encumber funds, such orders should be kept to an absolute minimum. Emergency purchases shall be approved by the Department Head or designee.

9-5. Emergencies Over \$100,000 (Not for Public Projects):

Emergency purchases over \$100,000 require the approval/signature of the City Manager. The City Manager shall provide a report after any emergency purchase over \$100,000 at the next City Council meeting following the emergency purchase.

9-6. Emergency Public Projects:

Public projects shall be completed according to Public Contract Code 22050 and the City's Municipal Code Section 2-6.15.

9-7. Cooperative Purchases:

The City may participate in purchases and contracts conducted by other political jurisdictions, provided that the cooperative agreement is established following a competitive bid process. In a cooperative purchase, one agency represents several agencies by soliciting bids including the needs of the other agencies in the bid specifications. This higher product volume may result in lower unit cost for all agencies, and also reduces the time and cost of the City administering its own bid process.

Needed documentation includes:

1. Copy of the other jurisdiction's bid document(s)
2. Any Board or Council action awarding the contract
3. The contract documents

The City Manager may authorize the award of cooperative purchase agreements for amounts not more than \$100,000; City Council approval is required for the award of any cooperative purchase exceeding \$100,000.

9-8. Piggyback onto Existing Contract:

“Piggybacking” is the use of an existing contract for goods between another government agency and a vendor for the purchase of those same goods. When piggybacking onto a contract, the City must use the terms of the contract and price of the item must be as specified in the contract or awarding document. The contract for consideration must have been awarded through a competitive bidding process prepared and awarded by another local, state, or federal government agency.

Needed documentation includes:

1. Copy of the other jurisdiction's bid document(s)
2. Any Board or Council action awarding the contract
3. The contract documents

The City Manager may authorize the award of piggyback purchases for amounts not more than \$100,000; City Council approval is required for the award of any piggyback purchase exceeding \$100,000.

9-9. Exemptions from Obtaining a Purchase Order:

The Finance Department shall maintain an approved direct pay list for which no purchase order is required due to unique purchasing circumstances, such as invoices from government agencies, utility providers, and subscription services.

The following is a non-inclusive list of the direct pay categories and/or vendors at the time of policy adoption:

The following is a non-inclusive list of the direct pay categories and/or vendors at the time of policy adoption:

- Actuarial studies
- Advertising
- Assessment district administration costs
- Attorney services
- Bond issuance costs (bond counsel, rating agency fees, and trustee fees)
- Cafeteria plan administration
- CDBG and Home Rehabilitation Loans
- Claim settlements (for liability claims)
- Conference or seminar registration
- Copy machine maintenance and leasing under contract
- Debt service payments
- Department of Health Services
- Department of Water Resources
- Deposit refunds
- Document destruction
- Downtown Business Improvement District remittance of cash receipts
- Employment Development Department
- Family Intervention Team program expenditures
- Feather River Air Quality Management District
- Fingerprinting (Department of Justice)
- Fingerprinting (Sutter County – Live Scan)
- Fire Department stipend checks
- Fuel for storage tanks
- General Liability insurance premiums
- Gilsizer Drainage District
- Housing consultant
- Land/property
- Lobbying activities
- Meals (per diem or travel reimbursement)
- Membership dues
- MuniFinancial
- Net 5 purchases (Secretary, City of Marysville)
- Office equipment O&M
- Office supplies (consumable only)
- Parking Citation Hearing Officer
- Payroll deduction remittances
- Petty cash reimbursements
- Postage & freight
- Pre-employment physicals, medical blood, DATCO (substance abuse testing)

- Refunds
- Retirement administration: Phase II Systems for PARS trust administration
- State Board of Equalization (diesel fuel tax, sales and use tax)
- State Division of Administrative Services (seismic fees)
- State Water Resources Control Board
- Subdivision Agreement reimbursements
- Subscriptions
- Supplies or refreshments reimbursement
- Sutter-Yuba Mosquito Vector Control District
- Teambuilding (Amistad Associates)
- Telephone
- Temporary help (personnel agency)
- Training programs
- Travel & meetings
- Trustee fees
- Tuition reimbursements
- Uniform rental and cleaning (under contract)
- Utilities
- Vehicle allowance
- Water delivery service
- Yuba-Sutter Economic Development Corporation

An authorized signature and appropriate budget number(s) should be provided by the purchaser to Accounts Payable for invoices up to \$5,000. Invoices above \$5,000 should be accompanied by a check request form, approved by the Department Head.

SECTION 10: PROFESSIONAL SERVICES

10-1. Definition:

Those services by independent consultants such as legal, engineering, programming, planning, environmental, economic, financial, testing, specialized temporary employee services, medical, dental, accounting, surveying, landscape architecture, advertising, design, etc., are considered to be “professional services”. This may also include services requiring peculiar or specialized abilities which by state law do not require competitive bidding.

10-2. Operating Department Responsibilities:

1. Prepare specifications or scope of work.
2. Solicit, review, and select qualified consultant/firm.
3. Provide written documentation justifying selection of the successful consultant/firm. Staff may utilize the Professional Services Justification form on CityNet.
4. Prepare a City Professional Services Agreement and obtain consultant's signature.
5. Compile all exhibits/attachments described or referenced in the contract.
6. Secure and review required insurance documents for conformance to City contract requirements.
7. Submit the contract to the City Attorney for review and approval, if applicable.
8. If between \$50,000 and \$100,000, obtain City Manager approval.
9. If over \$100,000, obtain Council approval.
10. Submit requisition to Finance to issue a purchase order.
11. Submit original signed contract, complete with exhibits, attachments, and insurance, to the City Clerk.
12. Provide the consulting firm a signed copy of the contract.

10-3. Decentralized:

Due to the specialized and technical nature of professional services, contracting for professional services is decentralized and shall be the responsibility of each applicable Department Head.

10-4. Solicitation of Proposals:

Solicitation of professional service proposals is the responsibility of the operating departments. The Finance Department may be contacted to assist and support the formal request for proposal process.

10-5. Selection of Consultant:

Contracts negotiated by the City for professional services will be based on demonstrated competence, professional qualifications for the services required, availability, fair and reasonable cost, and other relevant factors as determined by the operating department. Competitive bidding is encouraged whenever possible; however, it is not mandatory.

10-6. City Attorney Review and Approval:

The City shall, whenever possible, use the City's Professional Services Agreement form, which as been approved as to form by the City Attorney and is available on CityNet. Should another agreement be considered for professional services, review and approval as to form by the City Attorney is required prior to execution by the City.

The City Attorney shall review and approve as to form all Professional Service Agreements prior to City Council approval for contracts over \$100,000.

10-7. Procurement Limits — Professional/Consultant Services:

Specified procurement limits are tabulated per consultant firm per fiscal year and are not to be split to circumvent the determined limits. No professional services consultant shall be paid more than \$100,000 per fiscal year for the City as a whole without prior Council authorization.

10-7.1. Contracts of \$50,000 or Less:

Contacting three (3) firms, although encouraged, is not required for contracts \$50,000 or less. Department Heads are authorized to sign Professional Service Agreements totaling \$50,000 or less.

10-7.2. Contracts \$50,000.01 up to \$100,000:

Operating departments should, whenever possible, contact three (3) consultants/firms and select the most qualified firm. The City Manager is authorized to sign Professional Service Agreements totaling \$100,000 or less.

10-7.3. Contracts Over \$100,000:

Operating departments shall solicit written proposals and negotiate with a minimum of three (3) consultants/firms, whenever possible. Professional Service Agreements over \$100,000 require City Council approval. If the contract is a multiple year agreement, information regarding multiple years must be presented to Council in the staff report at the time of approval.

10-8. Changes to and Cancellation of Purchase Orders:

The operating department will notify Finance when initiating changes which alter the purchase order. Purchase orders that need to be canceled or closed must be forwarded to Accounts Payable. The last payment against a purchase order that does not increase the purchase order total by 10% can be processed without obtaining a purchase order change order.

The City Manager will approve any change orders that have the purchase order total amount exceed \$50,000, up to \$100,000. Change orders cannot be requested that exceed Council-approved appropriations or Council contract award amounts without additional Council authorization.

ATTACHMENT 4

State of California

PUBLIC CONTRACT CODE

Section 22032

22032. (a) Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of two hundred thousand dollars (\$200,000) or less may be let to contract by informal procedures as set forth in this article.

(c) Public projects of more than two hundred thousand dollars (\$200,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedure.

(Amended by Stats. 2018, Ch. 169, Sec. 2. (AB 2249) Effective January 1, 2019.)

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Public Works Director

Summary

Subject: SB 1 Road Maintenance and Rehabilitation Account Project List 2026-27
Recommendation: Adopt a Resolution adopting a list of projects for Fiscal Year 2026-27 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017
Fiscal Impact: \$1,934,740 Estimated Revenue for Fiscal Year 2026-27

Purpose:

To maintain and improve roadway conditions throughout the City.

Strategic Focus Area:

Approving the 2026-27 SB1 Project List will ensure that the City receives SB1 funding for maintaining and repairing the City's roadways in accordance with the City's Strategic Focus Area of improving the City's infrastructure in a fiscally responsible manner.

Background:

On April 28, 2017, Governor Brown signed the Road Repair and Accountability Act of 2017, known as Senate Bill 1 (SB1), increasing per gallon fuel excise taxes, diesel fuel sales taxes, and vehicle registration fees with future inflationary adjustments for the purpose of addressing road maintenance, rehabilitation, and roadway safety needs. The State Controller will deposit portions of the new funding into the Road Maintenance and Rehabilitation Account (RMRA), which will be apportioned by formula to eligible cities and counties throughout the year. Funds were apportioned to cities and counties beginning in January 2018.

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs and, therefore, requires cities and counties to provide basic RMRA project reporting to the California Transportation Commission (CTC). Per the program's requirements, jurisdictions are required to submit a project list to the CTC with locations, schedule, and estimated useful life of the project before they can receive RMRA funds. City Council has approved previous project lists since the inception of the SB1 funding in Fiscal Year 2017-18.

Analysis:

The City is required to submit an annual proposed project list to the CTC in July of each year in order to

receive RMRA funds for the next fiscal year; once submitted, the City will continue to receive apportionments monthly. As of May 2026, the League of California Cities estimates that the City will receive approximately \$1,855,009 of RMRA funds in Fiscal Year 2025-26 and \$1,982,284 in Fiscal Year 2026-27. The City has received approximately \$1,450,972 to-date for Fiscal Year 2025-26 in monthly apportionments.

The priority list is updated annually to meet the needs of the City in accordance with SB1 funding criteria. Per the CTC's request, the City has limited the project list to include only projects that are planned for the next two fiscal years.

Public Works staff used the City's pavement management program (StreetSaver), traffic volumes, existing conditions, and Council priorities to identify a list of arterial and collector streets for locations to utilize SB1 funding. The proposed project list (Attachment 2) is ranked by priority, but is not all-inclusive of the City's needs; however, the RMRA program does not require that the projects be completed in any specific order, nor be limited to only SB1 funding.

Over the past few years, the City has been allowing the SB1 funds to build up, so that major projects, such as the Walton Avenue Improvements Project, Garden Highway Improvements Project, and the Bogue Road Widening Project may have sufficient funds.

Fiscal Impact:

At this time, the City anticipates receiving an estimated \$1,940,740 in RMRA funds in Fiscal Year 2026-27. The funds are programmed for repair, rehabilitation, or maintenance of existing roadways within the City. The Fiscal Year 2026-27 funds will be deposited into dedicated CIP Account No. 1255 (Road Maintenance and Rehabilitation Account). Currently, CIP Account No. 1255 has a balance of approximately \$2,219,000.

Alternatives:

Direct staff to modify the existing project list by adding or removing projects.

Recommendation:

Adopt a Resolution adopting a list of projects for Fiscal Year 2026-27 to be funded by Senate Bill 1: Road Repair and Accountability Act of 2017

Attachments:

1. Attachment 1 - Resolution
2. Attachment 2 - Project List
3. Attachment 3 - Location Map FY 2026-27

Prepared By:
Kevin Bradford
Deputy Public Works Director - Engineering

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ADOPTING A LIST OF PROPOSED PROJECTS FOR FISCAL YEAR
2026-27 FUNDED BY SB 1: THE ROAD REPAIR AND
ACCOUNTABILITY ACT OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt a list of all projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated \$1,940,740 in RMRA funding in Fiscal Year 2026-27 from SB 1; and

WHEREAS, this is the eighth year in which the City is receiving SB 1 funding, which will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, and increased access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities (the project list); and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate over 230 centerline miles of road and add active transportation infrastructure throughout the City this year and hundreds of similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at-risk" condition and this revenue will help us increase the overall quality of our road system; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety and complete streets infrastructure and use of cutting-edge technology, materials, and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE, be it Resolved by the City Council of the City of Yuba City as follows:

1. The foregoing recitals are true and correct.
2. The following list of newly proposed projects will be funded in-part or solely with fiscal year 2026-27 Road Maintenance and Rehabilitation Account Revenues:

Project Title	Project Description	Project Location	Estimated Useful Life (Years)	Project Timeline
George Washington Rehabilitation	Construction Funding: Roadway rehabilitation and striping improvements.	State Route 20 to Franklin Road	20-30	2027-28

3. The following previously proposed and adopted projects may utilize fiscal year 2026-27 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

Project Title	Project Description	Project Location	Estimated Useful Life (Years)	Originally Listed	Project Timeline
Walton Avenue Improvements	Construction Funding: Roadway rehabilitation, signal upgrades, pedestrian, and cyclist improvements.	Sam's Club to Hazel Avenue	20-30	2020	November 2026 – November 2027
Bogue Road Improvements	Construction Funding: Road rehabilitation and striping improvements.	State Route 99 to Railroad Avenue	20-30	2024	November 2026- November 2027
Garden Highway Improvements	Construction Funding: Roadway rehabilitation, signal upgrades, pedestrian, and cyclist improvements.	Lincoln Road to Bogue Road	20-30	2025	2027-28
Harter Parkway Improvements	Construction Funding: Roadway rehabilitation, pedestrian, and cyclist improvements.	Butte House Road to State Route 20	20-30	2025	2027-28
2025 Residential Rehabilitation Project	Construction Funding: Road rehabilitation and striping improvements.	Various neighborhoods in Yuba City: Madison Rd area, Winslow Dr area, Civic Center Blvd –	10-20	2025	2026

		Poole Blvd to Butte House Rd, Louise Ave area, Stafford Way cul-de-sac, Pine Way Area, Neil Dr Area, Western Ave Area, E Hillcrest Ave area, Mariner Loop			
Shasta Street Improvements	Construction Funding: Road rehabilitation and striping improvements.	Bridge Street to B Street	20-30	2025	2028
El Margarita Road Improvements	Construction Funding: Roadway rehabilitation, pedestrian, and cyclist improvements.	State Route 20 to Franklin Road	20-30	2025	2028-29

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

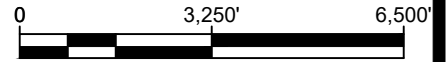
ATTACHMENT 2

City of Yuba City
SB1 Proposed Project List FY 2025-26

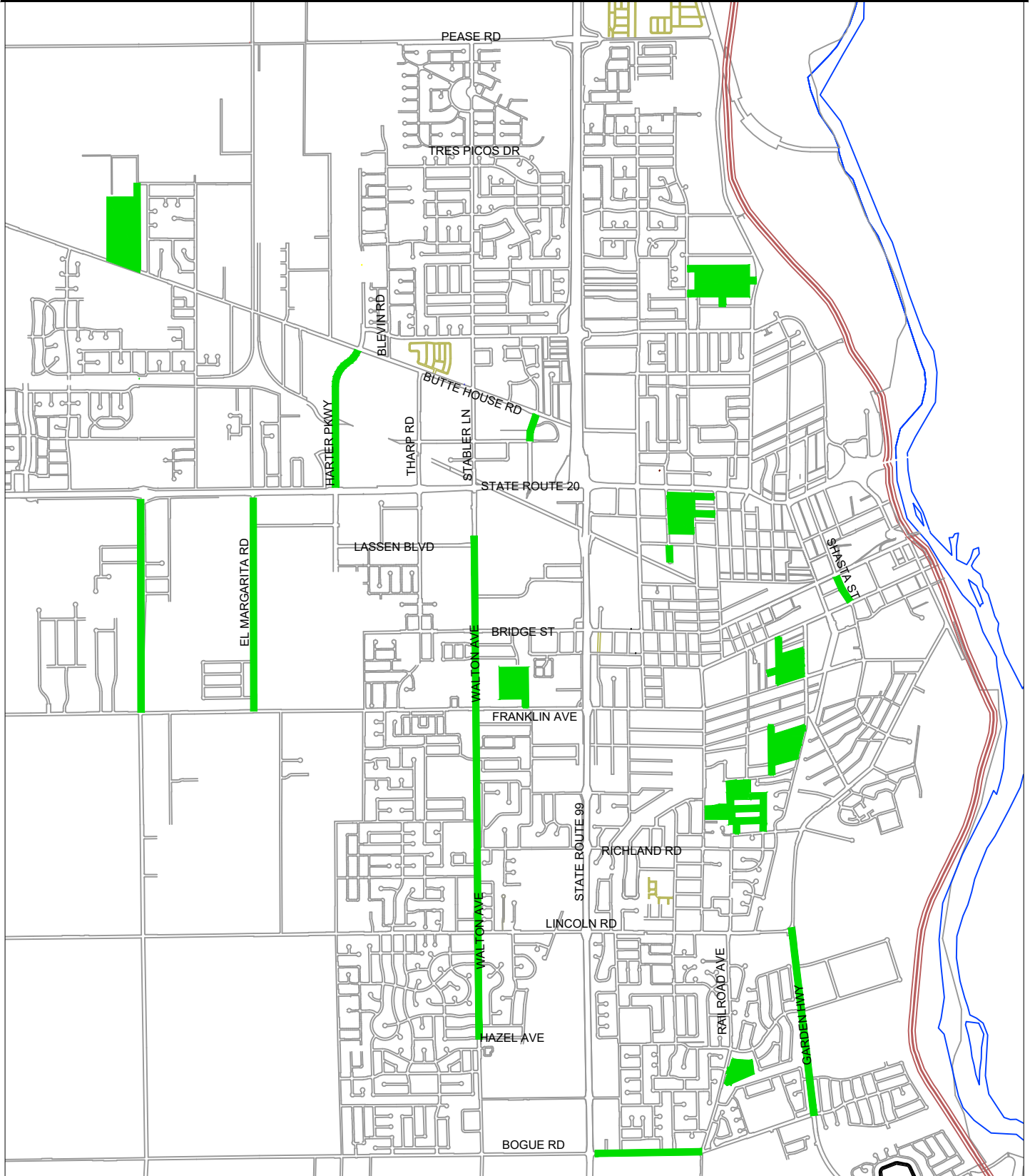
Project Title	Project Description	Project Location	Estimated Useful Life (Years)	Anticipated Year of Construction
2025 Residential Rehabilitation Project	Construction Funding: Road rehabilitation and striping improvements.	Various neighborhoods in Yuba City: Madison Rd area, Winslow Dr area, Civic Center Blvd – Poole Blvd to Butte House Rd, Louise Ave area, Stafford Way cul-de-sac, Pine Way Area, Neil Dr Area, Western Ave Area, E Hillcrest Ave area, Mariner Loop	10-20	2026
Walton Avenue Improvements	Construction Funding: Roadway rehabilitation, signal upgrades, pedestrian, and cyclist improvements.	Sam’s Club to Hazel Avenue	20-30	2026-27
Bogue Road Improvements	Construction Funding: Road rehabilitation and striping improvements.	State Route 99 to Railroad Avenue	20-30	2026-27
Garden Highway Improvements	Construction Funding: Roadway rehabilitation, signal upgrades, pedestrian, and cyclist improvements.	Lincoln Road to Bogue Road	20-30	2027-28
Harter Parkway Improvements	Construction Funding: Roadway rehabilitation, pedestrian, and cyclist improvements.	Butte House Road to State Route 20	20-30	2027-28
George Washington Rehabilitation	Construction Funding: Road rehabilitation and striping improvements.	State Route 20 to Frankline Road	20-30	2027-28
Shasta Street Improvements	Construction Funding: Road rehabilitation and striping improvements.	Bridge Street to B Street	20-30	2028
El Margarita Road Improvements	Construction Funding: Roadway rehabilitation, pedestrian, and cyclist improvements.	State Route 20 to Franklin Road	20-30	2028-29

ATTACHMENT 3

CITY OF YUBA CITY LOCATION MAP - PROPOSED PROJECT LIST SB1 ROAD MAINTENANCE AND REHABILITATION



SCALE: 1" = 3,250'



CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Human Resources Department
Presentation By: Gina Rowland, Human Resources Director

Summary

Subject: Status of Vacancies and Recruitment and Retention Efforts for FY 25-26 in Compliance with AB 2561
Recommendation: Receive the attached report from City staff on the status of vacancies and recruitment and retention efforts in compliance with AB 2561; and conduct a Public Hearing as required by Government Code Section 3502.3
Fiscal Impact: None

Purpose:

To comply with California law (AB2561) which requires public agencies to present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board at least once per fiscal year, and prior to adoption of the final budget.

Strategic Focus Area:

Complying with AB 2561 addresses the Strategic Focus Area of Fiscal Responsibility.

Background:

Assembly Bill 2561 ("AB 2561") amended the Meyers-Miliias-Brown Act ("MMBA") by adding Government Code Section 3502.3 and created a variety of obligations for public agencies to address the status of job vacancies. Specifically, the law requires that public agencies present the status of vacancies and recruitment and retention efforts during a public hearing before the governing board on an annual basis, prior to the adoption of the final budget. The intent of AB 2561 is to ensure that public agency operations are appropriately staffed and to introduce greater transparency in public sector staffing.

When the vacancy rate for any bargaining unit reaches or exceeds 20% of the total number of authorized full-time positions, additional obligations are required to be presented, upon request of the recognized employee organization. These include total number of job vacancies, total number of applicants for vacant positions, average number of days to complete the hiring process, and opportunities to improve compensation and other working conditions.

Analysis:

The bargaining unit vacancy rates are as follows:

- Confidential: 16.7% vacancy
- Executive: 0.0% vacancy
- Fire, Local 3793: 4.0% vacancy
- Fire Management: 0.0% vacancy
- First Level Managers: 9.1% vacancy
- Local 1: 13.8% vacancy
- Mid-Managers: 22.2% vacancy
- Police First Level Managers: 0.0% vacancy
- Police Mid-Managers: 16.7% vacancy
- Police Officers' Association: 17.9% vacancy

The Human Resources Department will continue efforts to improve upon recruitment and retention by working to modernize rules, streamline processes, and provide more flexibility. Human Resources will continue to monitor the City's recruitment process to ensure that recruitments are completed efficiently and result in the selection of the best qualified candidate for the City of Yuba City.

All City bargaining units have been notified of this public hearing and have received a copy of this presentation. All have been offered an opportunity to make a presentation. The Mid-Manager bargaining unit with a vacancy rate of over 20% did not request reporting of additional information in the public hearing.

Fiscal Impact:

There is no impact to the general fund. There is no fiscal impact to receive a report from City staff on the status of vacancies and recruitment and retention efforts; and to conduct a Public Hearing as required by Government Code Section 3502.3.

Alternatives:

None. The City is required to present the attached report and conduct a Public Hearing to comply with California state law, AB 2561.

Recommendation:

Receive a report from City staff on the status of vacancies and recruitment and retention efforts; and conduct a Public Hearing as required by Government Code Section 3502.3.

Attachments:

None

Prepared By:
Aricka Espinoza
Administrative Analyst

Submitted By:
Robert Bendorf
City Manager

CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Utilities Department
Presentation By: Christian Elder, Water Treatment Plant Supervisor, & Robert Heather, Zanjero (Consultant)

Summary

Subject: 2025 Urban Water Management Plan and Water Shortage Contingency Plan
Recommendation: A. Conduct a Public Hearing; and
 B. Adopt a Resolution adopting the 2025 Urban Water Management Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources
 C. Adopt a Resolution adopting the Water Shortage Contingency Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources

Fiscal Impact: Without an approved Urban Water Management Plan, the City would be ineligible to receive grants, loans, or drought assistance through the California Department of Water Resources (DWR).

Purpose:

To support long-term resource planning, ensure adequate water supplies are available to meet existing and future water demands, and to identify implementation measures to address water shortages.

Council's Strategic Focus Areas:

This project addresses the City's Strategic Focus Areas of Safe Communities and Workforce Excellence by supporting reliable water service, operational preparedness, and long-term water resource planning.

Background:

To strengthen local and regional water management and drought planning, the Urban Water Management Planning Act (UWMPA) was signed into law in 1983. Since then, the Legislature has amended the UWMPA to require additional details in Urban Water Management Plans (UWMP), including addressing resilience to drought and climate change.

The UWMPA requires urban water suppliers serving over 3,000 customers or supplying at least 3,000 acre-feet of water annually to prepare and adopt an UWMP every five years, and demonstrate water supply reliability in a normal year, single dry year, and droughts lasting at least five years over a twenty-year planning horizon. The UWMPA also requires each urban water supplier to prepare a drought risk

assessment and water shortage contingency plan.

The UWMP provides a water management planning foundation, outlining the City's past and current, as well as projected future, water supply and demand conditions.

The Water Shortage Contingency Plan (WSCP) addresses possible conditions in which the water supply available to customers is insufficient to meet the normally expected customer water use at a given point in time due to a drought, regulatory action constraints, and natural and man-made disasters. The WSCP describes the City's strategy for allocating water during such water supply shortages, while assuring customers that at all times it will meet the minimum health and safety requirements of a drinking water purveyor.

Per California Water Code (CWC) § 10642, the City published a notice of Public Hearing in the Appeal Democrat on May 7 and May 14.

Analysis:

Consistent with the requirements of CWC § 10631, the City's 2025 UWMP contains:

1. A description of the City's water service area, including current and projected population, climate, and other social, economic, and demographic factors affecting the supplier's water management planning. The description shall include the current and projected land uses within the existing or anticipated service area affecting the supplier's water management planning.
2. An assessment of existing and planned water supply sources in five-year increments, including supporting information required by statute, as well as an evaluation of water supply reliability under varying hydrologic conditions, including up to a five-year drought scenario.
3. Opportunities for exchanges or transfers of water
4. An assessment of water demands by customer type
5. A description of demand management measures implemented or planned to be implemented
6. An explanation of water management strategies designed to integrate supply and demand conditions
7. Discussion on climate change and any potential impacts
8. A Water Shortage Contingency Plan

SUPPLY CHARACTERIZATION

Total Potential Supplies Through 2050

Year Type		2030	2035	2040	2045	2050
		(acre-feet)				
Normal		25,572	25,572	25,572	25,572	25,572
Single Dry Year		23,644	23,644	23,644	23,644	23,644
Multi-Year Drought	Yr 1	23,054	23,054	23,054	23,054	23,054
	Yr 2	21,610	21,610	21,610	21,610	21,610
	Yr 3	22,995	22,995	22,995	22,995	22,995
	Yr 4	21,760	21,760	21,760	21,760	21,760
	Yr 5	21,855	21,855	21,855	21,855	21,855

WATER SERVICE RELIABILITY

Long Term Reliability (Normal and Single Dry Year Scenarios)

Normal Year	2030	2035	2040	2045	2050
	(acre-feet)				
Supply	25,472	25,472	25,472	25,472	25,472
Demand	14,453	14,777	15,181	15,554	15,896
Difference	11,019	10,695	10,291	9,918	9,576
Single Dry Year	2030	2035	2040	2045	2050
	(acre-feet)				
Supply	23,644	23,644	23,644	23,644	23,644
Demand	15,176	15,515	15,940	16,331	16,690
Difference	8,468	8,129	7,704	7,313	6,954

Water Shortage Contingency Planning

The Urban Water Management Planning Act (UWMPA) requires that the Urban Water Management Plan (UWMP) must include a Water Shortage Contingency Plan that outlines staged response actions for varying levels of water supply shortages, including scenarios involving reductions exceeding 50 percent of available supply. As part of these requirements, the City must establish mandatory water use prohibitions and implement consumption reduction measures during the most severe shortage stages.

The City's Water Shortage Contingency Plan includes 6 stages, which includes voluntary and mandatory conservation measures. Supply shortages and City Council action will trigger the different stages. A description of each stage is as follows:

Stage	Percent Shortage	Water Supply Condition
1	Up to 10%	Water Alert
2	Up to 20%	Water Warning
3	Up to 30%	Severe Shortage
4	Up to 40%	Critical Shortage
5	Up to 50%	Water Crisis
6	Greater than 50%	Water Emergency

The Water Shortage Contingency Plan includes restrictions and prohibitions on water customers specific to each stage.

The Public Review Draft of the UWMP is available for review at City Hall, 1201 Civic Center Boulevard, or can be found on the City's website at www.yubacity.net/departments/public_works/utilities/water/.

Fiscal Impact:

Without an approved Urban Water Management Plan, the City may not be eligible to receive grants, loans, or drought assistance through the California Department of Water Resources.

Environmental Review:

California Water Code § 10652 provides that the California Environmental Quality Act (CEQA) does not apply to the preparation and adoption of Urban Water Management Plans or to projects implementing such plans under CWC § 10632.

Alternatives:

Conduct a public hearing, and direct staff to make modifications to the Draft 2025 Urban Water Management Plan and/or Water Shortage Contingency Plan.

Recommendation:

- A. Conduct a Public Hearing, and
- B. Adopt a Resolution adopting the 2025 Urban Water Management Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources
- C. Adopt a Resolution adopting the Water Shortage Contingency Plan and authorizing the Utilities Director to submit the Plan to the California Department of Water Resources

Attachments:

- 1. Resolution - UWMP
- 2. Resolution - WSCP
- 3. City of Yuba City 2025 UWMP Public Review Draft

Prepared By:
Mylaina McMurray
Administrative Analyst II

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ADOPTING THE 2025 URBAN WATER MANAGEMENT PLAN AND AUTHORIZING THE
UTILITIES DIRECTOR TO SUBMIT THE PLANS TO THE CALIFORNIA DEPARTMENT OF
WATER RESOURCES**

WHEREAS, the Urban Water Management Planning Act requires every urban water supplier providing water for municipal purposes to more than 3,000 customers to adopt and submit an Urban Water Management Plan to the California Department of Water Resources and the California State Library every five years; and

WHEREAS, the City of Yuba City has prepared an Urban Water Management Plan, published a Notice of Public Hearing pursuant to California Water Code 10642, published May 7 and May 14, 2026, and held the appropriate Public Hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City that the 2025 Urban Water Management Plan is hereby adopted, subject to minor and typographical edits as deemed necessary by the Utilities Director.

BE IT FURTHER RESOLVED that the Utilities Director is hereby authorized to submit the Plan to the California Department of Water Resources.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ADOPTING THE WATER SHORTAGE CONTINGENCY PLAN AND AUTHORIZING THE
UTILITIES DIRECTOR TO SUBMIT THE PLANS TO THE CALIFORNIA DEPARTMENT OF
WATER RESOURCES**

WHEREAS, the Urban Water Management Planning Act requires every urban water supplier providing water for municipal purposes to more than 3,000 customers to adopt and submit a Water Shortage Contingency Plan (WSCP) as part of an Urban Water Management Plan every five years to the California Department of Water Resources; and

WHEREAS, the City of Yuba City has prepared a Water Shortage Contingency Plan, published a Notice of Public Hearing pursuant to California Water Code 10642, published May 7 and May 14, 2026, and held the appropriate Public Hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yuba City that the Water Shortage Contingency Plan is hereby adopted, subject to minor and typographical edits as deemed necessary by the Utilities Director.

BE IT FURTHER RESOLVED that the Utilities Director is hereby authorized to submit the Plan to the California Department of Water Resources.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 2nd day of June, 2026.

AYES:

NOES:

ABSENT:

Marc Boomgaarden, Mayor

ATTEST:

Ciara Wakefield, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP



Public Review Draft – June 2, 2026

2025 Urban Water Management Plan



Prepared By:



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List of Preparers

City of Yuba City

Philip Marler – Utilities Director
Christian Elder – Water Treatment Plant Supervisor
Katherine Willis – Environmental Compliance Manager

Zanjero

Greg Young, P.E. – Principal
Robert Heather, E.I.T. – Senior Resources Planner
Savanna Sanders – Resources Planner
Olive Ellringer – Resources Planner
Jennie McCarl – Office Manager

This 2025 Urban Water Management Plan was prepared under the direction of a
California licensed civil engineer.

EXECUTIVE SUMMARY

LAYPERSON'S DESCRIPTION

After the devastating drought in the late 1970s, the California Legislature declared California's water supplies a limited resource, subject to ever-increasing demands and that the long-term, reliable supply of water is essential to protect California's businesses, communities, agricultural production, and environment. To strengthen local and regional water management and drought planning, the Urban Water Management Planning Act (UWMPA) was signed into law in 1983.¹ Since then, the Legislature has amended the UWMPA to require additional detail in UWMPs, including addressing resilience to drought and climate change.

The UWMPA requires urban water suppliers serving over 3,000 customers or supplying at least 3,000 acre-feet of water annually to prepare and adopt an Urban Water Management Plan (UWMP) every five years,² and demonstrate water supply reliability in a normal year, single dry year, and droughts lasting at least five years over a twenty-year planning horizon.³ The UWMPA also requires each urban water supplier to prepare a drought risk assessment and water shortage contingency plan.⁴

At a practical level, the UWMP provides the water management planning foundation for urban water suppliers throughout California. A well-constructed UWMP will provide the supplier's elected officials, management, staff, and customers with an understanding of the agency's past and current, as well as projected future, water supply and demand conditions. The UWMP integrates local and regional land use planning, regional water supply, infrastructure, and demand management projects, and also identifies challenges that may result from climate change and evolving regulations. Thoughtful urban water management planning provides an opportunity for the supplier to evaluate supplies and demands using a balanced and methodical planning platform that addresses short-term and long-term planning conditions. In brief, the UWMP gathers, characterizes, and synthesizes water supply related information from numerous sources to inform the agency's planning, while also providing interested local, regional, and statewide stakeholders with access to the same information.

¹ California Water Code §10610 *et seq.* (Chapter 1 added by Stats. 1983, Ch. 1009, Sec. 1).

² California Water Code §10610 *et seq.*

³ California Water Code §§10631-10635

⁴ California Water Code §10632

ES-1 CITY OF YUBA CITY

The City of Yuba City (City or Yuba City) is the agricultural, economic and social hub of Sutter County, situated on the west bank of the Feather River in the northern part of California's fertile Central Valley. Surrounded by agricultural land, it is a family-oriented residential community which maintains a small-town feel. The City provides both water and wastewater services to its community.

The water service area is about 14.9 square miles and generally contiguous with City boundaries, but it does extend service to some customers located outside the city limit and in the City's Sphere of Influence (SOI). The map in **Figure ES-1** shows the water service area. The City provides water service to over 19,000 residential, commercial, irrigation, industrial and institutional/governmental service connections. Much of the development is low-density, single-family housing and retail related commercial use. Notable large industrial water customers are Sunsweet, Valley Fine Foods, Greenleaf II, Yuba City Energy Center, and Feather River Energy Center.

Executive Summary

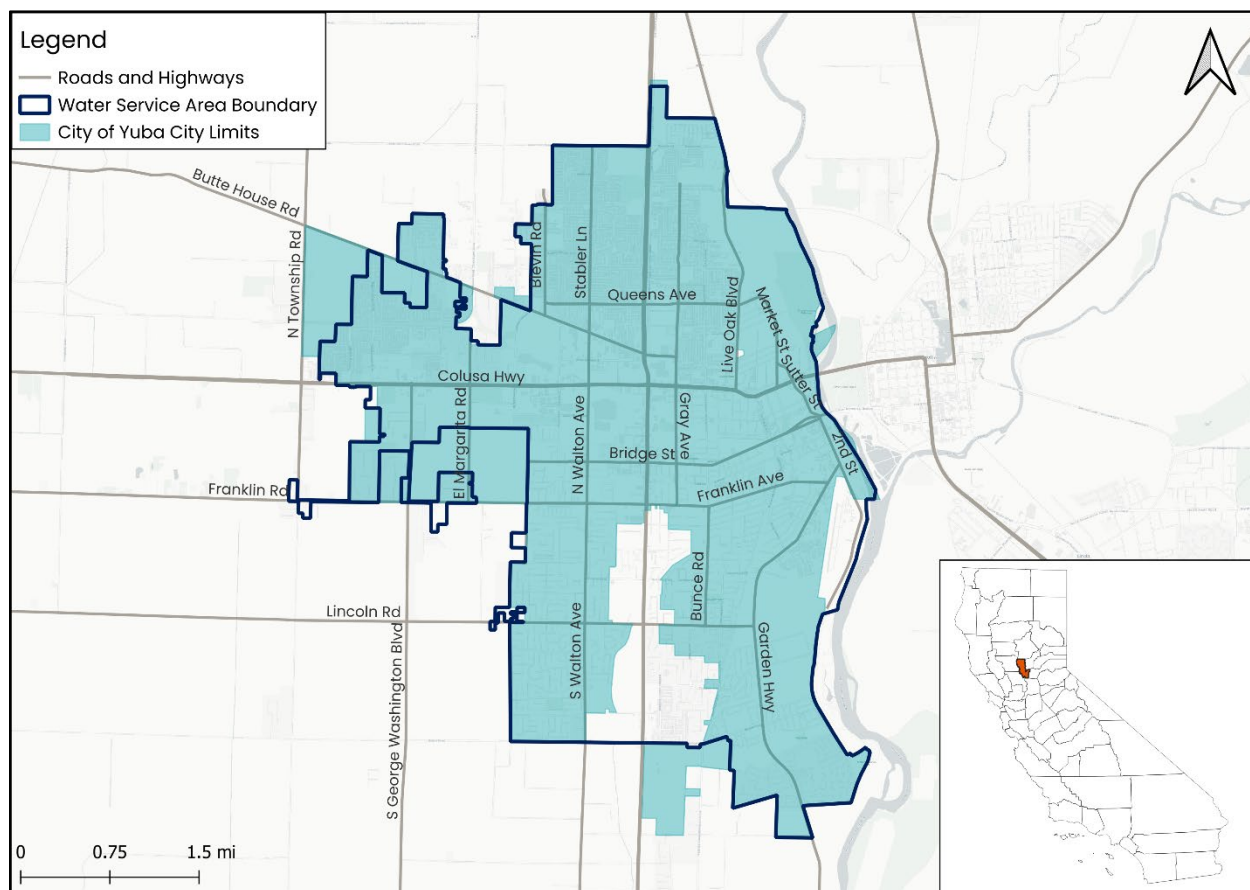


FIGURE ES-1: WATER SERVICE AREA

Prior to completing a surface water treatment plant in the late 1960's, the City's water supply was derived from groundwater. Currently, the City relies primarily on surface water obtained through an array of water rights and contracts, supplementing with a small amount of groundwater periodically. Specifically, the City's water supply portfolio contains the following rights and contracts:

- Licensed and permitted water rights authorized by the State Water Resourced Control Board
- Contract with the State Water Project
- Contract with the North Yuba Water District

With growth projected into the future, the City will see an increased demand for water service, requiring the City to continue to diligently manage its existing supplies and assure that both existing and new future customers will use water efficiently and effectively so as to maintain desired levels of water service reliability.

ES-2 WATER SERVICE RELIABILITY

Yuba City's water service reliability hinges on the active management of the City's water supply portfolio to meet its demands. More succinctly, even though the City's total annual water supplies are more than enough to meet the City's annual water demands, the monthly availability of each supply must be actively managed to meet the City's monthly water demands over the course of any given year. In addition, the supplies must be even more astutely managed in order to provide sufficient water supplies to meet the monthly demands during extended dry conditions.

The fundamental management tenet for Yuba City's water service reliability in dry periods is to preserve as much water supply during normal and wet conditions in order to make those water supplies available during dry conditions. The City's water supply contracts with the California Department of Water Resources and North Yuba Water District provide opportunities to reschedule a normal or wet year water supply so that this water supply can be accessed for use in dry months or dry conditions. These carryover and rescheduling provisions allow water to be stored for use in drier months or subsequent years. Each year, the City should try to maximize its contract water supplies in order to recapture those supplies during dry conditions.

A second management principle for the City is to use supplies that would otherwise be lost if they are not used when those supplies are available. For example, in normal and dry year conditions, the City's appropriative water rights – License 13855 and Permit 18558 – vary in their availability depending upon hydrological and regulatory conditions. In normal and wet years, License 13855 is available as many as 10 months of the year but in dry and critically dry years, the right may be curtailed for up to 5 months. Similarly, Permit 18558 is normally available 8 months of the year and in dry and critically dry conditions may be available only 5 months of the year. Accordingly, during the months when these supplies are available, the City should use these water assets because if the rights are not exercised, the water supplies cannot be stored or otherwise preserved for other future uses.

Third, the City should preserve other water supplies in its portfolio that have additional flexibility related to their potential delivery. For instance, in a normal or dry year, the City has access to State Water Project water supplies in all months of the year and potentially to its North Yuba Water District supplies between 6 months and 12 months in the year. The City should plan to take these water supplies only when other water supplies become unavailable (like the appropriative water rights noted above). Managing the City's water supply portfolio with these three management principles in mind, creates the water service reliability for the City to weather a drought lasting five consecutive years over the UWMP planning horizon.

Executive Summary

Last, the City should use its groundwater capabilities to help flexibly manage the City's surface water asset portfolio. The groundwater available to the City considered in this UWMP is tied to its historical monthly use based on well-system and other infrastructure constraints. The City may use this supply to help preserve surface water assets for use in dry months and dry years.

Over the long term, the City's water supply portfolio should be adequate to meet its potential long-term growth objectives. The City's long-term water service reliability considerations have three important components in this analysis: (1) an increase in the annual total demand that the City's water supplies will need to satisfy; (2) an increase in the monthly demands that will impact the City's active annual water management; and (3) potential increase in the City's total water supply available in its water supply portfolio. All of these items are considered in the City's water service reliability projections.

The City has a diverse and robust water supply portfolio capable of meeting the water demands in its service area in normal, single dry, and five consecutive dry years from 2025 through 2050 so long as active management of its supply portfolio occurs. The City's diverse water supply portfolio requires coordinated water management between the City and its contract partners – DWR and NYWD – in order to render the City's total supply reliable in all year types through 2050.

In addition to these water service reliability considerations, the City also has updated its Water Shortage Contingency Plan (WSCP) to address any potential water shortage conditions. This updated WSCP allows the City to reduce the water demands on its water system in shortage or catastrophic outage conditions. The measures contemplated in the updated WSCP include typical dry condition water management actions – like mandatory outdoor irrigation during evening, nights, and early mornings – imbedded into six water shortage categories (up to 10%, 11-20%, 21-30%, 30-40%, 40-50% and over 50%). Importantly, in the event there were to be a catastrophic water outage in the City, water demands will be limited to use for health and safety purposes only. Combining the updated WSCP with the City's active water management of its supply portfolio provides additional buffer against unpredictable water conditions.

In summary, Yuba City's diverse surface water supply portfolio, its active management of its water supply portfolio, and its WSCP provide the City with stable and reliable water service to meet the City's current and 2050 projected water demands in normal, single dry, and five consecutive dry year scenarios.

CHAPTER 1

INTRODUCTION

Yuba City is the agricultural, economic, and cultural hub of Sutter County, located along the west bank of the Feather River in the northern portion of California’s Central Valley. The community is surrounded by productive agricultural lands and is known for its family-oriented character and small-town atmosphere. As Yuba City continues to grow, the thoughtful transformation of open space into well-planned neighborhoods remains a central priority. The City’s long-term vision emphasizes cohesive development that links housing, parks, schools, and commercial areas in a way that supports livability and community identity. Supporting this growth with strong economic development that attracts and retains quality businesses and industry continues to be a guiding principle for the City.

Ensuring a reliable and sufficient water supply remains a critical component of the City’s ability to meet the needs of its residents and its commercial, institutional, and industrial (CII) customers. The 2025 Urban Water Management Plan (UWMP) builds on prior planning efforts and incorporates updated local, regional, and statewide information. This Plan provides a comprehensive framework to guide water resource management decisions, ensuring that Yuba City can adapt to evolving conditions, meet regulatory requirements, and plan for future growth in a sustainable and resilient manner.

1.1. BACKGROUND AND PURPOSE

The Urban Water Management Planning Act (UWMPA) was enacted by the California Legislature in 1983 to address the growing need for comprehensive water supply planning across the state’s urban areas. Codified in California Water Code (CWC) §§10610–10656, the UWMPA requires urban water suppliers serving more than 3,000 customers or delivering more than 3,000 acre-feet annually to prepare and adopt comprehensive water management plans every five years. The City has prepared this 2025 UWMP to comply with the UWMPA requirements and address the City’s water management planning efforts to assess water supplies and forecasted demands over the next 25 years.

As required by the UWMPA, this 2025 UWMP specifically assesses the availability of the City’s supplies to meet forecasted water uses during average, single-dry, and five consecutive drought years through 2050. Assessing the City’s supply and demand projections under various hydrologic conditions, identifying potential shortage scenarios, and addressing these

shortage conditions through Water Shortage Contingency Plan (WSCP) actions are key functions of this UWMP. The 2025 UWMP is an update to the City's 2020 UWMP and presents new data and analysis as required by the California Department of Water Resources (DWR) and the CWC since 2020. This comprehensive water planning document describes existing and future supply reliability, forecasts future water uses, presents demand management progress, and identifies local and regional cooperative efforts to meet projected water use.

The UWMP is designed to be a valuable water management and planning tool to guide and inform the City's managers, customers, and the State of California about Sacramento's water management practices. It reflects the City's planning assumptions and goals and should be used in combination with other planning resources and documents over the UWMP planning horizon, representing Sacramento's continued commitment to responsible water stewardship and proactive strategies that protect both water reliability and community prosperity.

1.2. BASIS FOR PLAN PREPARATION

The City operates a Public Water System as described in California Health and Safety Code 116275. The City qualifies as a Retail Urban Water Supplier as described in CWC §10617, providing water for municipal purposes to more than 3,000 customers or 3,000 acre-feet of water per year. This qualification requires the preparation of an Urban Water Management Plan every five years.

The City's Public Water System details are listed in **Table 1-1**.

TABLE 1-1: PUBLIC WATER SYSTEM INFORMATION

Public Water System Number	Public Water System Name	Number of Municipal Connections 2025
CA5110002	City of Yuba City	19,166

The State Legislature passed numerous new requirements for the 2020 UWMP cycle which continue to apply to this 2025 UWMP. Since there have been no additional statutory changes to UWMP requirements between 2020 and 2025, this plan incorporates the same comprehensive framework established for 2020 UWMPs. Major requirements implemented in 2020 and continued in this 2025 UWMP are listed below along with references to the corresponding sections where they are addressed in this document.

Five Consecutive Dry-Year Water Reliability Assessment: The Legislature modified the dry-year water reliability planning from a "multiyear" time period to a "drought lasting five consecutive water years" designation. This statutory change requires the City to analyze the

reliability of its water supplies to meet its water use over an extended drought period. This requirement is addressed in Chapter 3—Water Supply Characterization, Chapter 4—Water Use, and Chapter 5—Water Service Reliability Assessment.

Drought Risk Assessment (DRA): Due to the extensiveness of recent California droughts and the variability associated with climate change predictions, the California Legislature created a DRA requirement for UWMPs. The DRA requires assessment over a five-year period from 2026 to 2030 that examines water supplies, water uses, and the resulting water supply reliability for five consecutive dry years. The DRA is addressed in Chapter 5—Water Service Reliability Assessment and Chapter 6—Water Shortage Contingency Plans.

Seismic Risk: Evaluating seismic risk to water system infrastructure and facilities and having a mitigation plan is now required by the CWC. Incorporating the water system into regional or county hazard mitigation planning is an important aspect of this statute. Seismic risk is addressed in Chapter 6.

Water Shortage Contingency Plan: The Legislature modified the UWMPA to require a Water Shortage Contingency Plan (WSCP) with specific elements. The WSCP is a document that provides the City with an action plan for a drought or catastrophic water supply shortage. The WSCP is included in Chapter 6 of this UWMP.

Groundwater Supplies Coordination: UWMPs are required to be consistent with Groundwater Sustainability Plans following the 2014 Legislature enactment of the Sustainable Groundwater Management Act (SGMA). The City's groundwater supplies are described in Chapter 3—Water Supply Characterization.

Lay Description: A synopsis of the fundamental determinations of the UWMP is a statutory requirement. This section is intended for new staff, new governing members, customers, and the media, and ensures a consistent representation of the City's detailed analysis.

1.3. COORDINATION AND OUTREACH

The City has complied with the UWMPA by engaging in coordination with local and regional agencies to ensure a consistent, transparent, and regionally integrated approach to water resource planning. Coordination and communication among agencies play a critical role in promoting reliability, resilience, and sustainability of the region's water supplies. In accordance with CWC §10620(d)(3), the City coordinated the preparation of this UWMP with other appropriate agencies within and adjacent to its service area, including water suppliers sharing common sources, water management agencies, and relevant public entities.

Yuba City actively participates in several region-wide water planning efforts that support long-term water reliability and resilience. The City coordinates with the North Yuba Water District on surface water supply management and engages in the Sacramento Valley Integrated Regional Water Management process to advance multi-benefit water projects. Yuba City also collaborates with Sutter County and other local agencies in implementing the Sutter Subbasin Groundwater Sustainability Plan under SGMA and contributes to regional flood and ecosystem planning through the Sutter Butte Flood Control Agency. These partnerships ensure that the City’s water management strategies align with broader regional objectives and evolving statewide requirements.

In compliance with CWC §10621(b), the City provided notification to all affected cities and counties at least 60 days prior to the public hearing on this UWMP update. Additionally, the City conducted outreach to community stakeholders and encouraged the involvement of diverse social, cultural, and economic elements within the service area, as required under CWC §10642. These efforts reflect the City’s ongoing commitment to public transparency and engagement in water resource planning. A summary of these notifications is provided in **Table 1-2**.

TABLE 1-2: PUBLIC AND AGENCY COORDINATION

Coordinating Agencies	Sent Copy of Draft UWMP	Sent 60-Day Notice	Notice of Public Hearing
Sutter County	X		
Department of Public Works	X		
North Yuba Water District			X
Department of Water Resources			X
Sutter LAFCo			X
General Public			X

1.3.1. STATUTORY REQUIREMENTS FOR NOTICE

In compliance with CWC §10621(b), the City notified Sutter County on April 9, 2026 regarding its intent to update and adopt this 2025 UWMP. The notification was provided more than 60 days prior to the scheduled public hearing, fulfilling statutory requirements. Furthermore, consistent with CWC §10642, the City encouraged public participation by providing notice of the hearing date, time, location, and methods for accessing the draft UWMP. Notifications

were published in local newspapers and sent directly to interested stakeholders to promote inclusive community involvement in the plan’s development.

1.4. PUBLIC HEARING, ADOPTION, AND SUBMITTAL

The City held a public hearing regarding its 2025 UWMP on June 2, 2026 [ANTICIPATED HEARING DATE, SUBJECT TO CHANGE]. Before the hearing, the City made a draft of the 2025 UWMP available for public inspection at the City’s Public Works Department and on the City’s website. Pursuant to CWC §10642, general notice of the public hearing was provided through publication of the hearing date and time in the local press as required under the UWMPA, and posting of the hearing at the City’s office.

The City adopted this 2025 UWMP on June 2, 2026 [ANTICIPATED ADOPTION DATE, SUBJECT TO CHANGE]. A copy of the adopted 2025 UWMP will be submitted to DWR, provided to the County and the California State Library, and posted onto the City’s website.

The City plans to submit all required documentation related to the UWMPA through the DWR submittal website soon after adoption. These include the on-line submittal of information associated with the following DWR Excel workbooks:

- “2025 Submittal Tables.xlsx”
- “2025UWMP Checklist.pdf” (from Appendix F of DWR’s 2025 UWMP Guidebook)

1.5. DOCUMENT ORGANIZATION

This 2025 UWMP is organized as follows:

- **Executive Summary** provides an overview of the purpose and findings of this 2025 UWMP.
- **Chapter 1** establishes the basis for the UWMP, describes the outreach activities and introduces the document organization.
- **Chapter 2** provides a description of the City’s service area, demographic characteristics and climate, and describes the future population the City anticipates needing to serve.
- **Chapter 3** describes the current and future water supplies and the availability of the supplies through 2050.
- **Chapter 4** details the customer uses, including the past and future estimated uses, and describes the City’s past and on-going demand management measures.

Chapter 1 – Introduction

- **Chapter 5** presents the City’s water system service reliability into the future, including an assessment of reliability if a drought occurred over the next five consecutive years.
- **Chapter 6** is the City’s stand-alone water shortage contingency plan, incorporated as a chapter in this UWMP, but also available to be shared and utilized separately from the UWMP.

NOTE TO DWR:

The City of Yuba City has prepared this Urban Water Management Plan (UWMP) primarily as a water resources planning tool to effectively manage water supply, reliability and demand. This UWMP also satisfies all the requirements of the Urban Water Management Planning Act (UWMPA).

The body of the document provides narratives, analysis and data that DWR requests in its 2025 UWMP Guidebook, including changes to the California Water Code since 2020. Efforts have also been made to include enhancements to this document wherever possible as recommended in the UWMP Guidebook.

Unless otherwise noted, annual reporting is on a calendar year basis and units for volumetric values are reported in acre-feet.

To facilitate review by DWR for compliance with the UWMPA, data from the body of the document has been transferred into required DWR submittal tables consistent with the organization of the tables in Appendix E of the 2025 UWMP Guidebook. These tables are separately uploaded to DWR’s web portal. This UWMP has been reviewed for adequacy according to the UWMP Checklist as contained in Appendix F in the 2025 UWMP Guidebook.

CHAPTER 2

WATER SERVICE AND SYSTEM DESCRIPTION

Yuba City is located in the Sacramento River basin watershed along the west bank of the Feather River in Northern California about 40 miles north of Sacramento. The City has served as the Sutter County seat since 1856 and was incorporated in 1908. The Sutter Buttes lie just to the northwest, and the surrounding area is mostly undeveloped agricultural land to the north, west, and south of the City. Its sister city, Marysville, is directly across the river to the east at the confluence of the Yuba and Feather Rivers.

Yuba City is a medium-sized valley community and serves as the urban and economic hub of the Yuba-Sutter region. Most of the economic activity is attributed to agriculture and support businesses, including agricultural processors, retail, medical, and other government and private service providers. Yuba City also serves as a residential base for a commuter population to nearby Sacramento and its economically growing metropolitan region.

Yuba City provides both water and wastewater services to its community. The water service area is about 14.9 square miles and generally contiguous with City boundaries, but it does extend service to some customers located outside the city limit and in the City's Sphere of Influence (SOI). The map in **Figure 2-1** shows the water service area in detail. The City provides water service to approximately 19,200 residential, commercial, irrigation, industrial and institutional/governmental service connections. Much of the development is low-density, single-family housing and retail related commercial use. Notable large industrial water customers are Sunsweet, Valley Fine Foods, Greenleaf II, Yuba City Energy Center, and Feather River Energy Center.

Table 2-1 shows the historical and current service connections by customer class.

TABLE 2-1: CUSTOMER WATER SERVICE CONNECTIONS

Customer Class	2020	2021	2022	2023	2024	2025
Single Family Residential	16,027	15,998	16,141	16,179	16,285	16,335
Multi-Family Residential	1,158	1,161	1,164	985	992	994
Commercial/Institutional	1,235	1,228	1,245	1,430	1,428	1,425
Industrial	7	7	8	5	5	5
Landscape Irrigation	380	407	309	404	406	407
Total	18,807	18,801	18,867	19,003	19,116	19,166

Yuba City’s water supply and wastewater services are managed by the City’s Utilities Department, which operates the Yuba City Water Treatment Plant (YCWTP), Wastewater Treatment Facility, and Laboratory. The municipal water district was created in 1910 and in 1922 a sanitation department was formed and installed a sewer system. Prior to the completion of the YCWTP, water supply came from local groundwater sourced from City-operated wells. The water was “hard” and contained high levels of sulfides, iron, and manganese. In 1965 voters passed a bond measure, with 91% of the vote in favor, to fund a new surface water treatment plant. The YCWTP was placed into service in 1969. Two treatment processes are included: the original conventional filtration treatment process and a newer membrane filtration treatment facility that was installed in 2007.

Following completion of the YCWTP, the primary water source has been surface water diverted from the Feather River. The City’s water supply assets are detailed in Chapter 3.

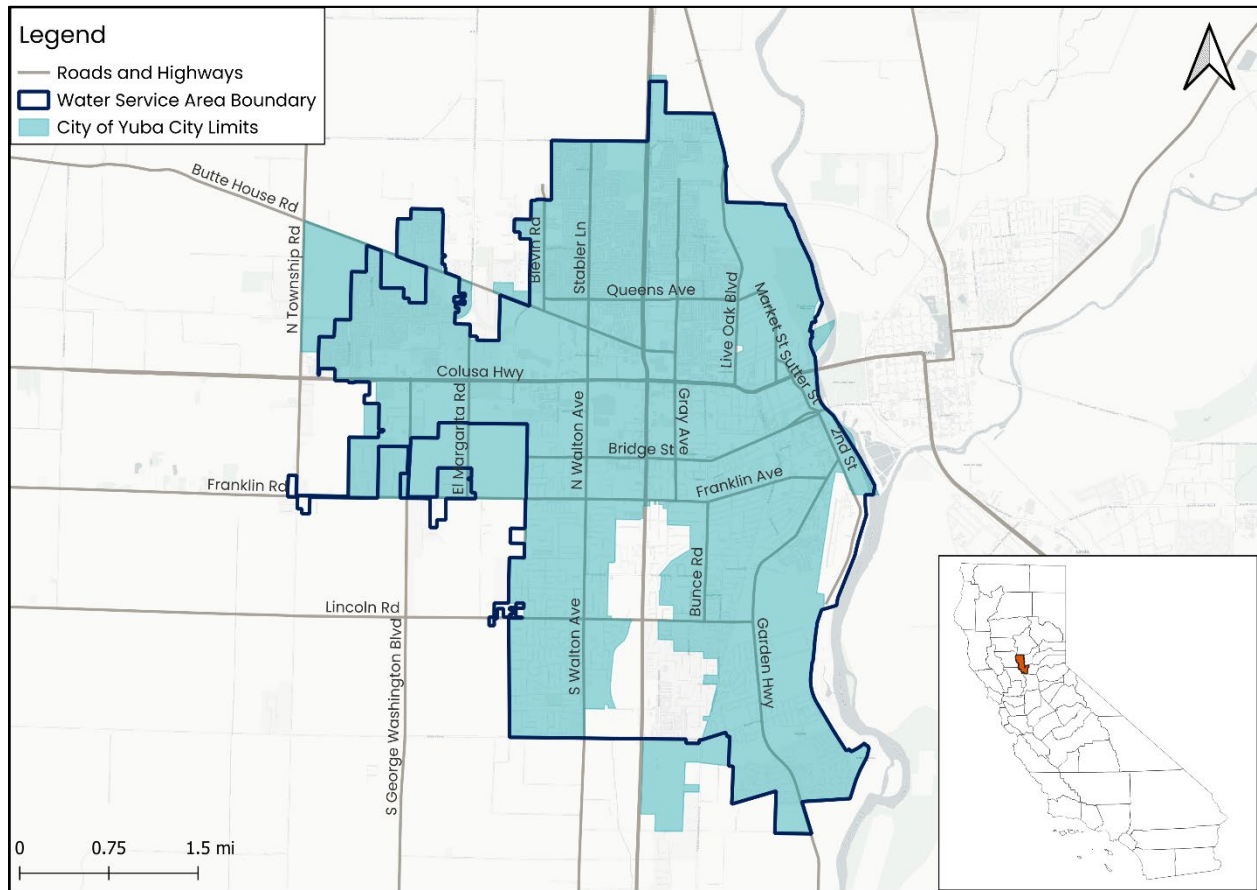


FIGURE 2-1: WATER SERVICE AREA

2.1. SERVICE AREA CLIMATE

Typical of the California Central Valley, Yuba City has a Mediterranean climate with hot, dry summers and cool, wet winters. Historical averages show January as the coolest and wettest month, and July as the hottest and driest. The wet season is from December to February with a 30-year annual average rainfall of 20.5 inches (see **Figure 2-2**). The annual mean temperature is 62 degrees, but the summer months can regularly see average highs in the mid-high 90s, and average winter lows hover down in the 30s and 40s. Other climate characteristics include frequent tule fog coinciding with the rainy season which brings dense fog caused by high relative humidity (after rain) and rapid cooling during the night. The fog can get trapped, due to temperature inversions common in the Sacramento valley, for days or even weeks. Snow is rare but cold fronts can bring freezing temperatures with trace amounts of snow and ice. Autumn starts warm and dry and becomes cooler, wetter and foggier later into the season. The last rains in spring are generally in late April or early May. **Figure 2-2** shows the average monthly temperature, rainfall, and evapotranspiration (ET_o) for

the service area. Actual annual rainfall totals deviate quite significantly from the 30-year average as illustrated in **Figure 2-3**; in most years, precipitation totals fall below the mean.

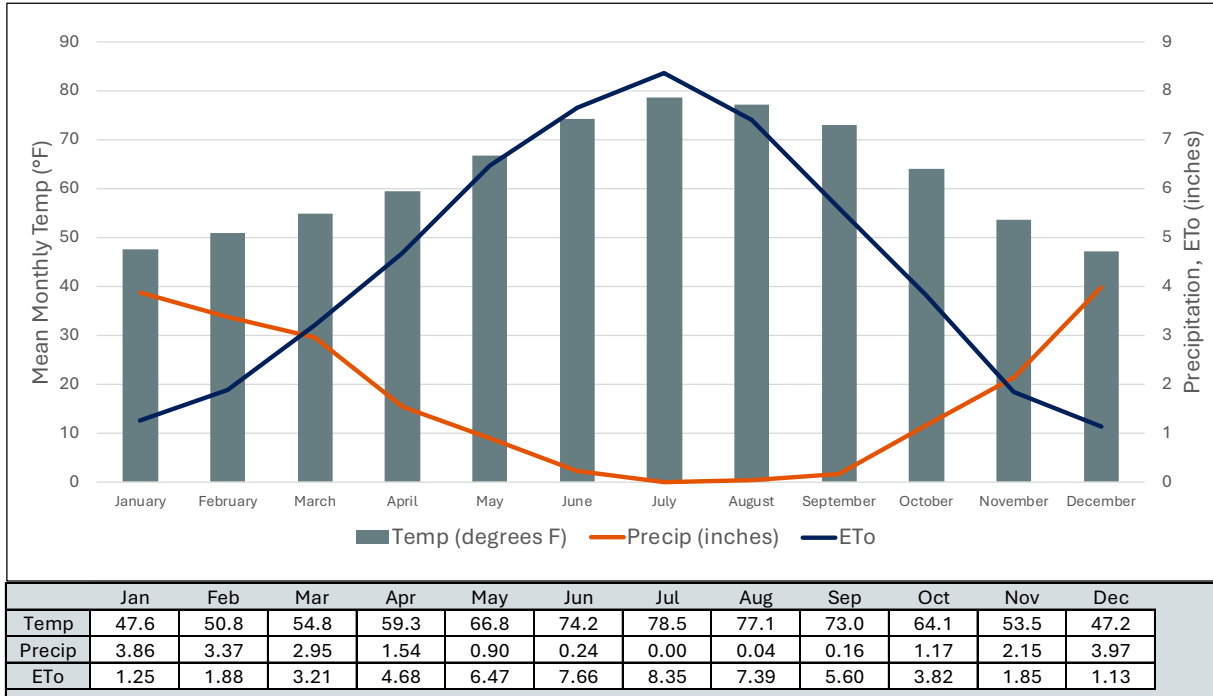


FIGURE 2-2: AVERAGE CLIMATE CONDITIONS⁵

⁵ Temperature and rainfall data represents annual averages from 1995-2025 from the PRISM Climate Group <https://prism.oregonstate.edu/>, Location: Lat: 39.1293 Lon: -121.6260 Elev: 56ft; ETo data is from CIMIS Browns Valley – Sierra Foothill - Station 84, Apr 1989-Nov 2025.

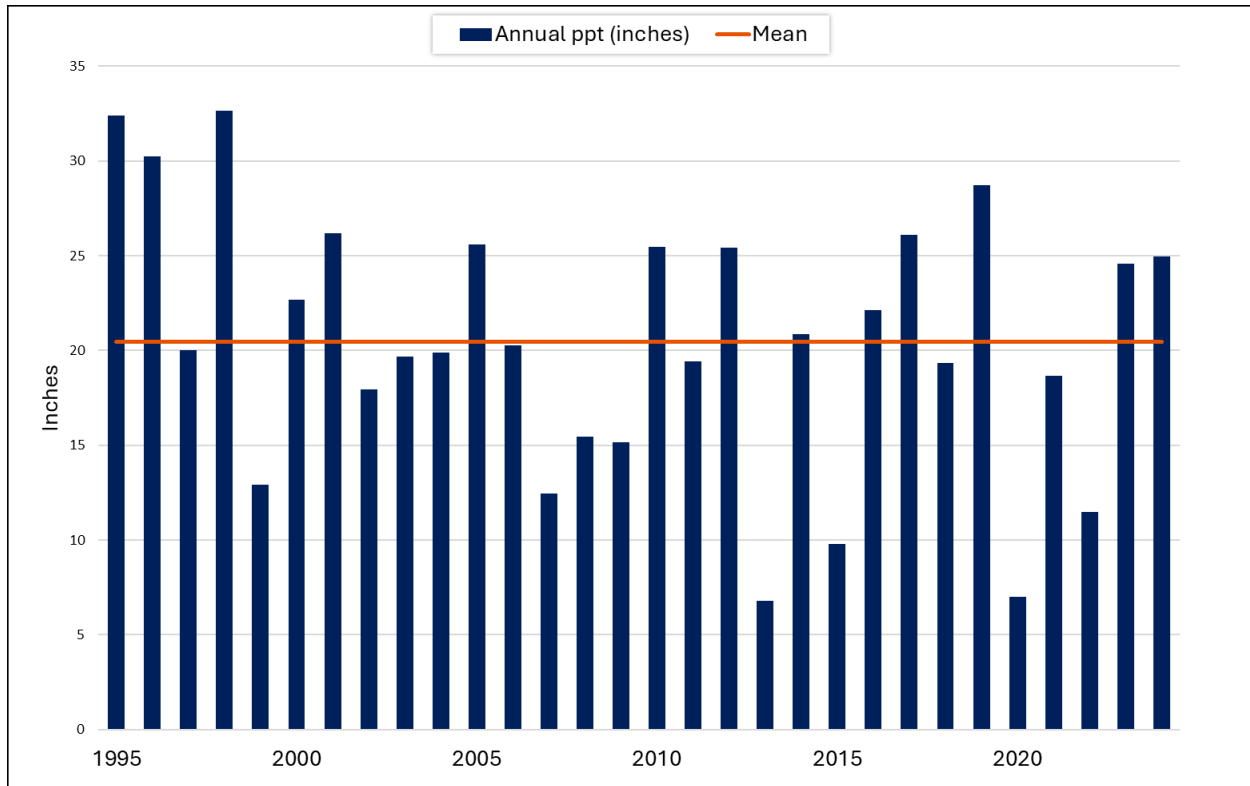


FIGURE 2-3: ANNUAL PRECIPITATION VARIABILITY (YEARS)

2.1.1. CLIMATE CHANGE

While the CWC does not prescribe specific climate change planning and management measures for water suppliers, it does emphasize that climate change is appropriate to consider when assessing drought risk assessment, water conservation and use efficiency, and demand management and supply—both in a historical and projected context. Yuba City’s climate is highly variable with respect to precipitation and temperature; the dry summer months make the state extremely susceptible to drought when a deficiency in precipitation materializes, especially in mountain snowpack. Much of the water supply comes from the mountains, falling as winter rain or snow. It is then stored as snowpack and subsequently captured in reservoirs and appropriated throughout the year. Climate change is generally forecast to bring higher temperatures, more variability in precipitation, and more frequent and prolonged droughts. Rising temperatures equate to decreasing snowpack and earlier snowmelt. The Sierra snowpack is projected to experience a 48% to 65% loss relative to the historical April 1 average by the end of the century. This will place great strain on summer and fall water supply in Yuba City and throughout the state. Increased evapotranspiration would also accompany intensification of hotter extreme temperatures. Yuba City has experienced a general warming trend over the last 100 years, as shown by the trendlines in

Figure 2-4. Since 1920, maximum and minimum temperatures have increased at a rate of 1.64 °F and 2.64 °F per 100 years, respectively. More recently, since 1975, maximum and minimum temperatures have increased at a rate of 3.99 °F and 4.17 °F per 100 years, respectively.

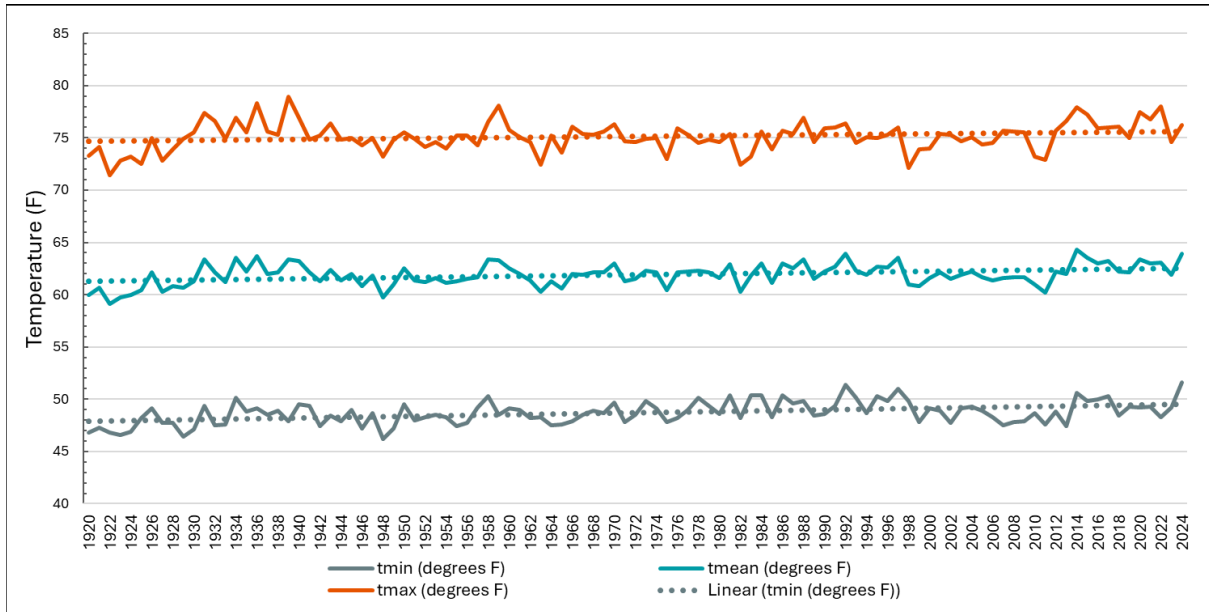


FIGURE 2-4: HISTORICAL ANNUAL TEMPERATURE (YEARS)⁶

Yuba City’s 2015 UWMP (prepared by Carollo Engineers) incorporated an Integrated Regional Water Management (IRWM) Climate Change Vulnerability Assessment. The assessment highlighted several climate-related sensitivities relevant to Yuba City’s service area. These included substantial seasonal fluctuations in water use; increased regional wildfire risk that can degrade water quality through post-fire erosion; dependence on source waters with periodic eutrophication issues; projected shifts in streamflow patterns that may alter pollutant concentrations; storm-driven water quality changes that can challenge treatment plant operations; the potential for environmental flow requirements in regulated rivers to become more difficult to satisfy; and reduced reliability of regional hydropower as river flow timing continues to shift.

⁶ Temperature data is from the PRISM Climate Group <https://prism.oregonstate.edu/>, Location: Lat: 39.1239 Lon: -121.6174 Elev: 56ft

In 2016 the City of Yuba City completed a Resource Efficiency Plan⁷ (Atkins) focusing on policy, recommendations and goals that incorporate environmental responsibility, energy and resource efficiency and reduction of greenhouse gas (GHG) emissions. The plan directly addresses Federal, State, and Local regulations, citing benefits for the City including: Local Control; Energy and Resources Efficiency; Increased Public Health; Demonstrating Consistency with State GHG Reduction Goals; and California Environmental Quality Act (CEQA) Requirements. Recommendations for meeting reductions in GHG and energy savings include water conservation measures, public outreach, recycled water programs, and expanding allowed grey water use.

This 2025 UWMP Update includes additional Climate Change discussions in Chapter 3, Chapter 4, and Chapter 5.

2.2. CURRENT AND PROJECTED POPULATION, LAND USE, ECONOMY, AND DEMOGRAPHICS

Service area population and land use projections are critical to developing a useful planning framework as population dynamics and growth are a primary influence on water use. These projections directly influence planning measures for system supply, delivery, infrastructure, and demand management. Similarly, understanding the City's economic, social, and demographic trends gives valuable insight to water management and planning. This section of the UWMP addresses these factors to provide a supportable basis for forecasting future water use.

2.2.1. CURRENT POPULATION AND HISTORIC TRENDS

Since its incorporation in 1908, Yuba City has experienced steady and sustained population growth, with a significant increase in growth rates following World War II. The construction of Highways 99 and 20 improved regional connectivity and helped establish a strong commercial core within the city. Over time, Yuba City has also annexed adjacent unincorporated areas within its Sphere of Influence (SOI), gradually incorporating additional residents into the City's official population count.

Historically, the City's population nearly doubled every two decades through 2000 and continued to grow at a pace that exceeded overall Sutter County trends. **Table 2-2** summarizes historic population within City limits; this does not include residents in the SOI

⁷ https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_239174/File/Development%20Services/Resource%20Links/Resource%20Efficiency%20Plan_Final.pdf

who receive City water service. Conversely, a small portion of land within the City boundary is not served by the municipal water system (see **Figure 2-1**).

TABLE 2-2: HISTORICAL POPULATION

1990	1995	2000	2005	2010	2015	2020
27,385	34,071	36,758	57,975	64,925	66,916	70,458

Source: 2020 UWMP

2.2.2. PROJECTED POPULATION

To forecast projected service area population as accurately as possible requires consideration of the past growth rate, local economic predictions, and current and projected land uses. The UWMP Act states urban water suppliers “shall coordinate with local or regional land use authorities” regarding land uses that may affect water management planning.⁸

Table 2-3 bases City growth on the Sutter County projected population growth rate as predicted by the California Department of Finance (DoF) through 2050.⁹ This estimate presumes that the City’s will mimic the projected County annual growth rate during each of the indicated 5-year increments.

TABLE 2-3: POPULATION FORECAST

2025	2030	2035	2040	2045	2050
70,453	73,008	76,288	79,969	83,433	86,684

2.2.3. CURRENT AND PROJECTED LAND USE

Development in Yuba City is largely dedicated to residential and commercial zones. This type of land use tracks with its role as a service center for surrounding regional agricultural activity, and as a residential community for the locally and regionally employed population. The intersection of Highway 99 and Highway 20 has been the center of City employment with much of the commercial development being retail related. The majority of residential development is low-density, single family housing, though the City also has a number of

⁸ CWC §10631(a)

⁹ CA Department of Finance Report P-2A: Total Population Projections, 2020-2070

multi-family facilities. Over the past several years, the residential sector accounts for between 65% and 75% of total water consumption in the City’s SOI.¹⁰

The City has approved, is currently reviewing, or expects to consider several development projects, including a planned expansion south of the city limits between Bogue Road to the north and Stewart Road to the south. These projects are summarized in **Table 2-4**, which includes estimates of remaining or planned residential units. **Table 2-4** also provides estimates of potential residential units to be constructed on vacant parcels within the City limits, as well as the larger land areas in the SOI that do not currently have designated land use plans. Overall, the City anticipates the construction of approximately 8,000 to 12,000 new residential units.

TABLE 2-4: SUMMARY OF LAND USE PLANS IN YUBA CITY WITH ANTICIPATED FUTURE RESIDENTIAL UNITS

Existing or Planned Project	Estimated Remaining Units to Reach Build-Out	
	Single-family	Multi-family
Bogue Stewart MP	1,760	760
Central City SP	10	10
Harter SP	--	180
Lincoln East SP	3,480	1,390
Yuba Crossing MUP	50	40
Butte Vista NP	580	--
Sutter Heritage	160	--
Other Vacant in City Limits	80	30
Other Vacant in SOI (est.)	690	20
Total w/o SOI Vacant	6,120	2,410
Total with SOI Vacant	6,810	2,430

Comparing the population projection at 2050 with the total dwelling units associated with **Table 2-4** indicates that a portion of the remaining development will occur after the 2050 planning horizon. That is, based on the population projections, the City anticipates

¹⁰ Based upon reporting by the City to the SWRCB as part of monthly conservation reporting requirements.

approximately 5,500 new dwelling units (based on occupancy rate of 2.96 persons per household) to be constructed by 2050. The total dwelling units at buildout is approximately 9,200 units, indicating nearly 3,700 additional units will be constructed after the 2050 planning horizon.

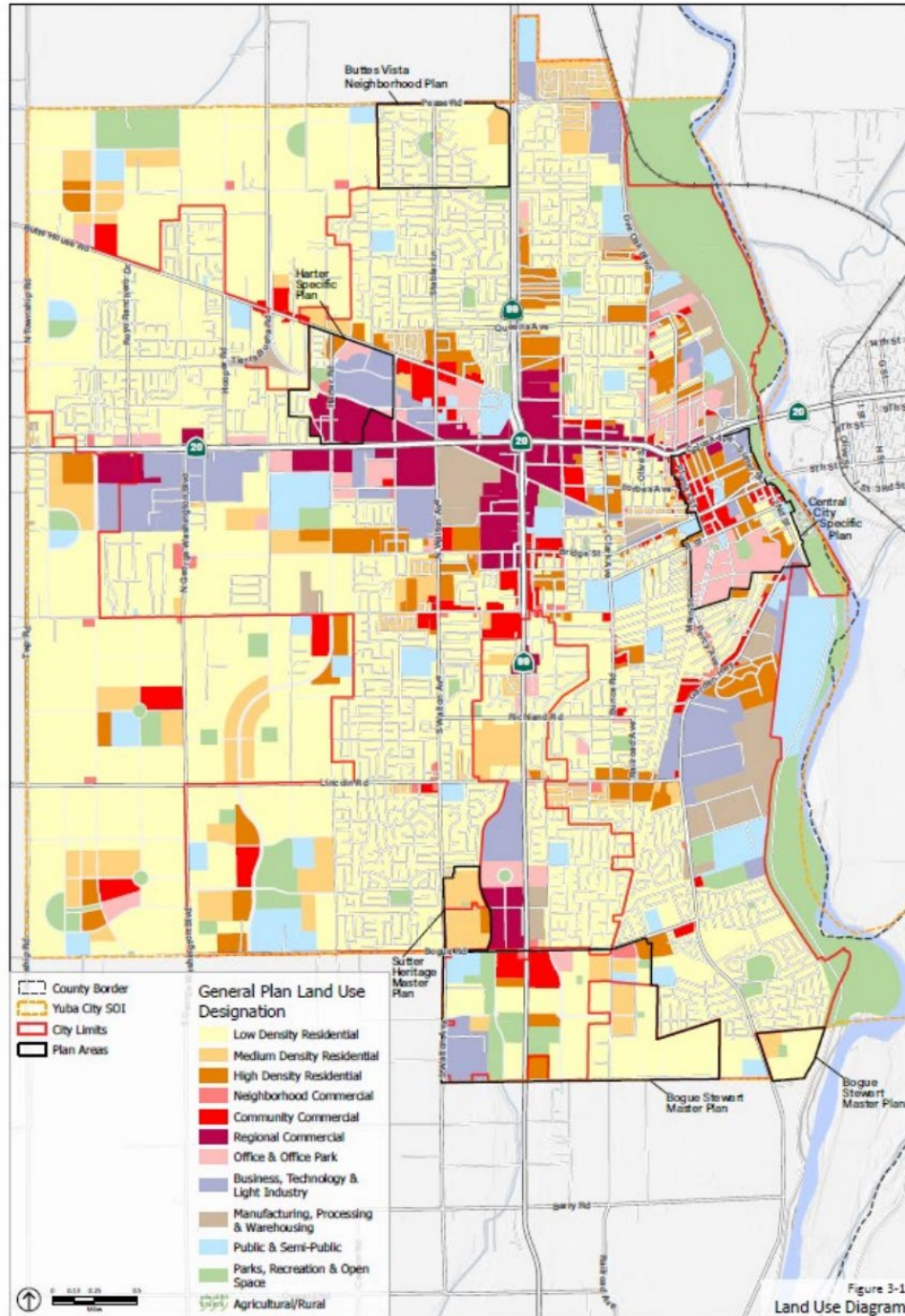


FIGURE 2-5: AGENCY LAND USE MAP¹¹

¹¹ City of Yuba City. (2024). *Yuba City 2040 General Plan (adopted January 21, 2025)*. Figure 3-1 Land Use Diagram.

2.2.4. ECONOMIC TRENDS & OTHER SOCIAL AND DEMOGRAPHIC FACTORS

Being the urban economic hub of Yuba and Sutter counties, Yuba City’s local economy has traditionally focused on retail and commercial services for the surrounding agricultural region. While this is still true, in the last 20 years the City has added strong employment in health care-related services and manufacturing.

In the years prior to the Covid-19 pandemic, some areas within the greater Sacramento region experienced substantially low unemployment rates. **Figure 2-6** displays the Sacramento metropolitan area labor force and employed populations as well as the resulting unemployment rate for the period January 2010 through September 2025. As seen on the figure, in September 2019, the region experienced the lowest unemployment rate for the period (3.1%). Commensurate with the impacts on the labor market due to the pandemic, 2020 saw the largest increase in the unemployment rate for the period, resulting in a high of 14.3% (April 2020). Since then, the area has experienced an overall decrease in the unemployment rate, although recent trends indicate that the rate has rebounded from a local low of 3.1% (May 2022) up to 5.2% as of September 2025.

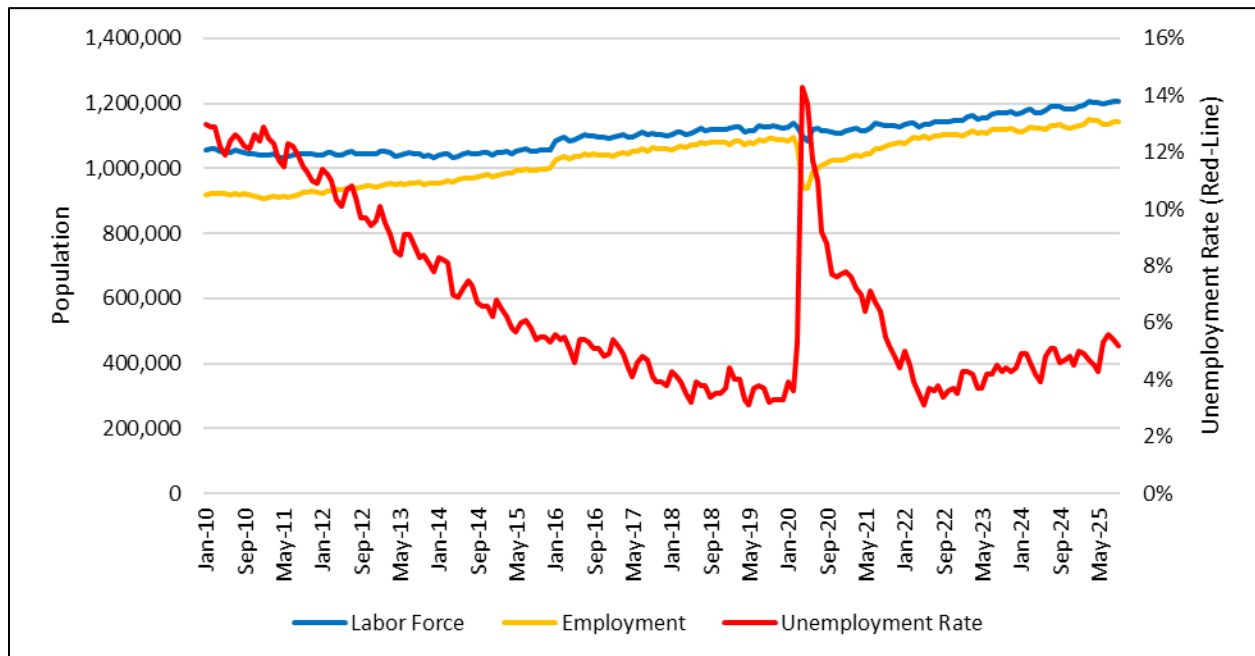


FIGURE 2-6: AGENCY AREA EMPLOYMENT DATA

According to the 2020 US Census, the ethnic makeup of Yuba City is 42% White, 33% Hispanic/Latino, 21% Asian, 2% African American, 18% other races or mixed race, including a

strong Sikh Indian population that along with Mexican immigrants were the first ethnic groups to settle in Yuba City.

Yuba City’s median household income is \$78,153 which gives it a Disadvantaged Community designation based on the median household income being less than 80% of the State’s median household income.¹²

For 2025 conditions, the CA Department of Finance estimates there are 24,373 (occupied and unoccupied) housing units in Yuba City, with an average occupancy of 2.96 persons per household.¹³

2.2.5. EXPECTED POPULATION BASED UPON LAND-USE PLANNING

While the City has a projected population based upon the County’s rate of growth and an expected number of new residential units, the projection may not truly reflect the population projections.

With an average occupancy equal to the current rate of 2.96 people per household, the additional 16,000 residents anticipated by 2050 (see **Table 2-3**) would require about 5,500 new residential units – a combination of single family and multi-family homes. This is in the range of anticipated housing based upon the known and anticipated developments (see **Table 2-4**). To estimate the number of new housing for each five-year increment of the UWMP’s 25-year planning horizon, the City’s history of issuing new housing permits is useful. The City has had periods of rapid building in the early 2000’s but has only averaged less than 40 new housing permits a year recently. Based on these conditions, the estimated 5,500 new housing starts would take a long time.

To represent a plausible rate of new housing for purposes of this UWMP, the City is anticipating a higher rate than the last decade. **Table 2-5** presents the resulting new housing starts and forecast population. These assumptions do not differentiate between the listed projects in **Table 2-4**, however. The cumulative housing will be used to forecast future water use as detailed in Chapter 4.

¹² United States Census Bureau, Table S1901 (2024).

¹³ California Department of Finance, E-5 City/County Population and Housing Estimates.

TABLE 2-5: FORECAST RESIDENTIAL HOUSING, POPULATION AND GROWTH RATE

Category	Forecast				
	2030	2035	2040	2045	2050
Assumed Annual Housing Starts	172	221	248	234	219
Total Housing Starts over 5-years	862	1,107	1,242	1,169	1,097
Single-Family Units Added (75% of total)	647	830	932	877	823
Multi-Family Units Added (25% of total)	215	277	310	292	274
Cumulative New Housing Units	862	1,969	3,211	4,380	5,477
Occupancy Rate (People per Household)	2.96	2.96	2.96	2.96	2.96
Forecast Population	73,008	76,288	79,969	83,433	86,684
Resulting Average Annual Growth Rate	0.72%	0.88%	0.95%	0.85%	0.77%

2.3. DELIVERY SYSTEM DETAILS

This subsection focuses specifically on Yuba City’s potable water delivery system. The water supplies delivered through this system are described in Chapter 3, with water uses described in Chapter 4.

2.3.1. POTABLE WATER SYSTEM

The City operates a potable water system to provide water service to its customers. **Figure 2-7** represents the major features of this system, including the City’s diversion on the Feather River, its water treatment plant, and the numerous pipes, storage tanks and pump stations. The potable water distribution system is a single pressure zone with approximately 280 miles of pipeline, a High Lift Pump Station (HLPS), and five booster pump stations that pump from five ground level tanks. At this time, the City’s system includes backup/standby groundwater wells located at the YCWTP, which is periodically used as a raw water source and fed into the

treatment plant. Additional groundwater wells are being contemplated but currently are not integrated into the City’s system (see Chapter 3).

In 2001 the City acquired the Hillcrest Water Company (HWC) which operated in four regions within the City’s sphere of influence. The HWC system included approximately 4,600 service connections and 13 active groundwater wells. The City provided groundwater from some of the HWC wells to customers through September 2010 but completed transition of all customers to surface water from the YCWTP in October 2010. All of the HWC wells are now inactive. However, the City is considering rehabilitation of three wells from the HWC system for additional emergency water supply.

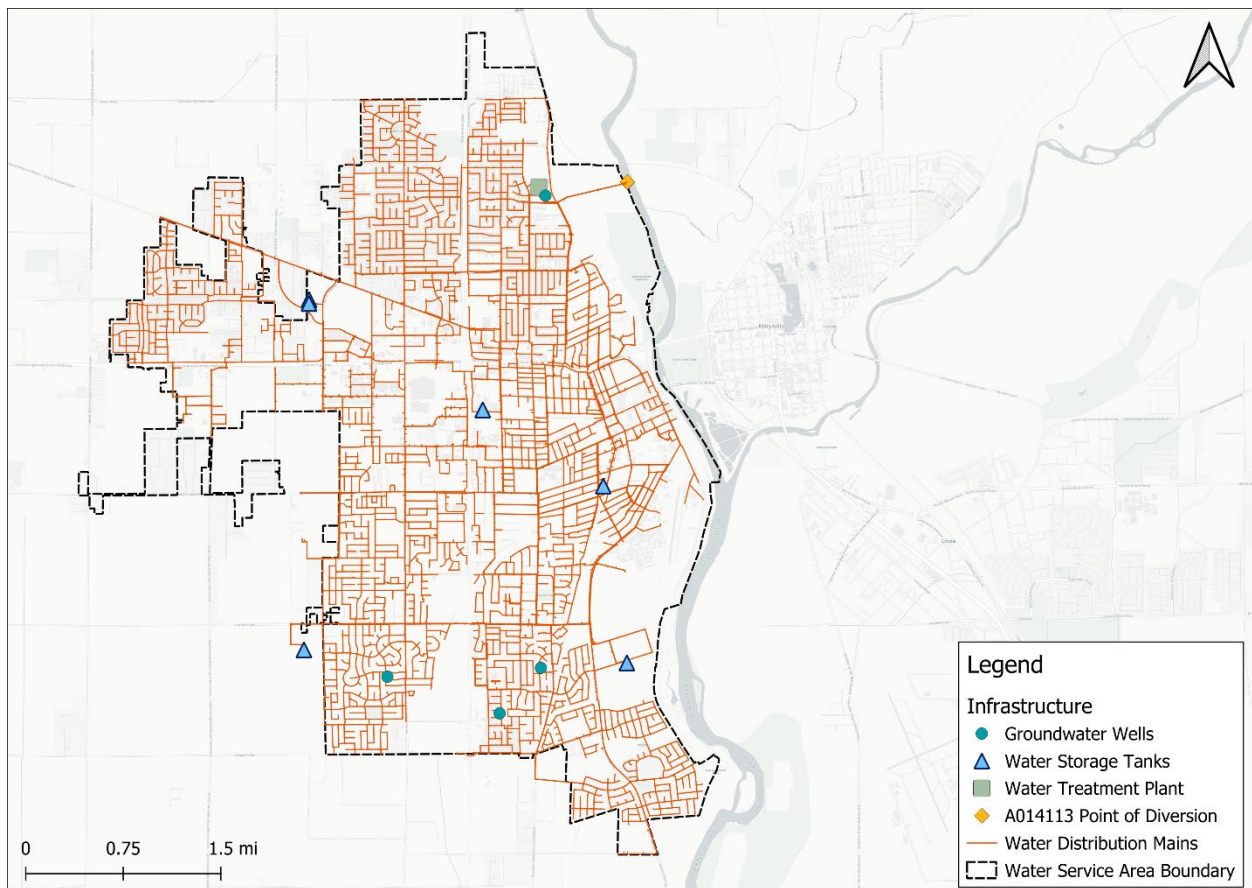


FIGURE 2-7: POTABLE WATER SYSTEM

Water delivery to the City begins at the Low Lift Pump Station (LLPS) and associated raw water intakes located in the Feather River, which convey water to the YCWTP. The YCWTP has a firm treatment capacity of 36 million gallons per day (mgd) and operates two parallel filtration

systems. The original treatment facilities, in service since 1969, consist of pretreatment processes, four rapid sand filters, and chlorine disinfection. A membrane filtration system added in 2007 operates alongside the original facilities. Treatment residuals and filter wash water are managed through two percolation basins that process approximately 500,000 to 600,000 gallons per day.

The approximately 280 miles of distribution pipelines generally are sized from two to 12 inches in diameter, with transmission mains ranging from 14 to 36 inches. The City uses a Supervisory Control and Data Acquisition (SCADA) System to monitor and control the water distribution system and facilities.

At the YCWTP, spent filter backwash water, filter-to-waste water, sedimentation basins' sludge, and membrane systems' backwash water are discharged to one of the two spent backwash water basins located to the north of the pretreatment trains. The spent backwash water is currently not recovered and recycled as part of the water treatment process. Spent backwash and back-pulse water is pumped from the sump to percolation ponds for percolation into the soil and solids dewatering. The opportunity to recover about 80 MG annually from this backwash water would require YCWTP facilities upgrades that comply with EPA's Filter Backwash Recycling Rule (FBRR) and also California's Cryptosporidium Action Plan (CAP).

No infrastructure or systems currently exist to support recycled water within the City's distribution system. However, the City's wastewater treatment plant uses a small quantity of treated wastewater effluent for irrigating onsite landscaping and plant processes (see Chapter 3).

2.4. ENERGY INTENSITY

Referred to as "Energy Intensity Reporting" for urban water suppliers, energy intensity is defined as: total amount of energy expended in kilowatt-hours (kWh) by the urban water supplier on a per acre-foot basis to take water from the location where the urban water supplier acquires the water to its point of delivery.

For purposes of the 2025 UWMP, the City uses the Total Utility Approach for reporting its energy intensity. This method sums the annual energy consumed for all water management processes, divided by total volume of water in acre-feet. These processes include diversion, treatment, and distribution, as applicable. The total energy intensity is reported in **Table 2-6**.

TABLE 2-6: ENERGY INTENSITY – TOTAL UTILITY APPROACH

Sum of All Water Management Processes	
Volume of Water Entering Process (acre-feet)	13,649
Energy Consumed (kWh)	4,827,468
Energy Intensity (kWh/acre-foot)	354

CHAPTER 3

WATER SUPPLY

The City of Yuba City has numerous water supply sources that serve its customers. The City's diverse surface water supplies – derived from water rights and contracts – provide significant annual volumes of water that can be used to meet end user demands. However, the details imbedded in each water right and contract impact the monthly availability of each surface supply source. This limited availability requires the City to carefully manage its water supply portfolio in order to have sufficient water supply available in extended drought periods. The City also has access to groundwater resources and anticipates additional diversification of its supply portfolio in order to maximize the utility of these resources. Furthermore, the City's water supply portfolio has additional administrative matters that require resolution in order to support the long-term reliability projections. This section describes the City's water supply portfolio and identifies the key components within each water asset that impact the City's long-term water supply reliability.

3.1. SURFACE WATER SUPPLIES

The City has two water supply contracts and two water rights that constitute the City's surface water supply portfolio. In each year, the City must collectively manage all four surface water assets in order to optimize the utility of each surface water asset – especially in times of water shortage. The City's four surface water supplies are: (1) State Water Project contract; (2) State Water Resources Control Board water right license; (3) State Water Resources Control Board water right permit; and (4) contract with North Yuba Water District. All of these supplies have management opportunities and constraints that must be managed in each year to ensure maximum utility. This section describes the details of each surface water supply and projects the availability of these supplies through 2050 under normal year, single dry year, and five consecutive dry year conditions.

3.1.1. YUBA CITY STATE WATER PROJECT CONTRACT

The City holds a State Water Project Contract (SWP Contract) to obtain water supplies derived from the California State Water Project (SWP). The SWP was created in 1957 following the devastating floods that inundated great portions of the Sacramento Valley. In 1960, under the Burns-Porter Act (also known as the California Water Resources Development Bond Act), the SWP was funded for construction and most facilities were completed by 1973. The State Water Project is the largest state-built, multipurpose water project in the nation. Today, the

SWP includes 28 dams and reservoirs, 26 pumping and generating plants, and approximately 660 miles of aqueducts.

The primary water source for the SWP is the Feather River, a tributary of the Sacramento River. The water flowing in the Feather River is captured by the SWP in Oroville Dam and reservoir. Storage released from Oroville Dam flows down the Feather River and then the Sacramento River until it reaches the Sacramento–San Joaquin River Delta (Delta). The SWP diverts, stores, and distributes water to 29 agricultural and urban suppliers throughout Northern, Central and Southern California. Approximately 70% of the SWP supply is contracted for urban uses and 30% is contracted for agriculture. The diversion rights are based upon State Water Resources Control Board–issued appropriative water rights with 1927 priority dates.

The total planned annual delivery capability of the SWP and the sum of all contractors’ maximum Table A Amounts was originally 4.23 million acre–feet. The initial SWP storage and conveyance facilities were designed to meet contractors’ water demands with the construction of additional storage facilities planned as demands increased. However, few additional SWP storage facilities have been constructed since the early 1970s and a portion of the original conveyance design was never completed. SWP conveyance facilities were generally designed and have been constructed to deliver Table A to all contractors. The maximum Table A Amounts of all SWP contractors now totals about 4.133 million acre–feet.¹⁴

The City is one of the 29 water suppliers that executed a State Water Project Contract with the California Department of Water Resources. The original SWP Contract was signed in 1963 and includes numerous amendments. In 2003, DWR prepared an aggregated agreement that attempted to incorporate all of the amendments that were added to the City’s SWP Contract through 2013. However, DWR disclaims legal validity of the consolidated document by stating that:

[the 2013 document] is intended only to provide a convenient reference source, and the Department of Water Resources is unable to provide assurances that this integrated version accurately represents the original documents. For legal purposes, or when precise accuracy is required, users should direct their attention to the original source documents rather than this integrated version.

As such, the City’s SWP Contract and its amendments should be consulted when assessing each component of the City’s SWP water assets.

¹⁴ The State Water Project Draft Delivery Capability Report, DWR, December 2025 at 24.

The City has a Table A Amount of 9,600 acre-feet annually under its SWP Contract (Table A). The Table A amount represents the maximum amount of water that is available to the City through the SWP Contract. The SWP Contract may be subject to shortages that require all SWP contractors to reduce water supply deliveries. Although the primary source of the SWP water for the City’s allocation is Lake Oroville, additional SWP facilities – including San Luis Reservoir, located south of the Sacramento–San Joaquin River Delta – also contribute to the City’s ability to utilize SWP water assets. Since 2016, the City has received the following SWP Table A Allocations listed in **Table 3-1**.

TABLE 3-1: YUBA CITY TABLE A ALLOCATIONS, 2016 – 2025 (ACRE-FEET)

Year	Table A Allocation	% Allocation	Amount Used
2016	5,760	60%	1,229
2017	8,160	85%	1,746
2018	3,360	35%	1,715
2019	7,200	75%	1,655
2020	1,920	20%	1,812
2021	480	5%	88
2022	480	5%	1,205
2023	9,600	100%	1,544
2024	3,840	40%	1,661
2025	4,800	50%	1,494

DWR has noted that it is less likely that 100% allocation years will occur on a regular basis in the future. In December 2025, DWR drafted the “The State Water Project Draft Delivery Capability Report 2025” (2025 Draft DCR) that outlined the probable future water supply allocations for the SWP system. The 2025 Draft DCR showed variations in future Table A deliveries based upon hydrological and regulatory conditions. These conditions are summarized in **Table 3-2** below.

TABLE 3-2: SWP ESTIMATED TABLE A DELIVERIES FROM DCR (TAF)

Year	Long Term Average		Single Dry Year (1977)		Dry Periods							
					2 Year Drought (1976-77)		2-Year Drought (2014-15)		6-Year Drought (1987-92)		6-Year Drought (1929-34)	
2021 Report (1922-2015)	2,321	56%	233	6%	1,377	33%	708	17%	1,163	28%	1,039	25%
2023 Report (1922-2021)	2,202	53%	184	4%	922	22%	360	9%	860	21%	597	14%
2025 Report (1922-2021)	2,234	54%	237	6%	936	23%	403	10%	897	22%	627	15%

As shown in **Table 3-2**, DWR’s long-term average reliability shows a downward trend from 56% in the 2021 SWP DCR to 54% in the 2025 Draft DCR. However, as a result of the North of Delta Settlement (December 31, 2013), the North of Delta (NOD) allocation should be larger than the identified reliability described in the 2025 Draft DCR. Specifically, the NOD allocation should increase the future annual Table A allocation by approximately 10%, although this increase depends on the final Table A allocation. Accordingly, the City will incorporate the NOD allocation bump in considering its long-term water supply availability of 64%. **Table 3-3** depicts the City’s Future Table A Projected Normal Year Water Year Deliveries.

TABLE 3-3: SWP FUTURE TABLE A PROJECTED NORMAL YEAR WATER YEAR DELIVERIES (ACRE-FEET)

Year Type	Table A Allocation	% Allocation
Normal Year	6,144	64%

The current and previous DCRs depict the single driest year as 1977 with a 6% allocation estimate in 2021, a 4% allocation estimate in 2023, and a 6% allocation estimate from the 2025 DCR. The single lowest historical SWP allocation occurred in 2014, as well as 2021 and 2022 at 5% as shown in **Table 3-1**. Although the City anticipates the NOD allocation applying in critically dry years, out of an abundance of caution and in accordance with the 2021 SWP allocation, the City will assess a critically dry year at 5% allocation. In dry years that are less severe than critically dry years, however, the City will increase this baseline number by 10% in accordance with the North of Delta Settlement.

The 2025 Draft DCR also identifies various drought periods for purposes of characterizing SWP allocation percentages that would accompany those drought periods. The averaging of the allocations over the course of the drought period is not representative of supply scenarios that reasonably accommodate the City’s drought plans in light of climate change and regulatory uncertainty. As such, the City will use the following drought characterization for its short-term and long-term planning, incorporating both the 2021 critical year allocation and the NOD Allocation adjustment: year 1 at 30%; year 2 at 15%; year 3 at 10%; year 4 at 15%; and year 5 at 30%. This characterization reasonably represents a projected drought over a five consecutive year period. **Table 3-4** shows the Table A allocation over five consecutive dry years on a monthly basis from 2026–2030. The Table A allocation in the tables below are reduced by 50% so that the remaining portion may be used as “Carryover Water” for future uses in other years (see Section 3.1.2).

TABLE 3-4: SWP ALLOCATION FOR FIVE CONSECUTIVE DRY YEARS FROM 2026-2030

Year Type		Total
Normal		3,072
Single Dry Year		240
Multi-Year Drought	2026	1,440
	2027	720
	2028	480
	2029	720
	2030	1,440

Table A supply reliability has also been examined over the broader planning horizon considered in this 2025 UWMP. **Table 3-5** shows the normal year, single dry year, and five consecutive dry years planned SWP Table A Allocation for the City of Yuba City through 2050.

TABLE 3-5: FUTURE SWP ALLOCATIONS BY YEAR TYPE THROUGH 2050 (ACRE-FEET)

Table A Allocation	Year Type	2030	2035	2040	2045	2050
Normal		3,072	3,072	3,072	3,072	3,072
Single Dry-Year		240	240	240	240	240
Multi-Year Drought	Year 1	1,440	1,440	1,440	1,440	1,440
	Year 2	720	720	720	720	720
	Year 3	480	480	480	480	480
	Year 4	720	720	720	720	720
	Year 5	1,440	1,440	1,440	1,440	1,440

The characterizations of the City’s SWP Table A Allocation long-term reliability reflect numerous hydrological and regulatory issues that inform the DCR modeling, are reasonable assessments related to SWP system management, and reflect the City’s local conditions. Long-term hydrological and regulatory issues that affect the water management include the Bay-Delta Water Quality Control Plan, the Coordinated Operations Agreement, the Delta Biological Opinion, modifications to San Luis Reservoir, SWP Seismic considerations, DWR’s Emergency Planning, and assessments related to the City’s local conditions and climate change. These issues are all considered in the City’s planning and incorporated into its supply characterizations in this 2025 UWMP.

3.1.2. SWP CARRYOVER SUPPLIES

The City’s SWP Contract allows it to forgo use of its allocated SWP Table A supply and retain a portion of that allocated supply in storage for future use. This retained supply is termed “Carryover” and is governed under Article 56 of Yuba’s SWP contract. Carryover water is water that is released from Oroville Dam and reservoir, re-diverted at the Delta, and then stored in San Luis Reservoir – an off-stream reservoir located just outside the City of Santa Nella at the junction of Interstate 5 and California State Highway 152. San Luis Reservoir is jointly owned and operated by the state and federal governments and all SWP contractors may use the storage facility to manage Carryover water supplies. In short, the San Luis Reservoir receives, regulates, and stores exported water derived from the State Water Project and Federal Central Valley Project.

The amount of Carryover water that the City may store in any given year is subject to a set of rules that apply to all SWP contractors throughout California. In brief, the City delivers its Table A supplies to Carryover in San Luis Reservoir with an expectation that it will be able to divert

all or a portion of these supplies in a subsequent year. In the event that water supplies are abundant, San Luis Reservoir may “spill.” When San Luis Reservoir reaches a “spill” stage, DWR releases the City’s Carryover in accordance with the aforementioned rules as they apply in the context of all entities with stored water in San Luis Reservoir. Nevertheless, the City generally retains a portion of its Table A Allocation as Carryover in any given year and continues to maintain a Carryover balance. **Table 3-6** shows the City’s Carryover balance from 2016 through 2025.

TABLE 3-6: YUBA CITY HISTORIC SWP CARRYOVER (ACRE-FEET)

Year	Carryover	Used
2016	2,550	0
2017	4,800	0
2018	5,485	0
2019	4,800	0
2020	4,908	0
2021	4,908	1,300
2022	3,999	0
2023	4,800	0
2024	6,979	0
2025	6,979	0

The City will have access to its Table A Carryover supplies in future years based upon the hydrological and regulatory conditions. The Table A Carryover supplies result from a number of variables that are both tied to the SWP Table A annual percent allocation, operations in San Luis Reservoir, and water supply management by the City. The City conservatively estimates that future Carryover contributions will equate to approximately fifty percent (50%) of its Table A Allocation in any given year type. Thus, in a normal year, where Table A Allocations are predicted to be 64%, the City expects the carryover supply to be approximately 50% of 6,144 acre-feet or 3,072 acre-feet. In a single dry year, the Carryover supply is expected to remain at 3,072 acre-feet as a remnant of the previous normal year carryover action. In a multiple dry-year scenario, carryover contributions are presented as 50% of the previous year’s Table A allocation, plus any unused carryover from previous years. Not all carryover is used in a given year, allowing reserves to persist into subsequent years and provide supplemental supplies in critically dry years. The City will manage these supplies over the

five-year drought planning horizon to satisfy the City’s demands in light of other constraints on other water resources.¹⁵ In other words, the Carryover supply need not be used in the next year it is available but may be managed throughout the five-year drought planning scenario. **Table 3-7** shows the projected amount of Table A carryover water available at the beginning of each year in normal, single dry, and five consecutive dry years from 2026 through 2030. Amounts include unused supplies managed for future dry years.

TABLE 3-7: FUTURE CONTRIBUTION TO TABLE A CARRYOVER SUPPLIES FROM 2026 THROUGH 2030 (ACRE- FEET)

SWP Carryover	Year Type	Amount
	Normal	3,072
	Single Dry-Year	240
Multi-Year Drought	2026	1,440
	2027	720
	2028	480
	2029	720
	2030	1,440

¹⁵ Carryover supplies in the State Water Project system are managed to address water supply shortages when direct diversion rights are insufficient to satisfy demands. Moreover, the Carryover supplies may have applicability over the course of many years after they are designated for carryover.

Table 3-8 shows the representative Table A Carryover supplies from 2030 through 2050. These supplies show only the previous year’s carryover amounts and do not include unused supplies that the City may carryover for multiple years.

TABLE 3-8: FUTURE AVAILABLE TABLE A CARRYOVER THROUGH 2050 (ACRE-FEET)

SWP Carryover	Year Type	2030	2035	2040	2045	2050
	Normal	3,072	3,072	3,072	3,072	3,072
	Single Dry-Year	240	240	240	240	240
Multi-Year Drought	Year 1	1,440	1,440	1,440	1,440	1,440
	Year 2	720	720	720	720	720
	Year 3	480	480	480	480	480
	Year 4	720	720	720	720	720
	Year 5	1,440	1,440	1,440	1,440	1,440

The tables above provide the planning level annual contributions to the SWP Table A under the hydrologic conditions and annual allocations previously presented (see Section 3.1.1). Importantly, the amount of carryover going into a particular year depends on previous years’ utilization of Table A annual amounts, as well as then-current carryover availability. For purposes of the Drought Risk Assessment (DRA) and Long Term Service Reliability (both presented in Chapter 5), the amount of carryover assumed to be available at the beginning of each assessment is taken as the “Normal Year” characterization presented in **Table 3-8**, amounting to 3,072 acre-feet. This SWP Table A Carryover supply represents a relatively conservative estimate for supply’s availability entering Year 1 each the DRA. As seen from **Table 3-6** above, the City manages the carryover balance to maximize availability for use during dry periods. For the period 2016 through 2025, the availability of Table A Carryover supplies has averaged 5,021 acre-feet.

3.1.3. WATER RIGHT LICENSE 13855

The City holds State Water Resources Control Board (SWRCB) issued appropriative water right License 13855. License 13855 has a priority date of March 5, 1958 and may be diverted from the Feather River from January 1 through July 1 and September 1 through December 31 each year with a maximum diversion rate of 15.6 cubic feet per second (cfs) and total volume not to exceed 6,500 acre-feet per year.¹⁶ The water supply may be used for municipal purposes anywhere in the City’s Sphere of Influence “Based on 2004 Updated General Plan.”¹⁷

¹⁶ License for Diversion and Use of Water 13855, State of California Environmental Protection Agency, State Water Resources Control Board, December 9, 2011 (License 13855) at 1.

¹⁷ License 13855 at 1.

The water supply under License 13855 is generally reliable on a monthly timestep in normal years. Although the supply is never available in July and August, the relatively young priority date of 1958 renders this water right susceptible to curtailment in certain dry years. Thus, the likelihood that the water supply will be curtailed in the future may increase in dry conditions as system demands increase, runoff patterns change from climate conditions, and regulatory conditions limit diversions during certain times of year. Accordingly, in single dry and multiple dry years, the water asset may be unavailable beyond the monthly diversion limitations noted in the license.

The City has continued to use this water right each year in accordance with the terms and conditions contained in the license language. **Table 3-9** shows the City’s use under License 13855 since 2015.

TABLE 3-9: CITY USE UNDER LICENSE 13855 SINCE 2015 (ACRE-FEET)

Year	License 13855	Used
2015	6,500	1,393
2016	6,500	2,855
2017	6,500	1,580
2018	6,500	3,128
2019	6,500	1,340
2020	6,500	4,292
2021	6,500	3,668
2022	6,500	3,357
2023	6,500	1,220
2024	6,500	1,488
2025	6,500	2,002

The City will continue to use this water supply into the future to meet the demands in its service area. The reliability of this supply in dry conditions depends upon the climatological conditions and the applicable regulatory standards imposed by the SWRCB. It is expected that the City will be able to use this supply up to its full amount in all year types. However, monthly availability of License 13855 may be affected by regulatory standards in single dry and multi dry year scenarios. In order to reflect these conditions, the monthly availability of License 13855 is depicted in

Table 3-10 below through 2030 and the total annual availability through 2050 is depicted in **Table 3-11**.

TABLE 3-10: MONTHLY AVAILABILITY OF LICENSE 13855 THROUGH 2030 (ACRE-FEET)

Year Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Normal	650	650	650	650	650	650	0	0	650	650	650	650	6,500
Single Dry Year	929	929	929	929	929	0	0	0	0	0	929	929	6,500
Multi-Year Drought	2026	650	650	650	650	650	0	0	650	650	650	650	6,500
	2027	650	650	650	650	650	0	0	650	650	650	650	6,500
	2028	929	929	929	929	929	0	0	0	0	929	929	6,500
	2029	650	650	650	650	650	650	0	0	650	650	650	6,500
	2030	650	650	650	650	650	650	0	0	650	650	650	6,500

TABLE 3-11: ANNUAL AVAILABILITY OF LICENSE 13855 THROUGH 2050 (ACRE-FEET)

Table A Allocation	Year Type	2030	2035	2040	2045	2050
Normal		6,500	6,500	6,500	6,500	6,500
Single Dry-Year		6,500	6,500	6,500	6,500	6,500
Multi-Year Drought	Year 1	6,500	6,500	6,500	6,500	6,500
	Year 2	6,500	6,500	6,500	6,500	6,500
	Year 3	6,500	6,500	6,500	6,500	6,500
	Year 4	6,500	6,500	6,500	6,500	6,500
	Year 5	6,500	6,500	6,500	6,500	6,500

3.1.4. WATER RIGHT PERMIT 18558

The City holds State Water Resources Control Board (SWRCB) issued appropriate water right Permit 18558. Permit 18558 has a priority date of 1978 and may be diverted from the Feather River from January 1 through June 30 and October 1 through December 31 each year with a maximum diversion rate of 21 cubic feet per second (cfs) and total volume not to exceed

9,000 acre-feet per year.¹⁸ The water supply may be used for municipal purposes anywhere in “Yuba City’s Sphere of Influence Based on 2004 Updated General Plan.”¹⁹

The water supplies under Permit 18558 are less reliable than other City surface supplies because Permit 18558 includes both months where diversions are not allowed (July through September) and is also subject to “Term 91.” Term 91 is a special Permit condition that further limits the utility of SWRCB issued appropriative water rights. Term 91 is declared by the SWRCB when it is determined that the SWP and U.S. Bureau of Reclamation’s Central Valley Project (CVP) are required to release stored water in excess of low natural flow to meet Sacramento Valley in-basin uses plus export demands. In short, when Term 91 is activated, the City is denied water under Permit 18558.

Table 3-12 shows the water use under Permit 18558 since 2015. Term 91 was declared in water years 2016, 2018, 2020–2022, 2024, and 2025.

TABLE 3-12: CITY WATER USE UNDER PERMIT 18558 SINCE 2015 (ACRE-FEET)

Year	Permit 18558 Use
2016	6,244
2017	8,546
2018	6,490
2019	8,722
2020	5,566
2021	5,325
2022	5,894
2023	8,237
2024	8,538
2025	7,538

In light of the climatological trends that appear to be changing runoff patterns for surface water supplies as well as the tightening regulatory requirements in meeting water quality conditions in the Sacramento–San Joaquin Bay Delta (Delta), Term 91 is likely to be declared

¹⁸ Amended Permit 18558 for Diversion and Use of Water, SWRCB Division of Water Rights, April 24, 2012 (Permit 18558) at 1-2.

¹⁹ Permit 18558 at 2.

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more often in the future and may have duration that lasts beyond the historical pattern. Thus, for purposes of this UWMP, the City has taken a conservative approach to Term 9I activation by showing it active in six or seven months in the five consecutive dry year scenario. **Table 3-13** shows the projected monthly availability of Permit 18558 in normal, single dry, and five consecutive dry year conditions through 2030. **Table 3-14** shows the annual availability through 2050.

TABLE 3-13: MONTHLY AVAILABILITY OF PERMIT 18558 THROUGH 2030 (ACRE-FEET)

Year Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Normal	1,125	1,125	1,125	1,125	1,125	0	0	0	0	1,125	1,125	1,125	9,000
Single Dry Year	1,291	1,166	1,291	1,250	0	0	0	0	0	0	1,250	1,291	7,539
Multi-Year Drought	2026	1,291	1,166	1,291	1,250	0	0	0	0	0	1,250	1,291	7,539
	2027	1,291	1,166	1,291	0	0	0	0	0	0	1,250	1,291	6,290
	2028	1,291	1,166	1,291	0	0	0	0	0	0	1,250	1,291	6,290
	2029	1,291	1,166	1,291	0	0	0	0	0	0	1,250	1,291	6,290
	2030	1,291	1,166	1,291	0	0	0	0	0	0	1,250	1,291	6,290

TABLE 3-14: ANNUAL AVAILABILITY OF LICENSE 13855 THROUGH 2050 (ACRE-FEET)

Year Type	2030	2035	2040	2045	2050
Normal	9,000	9,000	9,000	9,000	9,000
Single Dry-Year	7,539	7,539	7,539	7,539	7,539
Multi-Year Drought	Year 1	7,539	7,539	7,539	7,539
	Year 2	6,290	6,290	6,290	6,290
	Year 3	6,290	6,290	6,290	6,290
	Year 4	6,290	6,290	6,290	6,290
	Year 5	6,290	6,290	6,290	6,290

3.1.5. NORTH YUBA WATER DISTRICT CONTRACT (PERMIT 11518 TERMS)

In 2010, the City and North Yuba Water District (District) entered an agreement to extend the existing water supply agreement between the City and District through 2035 (Agreement).²⁰ The Agreement authorizes the District to provide up to 4,500 acre-feet of water per year on a prescribed monthly delivery schedule from April through October.²¹ The City has the ability to alter the monthly delivery schedule and the District will use its “best efforts” to accommodate the City’s requests for changes. The water made available under the Agreement is for domestic, municipal, and industrial purposes for uses at locations that are “both within the City’s service area and within the authorized place of use specified in Amended Permit 11518.”²²

SWRCB issued appropriative water right Amended Permit 11518 (Permit 11518)²³ is an important component of the Agreement. Permit 11518 was issued to the District under Application 14113 with a priority date of December 28, 1950. The District is entitled to divert water from the Feather River, South Fork Feather River, and Lost Creek for irrigation, domestic, municipal, and industrial purposes. As Permit 11518 applies to the City, the water may be used for the identified purposes within Yuba City “as shown on maps dated July 1958, December 1988, and August 2000 filed with the State Water Board.”²⁴ Importantly, the uses of the water for municipal and industrial purposes required compliance with Permit Condition 9 which states that use is “subject to Permittee’s submission of water conservation plans that meet the requirements for an urban water management plan...”²⁵ In addition, Permit 11518 has specific requirements related to filing Progress Reports as they align the water supplies with direct diversions and re-diversion of stored water.²⁶

Table 3-15 shows the last five years of the City’s monthly water use under the Agreement with the District.

²⁰ Amended Agreement for Sale of Surplus Water between North Yuba Water District and the City of Yuba City, May 20, 2010 (Agreement). Provisions in the Agreement provide for a mechanism to extend beyond the 2035 date through mutual agreement. For purposes of this UWMP, the City has assumed supplies made available under the Agreement will be accessible over the UWMP planning horizon.

²¹ Agreement at 5(a).

²² Agreement at 5(b).

²³ Permit For Diversion and Use of Water, Amended Permit 11518, State of California Environmental Protection Agency State Water Resources Control Board, April 27, 2006 (Permit 11518).

²⁴ Permit 11518 at 2.

²⁵ Permit 11518 at 3.

²⁶ Permit 11518 at 4 and 5.

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TABLE 3-15: LAST FIVE YEARS MONTHLY WATER USE UNDER AGREEMENT BETWEEN CITY AND DISTRICT (ACRE-FEET)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2021	0	0	0	18	648	644	922	922	456	188	0	0	3,798
2022	0	0	0	0	0	319	922	922	538	298	0	0	3,000
2023	0	0	0	0	0	0	922	922	494	0	0	0	2,338
2024	0	0	0	0	0	0	922	922	572	0	0	0	2,416
2025	0	0	0	0	0	248	922	922	508	15	0	0	2,615

Table 3-16 shows the anticipated monthly water use of the Agreement water supplies in varying year types through 2030 as shown in the schedule of deliveries in the Agreement.

Table 3-17 shows the anticipated annual water use of the Agreement water supplies in varying year types through 2050, assuming the Agreement is extended for an additional 15 years.

TABLE 3-16: MONTHLY WATER SUPPLIES UNDER AGREEMENT THROUGH 2030 (ACRE-FEET)

Year Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	
Normal	0	0	0	181	392	893	922	922	714	476	0	0	4,500	
Single Dry Year	0	0	0	0	184	628	922	922	922	922	0	0	4,500	
Multi-Year Drought	2026	0	0	0	81	392	893	922	922	714	576	0	0	4,500
	2027	0	0	0	181	392	793	922	922	714	576	0	0	4,500
	2028	0	0	0	0	184	628	922	922	922	922	0	0	4,500
	2029	0	0	0	181	392	793	922	922	714	576	0	0	4,500
	2030	0	0	0	181	392	793	922	922	714	576	0	0	4,500

TABLE 3-17: PROJECTED ANNUAL WATER SUPPLIES UNDER AGREEMENT THROUGH 2050 (ACRE-FEET)

Year Type		2030	2035	2040	2045	2050
Normal		4,500	4,500	4,500	4,500	4,500
Single Dry-Year		4,500	4,500	4,500	4,500	4,500
Multi-Year Drought	Year 1	4,500	4,500	4,500	4,500	4,500
	Year 2	4,500	4,500	4,500	4,500	4,500
	Year 3	4,500	4,500	4,500	4,500	4,500
	Year 4	4,500	4,500	4,500	4,500	4,500
	Year 5	4,500	4,500	4,500	4,500	4,500

3.2. GROUNDWATER

Groundwater supplies are a less significant component of the Yuba City’s water supply portfolio. The groundwater supplies are derived from Yuba City’s groundwater production facilities. This section provides a description of the groundwater basin, characterizes the management structures related to various areas in the groundwater basin, and quantifies supplies available to the City from the groundwater basin.

3.2.1. Sutter Groundwater Subbasin

Yuba City derives its groundwater supplies from the Sutter Subbasin of the Sacramento Valley Groundwater Basin. The Sutter Subbasin (5-21.62) covers approximately 366 square miles and is defined as the area bounded on the north by the confluence of Butte Creek and the Sacramento River and Sutter Buttes, on the west by the Sacramento River, on the south by the confluence of the Sacramento River and the Sutter Bypass, and on the east by the Feather River. The subbasin lies entirely within the Sacramento River watershed with the most notable hydrological features being the Sacramento and Feather Rivers. Other notable features are Tisdale Bypass and Sutter Bypass. The manmade Sutter Bypass acts as a flood control overflow for the Sacramento River. The topography of the subbasin is comprised primarily of the gentle flatlands of the Sacramento River Valley. The only prominent topographic feature near the subbasin is the Sutter Buttes at its northern boundary, a Pliocene volcanic plug which rises abruptly 2,000 feet above the surrounding valley floor.

The geologic formations of the Sutter Subbasin include pre-Cretaceous metamorphic and igneous rocks of the Sierra Nevada block, which extends beneath the valley fill overlain principally by Tertiary sedimentary formations derived from these and other rocks which are exposed in the Sierra Nevada to the east. The sedimentary rocks are of both marine and

continental origin and are frequently interbedded with tuff-breccias. Volcanic rocks are also represented in the area in and around Sutter Buttes, which are erosional remnants of an extinct Pliocene volcano. Only the sedimentary rocks can be considered as being water bearing to any appreciable degree. The Sutter Subbasin aquifer system is comprised of continental deposits of Quaternary (Recent) to Late Tertiary (Miocene) age. The cumulative thickness of these deposits increases from a few hundred feet near the Sierra Nevada foothills on the east to over 2,000 feet along the western margin of the basin (DWR 1978). Groundwater and geology information for this aquifer system was referenced from Olmsted and Davis 1961, DWR 1978, Page 1986, and B-E 1992.

HOLOCENE STREAM CHANNEL AND FLOODPLAIN DEPOSITS

These alluvial materials occur as coarse sand and gravel along present stream channels of the Yuba, Feather, and Sacramento Rivers. Coarser grained materials occur near streams with thicknesses up to about 100 feet. Both grain size and thickness decrease with increased distance from streams. These deposits are highly permeable and provide for large amounts of groundwater recharge within the subbasin. Well yields are reported in the range of 2,000 to 4,000 gpm. The Sutter Subbasin and Yuba City's service area are shown below in **Figure 3-1**.

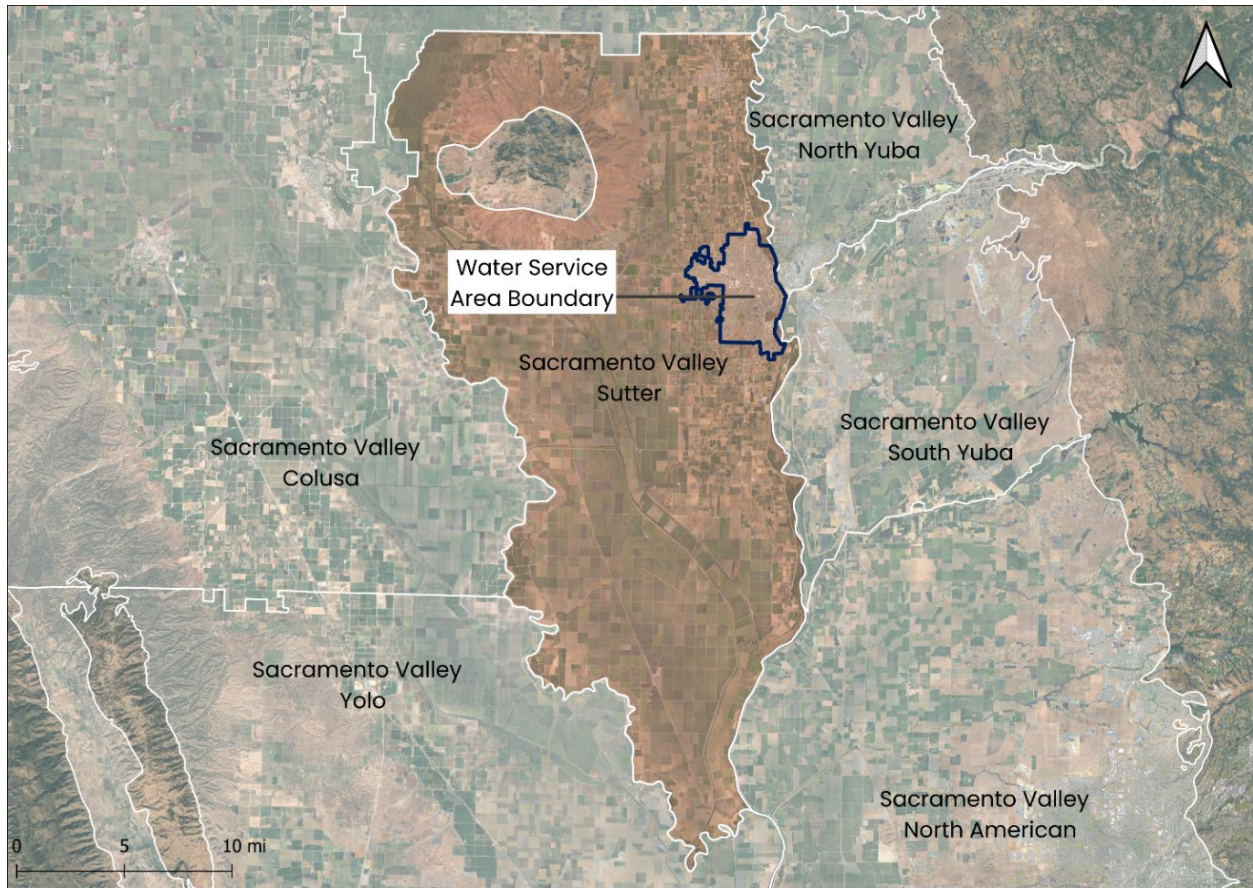


FIGURE 3-1: SUTTER SUBBASIN WITHIN THE SACRAMENTO VALLEY BASIN

3.2.2. GROUNDWATER BASIN MANAGEMENT BY THE CITY OF YUBA CITY

The City of Yuba City manages groundwater resources in coordination with the implementation of the Groundwater Sustainability Plan for the Sutter Groundwater Subbasin. DWR designates the Sutter Groundwater Subbasin as a medium-priority basin under the Sustainable Groundwater Management Act (SGMA), which required the subbasin’s Groundwater Sustainability Agencies (GSAs) to submit a Groundwater Sustainability Plan (GSP) by January 31, 2022. The Plan was finalized in January of 2022. Through participation with the Sutter Subbasin GSAs, the City supports basin wide management actions and monitoring programs intended to achieve long-term groundwater sustainability and support the reliability of local water supplies.

There are eight (8) other GSA’s that overlie the Sutter Subbasin in addition to the City of Yuba City’s GSA. The GSAs continue to coordinate ongoing monitoring, data collection, and annual reporting activities required by the DWR. Implementation efforts remain focused on maintaining sustainable groundwater levels, improving data collection and basin

understanding, and supporting ongoing coordination among participating agencies. Overall, the GSP remains active and in good standing, with continued emphasis on compliance, transparency, and adaptive management across the subbasin.

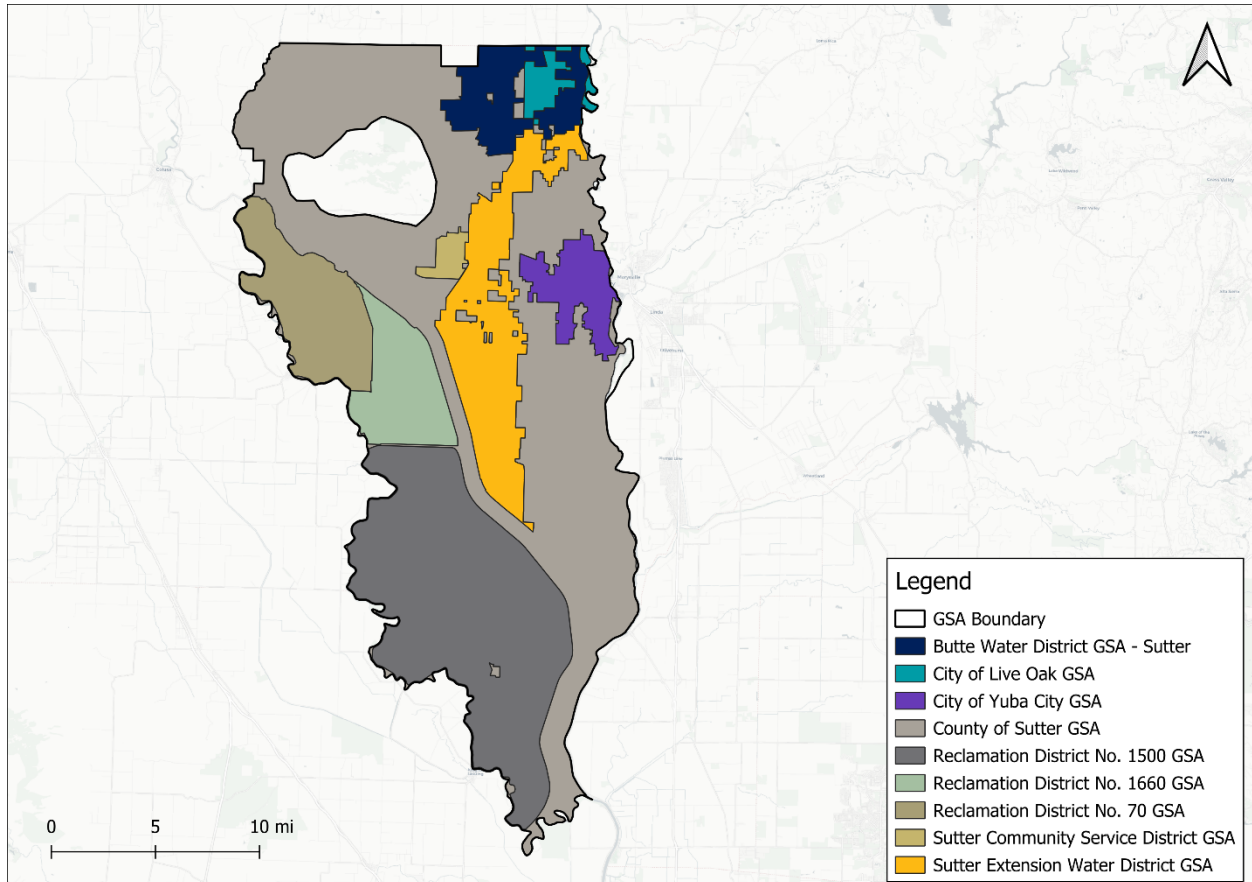


FIGURE 3-2: ALL GSA BOUNDARIES WITHIN THE SUTTER SUBBASIN

3.2.3. CITY’S GROUNDWATER USE

The City’s Water supply portfolio primarily consists of surface water assets, but the City also has groundwater supplies that augment its supply portfolio. Specifically, the City has one well located at its treatment plant that provides raw water into the City’s delivery system. Moreover, the City has other groundwater wells dispersed throughout the City’s boundaries that provide irrigation water that is disconnected from the City’s potable water system.

Yuba City’s historical pumping numbers since 2015 at its groundwater well located at the treatment plant are depicted in **Table 3-18**. Yuba City will continue to protect and secure groundwater supplies as it implements its conjunctive use program in accordance with its SGMA activities. These efforts may include, as noted in Section 3.5, additional groundwater

production facilities and systems – like Aquifer Storage and Recovery – that would enhance the City’s water supply portfolio.

TABLE 3-18: LAST 10 YEARS OF GROUNDWATER USE (ACRE-FEET)

Year	Groundwater Use
2016	414
2017	0
2018	0
2019	0
2020	0
2021	844
2022	612
2023	0
2024	0
2025	0

The City anticipates the following Groundwater supply for normal, single dry, and five consecutive dry years through 2030 in **Table 3-19** and through 2050 as shown in **Table 3-20**.

TABLE 3-19: GROUNDWATER SUPPLY IN VARYING YEAR TYPES (ACRE-FEET)

Year Type		Supply Available
Normal		1,920
Single Dry-Year		1,920
Multi-Year Drought	2026	1,920
	2027	1,920
	2028	1,920
	2029	1,920
	2030	1,920

TABLE 3-20: FUTURE PROJECTED GROUNDWATER SUPPLY AVAILABILITY THROUGH 2050 (ACRE-FEET)

Year Type		2030	2035	2040	2045	2050
Normal		2,400	2,400	2,400	2,400	2,400
Single Dry-Year		2,400	2,400	2,400	2,400	2,400
Multi-Year Drought	Year 1	2,400	2,400	2,400	2,400	2,400
	Year 2	2,400	2,400	2,400	2,400	2,400
	Year 3	2,400	2,400	2,400	2,400	2,400
	Year 4	2,400	2,400	2,400	2,400	2,400
	Year 5	2,400	2,400	2,400	2,400	2,400

3.3. TRANSFERS AND EXCHANGES

The City may engage in water transfers and exchanges in order to best support its supply reliability objectives. Most of the City’s water assets could be made available for transfer or exchange. For instance, the City’s SWP Table A supplies could be delivered to other SWP contractors per the transfer and exchange protocols established by the California Department of Water Resources. The City’s appropriative water rights may also be transferred pursuant to the rules established in the California Water Code (CWC) and implemented by the State Water Resources Control Board. Accordingly, the City may engage in water transfers and exchanges in the future to deliver supplies derived from the City’s water assets to other water users.

The City may also acquire water supplies through transfers and exchanges. For example, the City may find itself purchasing SWP Table A supplies from other contractors if it desires to augment its Table A supplies in the future. Nevertheless, the City does not account for any transfers or exchanges as part of its water supply portfolio contemplated in this Chapter.

3.4. WATER QUALITY

The drinking water quality of the Yuba City System must comply with the Safe Drinking Water Act (SDWA), which is composed of primary and secondary drinking water standards. Compliance with primary drinking water standards is regulated by the U.S. Environmental Protection Agency (EPA). Compliance with both primary and secondary standards is required by the State Water Resources Control Board, Division of Drinking Water (DDW).

Yuba City continually monitors the water quality within its Water Service Area system and samples water at the sources as well as within the distribution system to ensure compliance

with regulatory standards. Yuba City treats the water derived from the contracted supplies and groundwater systems with appropriate treatment actions that meet all state and federal guidelines. **Table 3-21** below shows the most recent water quality report issued by Yuba City for the Water Service Area demonstrating compliance with water quality regulatory standards.

Issues with groundwater quality were the reason for the City expanding its water treatment plant and transitioning away from significant groundwater use. Current groundwater is pumped from a well near the treatment plant and plumbed in upstream of the treatment system. As such, any groundwater use water quality considerations are captured in the table below.

TABLE 3-21: YUBA CITY POTABLE WATER QUALITY

Water Quality Standards	Goal Level	Max Level	Range	Amount Detected
Primary Standards				
Arsenic* (ppb)	0.004	10	0.3 – 0.9	0.7
Fluoride (ppm)	1	2	0.58 - 0.75	0.69
Nitrate as N (ppm)	10	10	ND	ND
Chlorine (ppm)	4	4	1.2 - 1.7	1.5
Copper* (ppm)	0.3	1.3	N/A	ND
Lead* (ppb)	0.2	15	N/A	ND
Secondary Standards				
Odor (tons)	N/A	3	ND - 3	0.75
Iron* (ppb)	N/A	300	ND - 15	4
Specific Conductance (umho/cm)	N/A	1,600	114 - 140	129
Manganese* (ppb)	N/A	50	ND - 2.1	0.8
TDS (ppm)	N/A	1,000	53 - 88	76

*Samples taken in 2022

3.5. PLANNED PROJECTS

The City has explored the feasibility of developing Aquifer Storage and Recovery (ASR) wells to provide seasonal and long-term underground storage of drinking water. ASR would make efficient use of existing water diversion, treatment, and transmission facilities. ASR is defined as the recharge of water into a well during times when water of suitable quality is available

for storage and recovery of water from the same well during times when the water is needed. The City completed an ASR feasibility assessment that concluded that ASR is feasible and recommended that the City should proceed with an ASR demonstration project at the water treatment plant.

In 2012, the SWRCB adopted Water Quality Order (WQO) 2012-0010, General Waste Discharge Requirements for Aquifer Storage and Recovery Projects that Inject Drinking Water into Groundwater (State Board, 2012). WQO 2012-0010 provides a streamlined regulatory process for projects, such as the City's planned ASR project. In 2015, the City completed construction of three multiple-completion groundwater monitoring wells at the WTP site for the purpose of more fully characterizing the hydrogeology of the site and to assess groundwater flow gradients and groundwater quality in the two targeted aquifer zones. The planned project would consist of construction of one or two municipal wells at the WTP site. These wells would be screened in the upper and lower aquifer zones respectively. Alternatively, the existing municipal well at the WTP could be modified to enable injection and extraction from the lower aquifer zone. The wells would be used to inject treated surface water sourced from the WTP into the two aquifer zones during the late fall, winter and early spring, when demands are typically lower and surface water supplies are plentiful, and recovery of the treated surface water during the summer and early fall when demands are higher and surface water supplies are limited. Water recovered from the wells would be blended with treated surface water at the WTP.

3.6. DESALINATION

Desalination of ocean water is not physically or financially viable for the City at this time and there are no future plans to develop water supplies derived from desalination activities.

3.7. RECYCLED WATER SUPPLIES

The Yuba City Wastewater Treatment Facility (WWTF), originally built in 1975, was redesigned in 2003 to treat an average flow of 10.5 million gallons per day (MGD). Yuba City's current average flow is about 6.5 MGD. The WWTF is a Class IV Wastewater Treatment Facility with a pure oxygen activated sludge process designed to handle high and variable biochemical oxygen demand (BOD) load from local food processing facilities, commercial facilities, and residential areas. The facility consists of three main treatment processes – Primary Treatment, Secondary Treatment and Bio-solids Treatment. As the final step in treatment, secondary effluent is disinfected with chlorine followed by de-chlorination before being

discharged into the Feather River or percolation ponds located on the east side of the Feather River in the river flood plain.²⁷

The City uses only a limited amount of recycled water for plant processes and irrigation at the WWTF. The total recycled water use is shown in **Table 3-22** below.

TABLE 3-22: 2025 RECYCLED WATER USE (ACRE-FEET)

Year	Recycled Water Use (acre-feet)
2025	507

The City anticipates limited growth in its recycled water uses over time. Although it is coordinating with regional agencies about potential recycled water supply development, the actions are limited at this time. **Table 3-23** shows the projected recycled water use through 2030 and **Table 3-24** shows the projected recycled water availability through 2050. In all instances, the City intends to continue recycled water use at the WWTF consistent with past practices. This supply is not counted towards the City’s future potable supply assessment.

TABLE 3-23: PROJECTED RECYCLED WATER SUPPLY THROUGH 2030 (ACRE-FEET)

Year Type		Amount
Normal		650
Single Dry-Year		650
Multi-Year Drought	2026	650
	2027	650
	2028	650
	2029	650
	2030	650

²⁷ https://yubacity.net/departments/public_works/wastewater_treatment/index.php

TABLE 3-24: PROJECTED RECYCLED WATER SUPPLY THROUGH 2050 (ACRE-FEET)

Year Type		2030	2035	2040	2045	2050
Normal		650	650	650	650	650
Single Dry-Year		650	650	650	650	650
Multi-Year Drought	Year 1	650	650	650	650	650
	Year 2	650	650	650	650	650
	Year 3	650	650	650	650	650
	Year 4	650	650	650	650	650
	Year 5	650	650	650	650	650

3.8. BAY DELTA PLAN

The Bay-Delta Water Quality Control Plan Update (Plan) is a pending State Water Resources Control Board (State Board) action that could implicate water supplies that connect to the Sacramento-San Joaquin Bay Delta (Delta). Although the Plan has not yet been adopted, the various proposed State Board actions could impact each urban water purveyor’s water supply reliability. The Healthy Rivers and Landscapes Program (HRL Program) is an alternative to the Plan and provides opportunities for urban purveyors to meet the Plan’s aquatic species and water quality objectives through coordinated regional management activities. In addition, the Plan has numerous post-adoption water management activities, such as cold-water storage and management, that are to-be-determined as the Plan is implemented. These to-be-determined management actions could impact how water supplies are made available to each urban purveyor. Finally, the Plan appears to exempt some tributaries and other geographical areas from strict adherence to the Plan or HRL Program that would not affect long-term urban water planning projections. Importantly, all three of the City’s primary surface water supply sources – the State Water Project, the Solano Project, and License 7848 – derive from rivers and tributaries that may be regulated under the Plan. The City is actively monitoring these regulatory developments and is taking proactive steps to protect its water supply portfolio, including engagement with regional water management partners and evaluation of supply optimization and augmentation alternatives.

The water supply reliability projections described in this Urban Water Management Plan update reflect characterizations of water supplies and demands as they exist based upon reasonably available information. Although the Plan, HRL Program, and post-Plan water management adjustments could change UWMP water supply reliability projections, the water supply implications are not yet suitable for analytical integration into the current water

supply reliability projections for this UWMP iteration. Once the Plan or HRL Program is adopted, and post-adoption implementation actions become better known, the projections for urban water supply reliability can be reasonably calculated. We anticipate that the 2027 through 2030 iterations of Annual Assessments will guide urban purveyors in assessing near term impacts of the Plan on water supply reliability and generate useful information that can be incorporated into the next UWMP update in 2030. In the interim, the City is proactively assessing opportunities to optimize and potentially add to its existing portfolio by analyzing potential supply alternatives, partnerships, and water rights protections that position it to maintain reliable water service to its customers across a range of potential regulatory scenarios.

3.9. SUPPLY SUMMARY

The City's four surface water supplies are: 1) State Water Project Contract; 2) Water right license 13855; 3) Water right permit 18558; and 4) Contract with North Yuba Water District. All of these supplies are available in normal, single dry, and five consecutive dry years through the 25-year planning horizon in the 2025 UWMP. **Table 3-25** summarizes the supplies available from 2026 through 2030 on a monthly timestep.

Table 3-26 shows the annual summary, totaling for each water asset held by the City through the UWMP planning horizon. These tables represent managed actions for each water asset to demonstrate sufficient monthly supplies to meet demands.

It is noted that the City actively manages all supplies to meet expected demands. Annual allocations of its Table A supply, current year carryover, and diversions under its surface water rights and entitlement may vary from the monthly distribution presented below. Monthly tables presented in this chapter provided a high-level overview of the supplies available and anticipated utilization, realizing that management actions and supply availability may alter how each supply is actually utilized for meeting demands. This City conducts an Annual Water Supply and Demand Assessment (Annual Assessment) each year pursuant to CWC §10632.1 where current conditions are contemplated in determining the City's ability to meet expected demands over the prescribed 12-month timeframe. The City has submitted these reports to DWR annually since 2022. Considerations include current year Table A allocation, SWP Carryover available, hydrologic conditions, and unconstrained demands.

Chapter 3 – Water Supply

TABLE 3-25: POTABLE SUPPLY AVAILABILITY IN VARYING YEAR TYPES THROUGH 2030 (ACRE-FEET)

Year Type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	
Normal	1,975	2,231	2,231	2,412	2,623	1,999	1,634	1,734	1,820	2,707	2,231	1,975	25,572	
Single Dry Year	2,420	2,295	2,420	2,378	1,313	1,393	1,612	1,842	1,542	1,632	2,378	2,420	23,644	
Multi-Year Drought	2026	2,141	2,016	2,141	2,181	1,442	1,743	1,722	1,872	1,879	1,576	2,200	2,141	23,054
	2027	2,141	2,016	2,141	1,031	1,442	1,643	1,692	1,872	1,714	1,676	2,100	2,141	21,610
	2028	2,420	2,295	2,420	1,129	1,438	1,508	1,697	1,872	1,722	1,697	2,378	2,420	22,995
	2029	2,141	2,016	2,141	1,131	1,442	1,643	1,717	1,872	1,714	1,701	2,100	2,141	21,760
	2030	2,141	2,016	2,141	1,131	1,442	1,643	1,772	1,887	1,739	1,701	2,100	2,141	21,855

TABLE 3-26: FUTURE PROJECTED TOTAL POTABLE SUPPLY AVAILABILITY THROUGH 2050 (ACRE-FEET)

Year Type		2030	2035	2040	2045	2050
Normal		25,572	25,572	25,572	25,572	25,572
Single Dry-Year		23,644	23,644	23,644	23,644	23,644
Multi-Year Drought	Year 1	23,054	23,054	23,054	23,054	23,054
	Year 2	21,610	21,610	21,610	21,610	21,610
	Year 3	22,995	22,995	22,995	22,995	22,995
	Year 4	21,760	21,760	21,760	21,760	21,760
	Year 5	21,855	21,855	21,855	21,855	21,855

As previously stated, the assumed amount of SWP Table A Carryover available to the City at the beginning of each multi-year drought presented in **Table 3-25** and **Table 3-26** assumed “Normal Year” availability of 3,082 acre-feet. The monthly and annual use of the carryover supply is incorporated into the summary tables above and used later in the Water System Reliability assessment presented in Chapter 5.

CHAPTER 4

WATER USE

Developing a thorough understanding of water use enables the City to reliably and cost-effectively manage its water supplies to continue to meet customer needs. This chapter characterizes Yuba City’s current and forecasted retail customer water needs, examining how various factors such as seasons, land use classifications, and differing hydrologic conditions impact water use.

A thorough analysis of the City’s past and current water use enables realistic water use predictions to be made for the future that consider anticipated growth, new regulations, changing climate conditions, and trends in customer water use behaviors. After individually analyzing each water use sector, information can be aggregated into a comprehensive projection of customer water use that becomes the foundation for integration with the City’s water supplies (see Chapter 3) to assess long-term water system reliability (see Chapter 5).

4.1. CURRENT CUSTOMER WATER USE

As described in Chapter 2, Yuba City serves potable water to over 19,000 customer connections. Under normal circumstances, all of the water supplied by the City to its customers is drawn from the Feather River, treated at the City’s water treatment plant, and delivered through an array of pipelines and turnouts. Information on the City’s current customers, their recent and expected water use trends, and Yuba City’s ongoing demand management efforts targeting these customers provide a foundational basis for this UWMP’s water use forecast through 2050.

Furthermore, annual records of actual water use are the basis for determining the City’s compliance with the Making Conservation a California Way of Life regulation and its Urban Water Use Objective (UWUO).²⁸ The UWUO became required annual reporting to the State on January 1, 2024.

4.1.1. CUSTOMER WATER USE: 2021 TO 2024

Recent customer water use data can help the City understand water use trends, effects of temporary use restrictions imposed during the most recent prolonged drought and recovery

²⁸ Enacted by SB 606 and AB 1668. https://www.waterboards.ca.gov/conservation/regs/water_efficiency_legislation.html

from such temporary restrictions, effects of long-term demand management measures, and other pertinent water use factors relevant to its forecast of future water use. Additionally, the City is required to quantify past customer water use pursuant to California Water Code §10631(d)(1).

Table 4-1 below presents the City's past customer potable water use by customer classification for 2021 through 2024 in acre-feet. The City records potable water use within five different categories:

- Single-Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Irrigation
- Other

Chapter 4 – Water Use

TABLE 4-1: POTABLE CUSTOMER USE 2021 TO 2024 (ACRE-FEET)

	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Single-Family Residential	2021	399	381	337	458	722	974	972	1,001	797	746	577	351	7,714
	2022	320	331	421	514	548	712	771	849	828	662	604	439	6,999
	2023	272	298	283	308	452	636	784	912	869	749	560	421	6,544
	2024	354	294	287	339	452	714	878	1,000	884	794	689	412	7,097
Multi-Family Residential	2021	101	115	92	105	124	144	139	141	123	120	110	85	1,400
	2022	83	83	86	99	101	113	120	130	127	114	110	105	1,272
	2023	73	84	73	84	88	110	125	134	133	120	103	92	1,218
	2024	88	81	82	80	90	112	127	142	132	125	121	93	1,274
Commercial	2021	123	140	117	131	162	196	193	202	181	166	151	114	1,877
	2022	111	112	126	148	142	167	159	168	179	171	151	130	1,763
	2023	87	101	94	110	121	147	158	181	187	174	145	122	1,626
	2024	109	100	100	109	123	150	166	190	188	175	167	119	1,695
Industrial	2021	78	78	60	59	54	69	84	106	78	66	97	69	898
	2022	70	89	86	72	43	38	61	57	61	66	66	86	796
	2023	48	60	47	37	32	20	23	29	30	39	57	35	457
	2024	4	29	27	28	31	19	28	51	33	23	32	57	362
Irrigation	2021	37	22	21	40	84	122	133	129	113	113	77	26	918
	2022	20	17	47	71	67	84	89	96	105	86	78	40	800
	2023	14	15	17	16	29	84	111	129	130	113	79	40	777
	2024	26	16	14	21	45	85	115	137	136	119	98	47	860
Other	2021	0	0	0	0	1	1	3	3	4	1	1	0	14
	2022	4	1	1	3	2	4	4	3	1	2	2	1	27
	2023	0	1	1	0	1	3	3	2	5	7	13	4	40
	2024	8	3	1	3	1	4	2	6	6	5	4	1	44
Total Metered Deliveries	2021	738	736	627	793	1,147	1,505	1,525	1,582	1,295	1,212	1,013	646	12,820
	2022	608	632	767	908	902	1,118	1,204	1,303	1,301	1,101	1,012	801	11,656
	2023	494	558	515	555	723	999	1,204	1,386	1,353	1,202	958	715	10,663
	2024	590	522	512	581	742	1,084	1,316	1,526	1,379	1,241	1,110	729	11,332

The historical data also provides insight into the relative ratio of differing customer classifications as well as seasonal variations. For instance, residential and irrigation demands are significantly higher in the summer months compared to the winter, when rainfall is generally sufficient to meet the water needs of landscapes.

The single-family residential classification illustrates two important characteristics of the City’s water service: (1) it represents about 60% of the annual potable water demand, and (2) it has summer demands that are two times the monthly volume needed in winter months. Combined with the multi-family residential use, overall residential use represents over 70% of the City’s water service.

4.1.2. CUSTOMER USE IN 2025

Customers served by the City are metered at their connection to the City’s distribution system. As of January 1, 2024, for each customer account, the City is required to collect and submit metered delivery values to the State Water Board on a monthly basis, summarized annually in an auto-generated Clearinghouse Annual Inventory Report (CAIR Report).²⁹ This data was formerly submitted as part of the City’s annual reporting to the SWRCB Division of Drinking Water. The 2025 actual customer use presented in **Table 4-2** represents the summarized delivery to all the City’s potable customers. It does not, however, include the distribution system losses inherent in a pressurized water delivery system that occur during the City’s efforts to treat, store, and route the water throughout the extensive distribution system to each customer’s connection.

TABLE 4-2: 2025 POTABLE WATER USE

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Single-Family Residential	326	343	282	361	489	787	847	924	821	838	525	355	6,899
Multi-Family Residential	83	83	72	86	90	122	123	134	119	131	104	85	1,232
Commercial Institutional	103	104	94	115	118	163	162	175	142	181	142	105	1,604
Industrial	250	298	283	238	198	6	127	121	113	126	126	115	2,000
Landscape Irrigation	23	20	17	21	52	103	114	126	125	121	69	32	822
Other	1	1	1	1	2	3	6	7	4	4	2	1	31
Total Metered Deliveries	785	849	750	822	948	1,184	1,379	1,487	1,324	1,401	968	692	12,588

²⁹ Monthly submitted reports include the water system supply and demand and conservation actions datasets to the SAFER Clearinghouse.



4.1.3. EXISTING DISTRIBUTION SYSTEM LOSSES

Distribution system water losses include both “real losses” and “apparent losses”. Real losses are physical losses from the water distribution system, such as leaks from pipes, joints, and storage facilities, occurring up to the point of delivery to the customer (e.g., the residential water meter). Apparent losses represent water that is consumed but not properly measured or accounted for, such as meter inaccuracies, data handling errors, and/or unauthorized consumption.

Beginning in 2016, the City has been required to quantify its distribution system losses using the American Water Works Association (AWWA) Method.³⁰ An electronic copy of the audit in Excel format is to be submitted to the DWR by October 1 of each year for the prior year’s estimated system losses, using DWR’s online submittal tool pursuant to CA Code of Regulations §638.5.

The 2025 estimate has not been officially submitted to DWR as of the drafting of this UWMP but is estimated to be approximately 1,061 acre-feet over the year, or about 7.8% of the water entering the distribution system. This value reflects real losses as well as apparent losses, such as from meter inaccuracies.

Table 4-3 presents the distribution loss – representing both real and apparent losses. These values are derived from the City’s AWWA water loss reports that provide details on total water supplied and water loss (real and apparent). As can be anticipated given the dynamic functions of a pressurized potable water distribution system, the estimated annual distribution system loss as a percentage of water entering the system will vary year-to-year and month to month. On average, however, the City’s distribution system loss represents about 11.1% of the water entering the City’s distribution system.

TABLE 4-3: DISTRIBUTION SYSTEM LOSS: 2021 THROUGH 2025

2021	2022	2023	2024	2025
11.0%	15.5%	14.9%	14.1%	7.8%
Average				12.7%

As seen from **Table 4-3**, the City’s water loss continues to decrease and is anticipated to be reduced to levels to address the City’s Water Loss Control Standard in the near future.

³⁰ Title 23 California Code of Regulations §638.1 et seq.

4.1.4. WATER LOSS CONTROL STANDARD

The CWC §10608.34 required the State Water Resources Control Board (SWRCB) to develop water loss control and performance standards (Real Water Loss Standards) applicable to urban retail water suppliers. The Real Water Loss Standard for the City was developed using validated water loss audit data submitted to the State for the period 2017 through 2020 and resulted in a standard of 37.97 gallons per service connection per day (gpcd), including both active and inactive connections.

Application of this standard to the City’s annual supply and service connection data for 2017 through 2020 indicates that real water losses averaged approximately 5.8% of total water supplied. Using the same dataset, apparent water losses averaged approximately 0.9% of total water supplied. Combined real and apparent losses therefore averaged approximately 6.7% of annual water supplied. This average percentage is used for purposes of forecasting total potable water use through 2050.

4.1.5. WATER TREATMENT PLANT PROCESS WATER

As part of the City’s water treatment processes, additional water is diverted from the river but not included as part of the City’s production values. This water accounts for water used in filter backflushing and other treatment process steps. The City is evaluating opportunities to recirculate this water back into the beginning of the treatment process consistent with some advanced water treatment best management practices, but does not have any plans in place for this action as of the preparation of this UWMP. Therefore, the total quantity diverted from the river and pumped from the ground includes water necessary for the water treatment processes. The last four years of process water is shown in **Table 4-4**, and represents about 5% added to the metered customer deliveries and the distribution system losses.

TABLE 4-4: HISTORIC WATER TREATMENT PLANT PROCESS WATER (AF)

	2021	2022	2023	2024	2025	Average
Inflow	15,024	14,068	13,340	14,091	13,649	14,034
Production	14,282	13,783	12,602	13,238	12,853	13,639
Diff (af)	742	285	738	853	797	608
Diff (%)	95%	99%	94%	94%	94%	96%

4.2. COMPLIANCE WITH WATER USE TARGET AND OBJECTIVES

This section examines the City’s derivation and compliance with state-mandated water use targets and objectives. The Water Conservation Act of 2009, also known as SB X7-X, introduced water conservation targets that served as a valuable measure of progress through 2020 and beyond.

4.2.1. COMPLIANCE WITH 2020 URBAN WATER USE TARGET

SB X7-7, also known as the Water Conservation Act of 2009, introduced sustainable water use and demand reduction legislation requiring the City to make incremental progress in reducing per-capita water use. Specifically, urban water retailers were tasked with achieving a 10% reduction in per capita water use by December 31, 2015, and a 20% reduction by December 31, 2020. Beyond 2020, although reporting on compliance is no longer required, this target remains valuable as a baseline for the City to measure progress on achieving water efficiency goals.

The City’s 2020 Gallons per capita per day (gpcd) target was established in the 2015 UWMP as 192 gpcd, derived as the “gross water use” divided by the population during a defined baseline period, and reduced pursuant to one of four methods defined under California Water Code §10608.20(b). The City’s calculation of their 2020 actual gpcd used the same methodology.

“Gross water” was determined to be the total water entering the City’s water treatment plant. This value represents both the customer deliveries shown in **Table 4-2** and the distribution system losses recorded in **Table 4-3**. As shown in **Table 2-4**, the City’s population in 2020 was estimated to be 70,458. This results in a calculated 2020 compliance value of 179 GPCD, which is less than the City’s established target. Thus, the City is in compliance with CWC §10608.24(b).

4.3. DEMAND MANAGEMENT MEASURES

Pursuant to California Water Code §10631(e), the City needs to provide a narrative discussion of the water demand management measures it has implemented, is currently implementing, and plans to implement. The historic and on-going measures can help the City understand the effectiveness on managing existing customer uses so as to help guide refinements, emphasis or augmentation that will help position the City to best meet water use objectives.

4.3.1. FOUNDATIONAL DEMAND MANAGEMENT MEASURES

This subsection describes the foundational demand management measures (DMMs) that underpin the City’s operations and customer deliveries. These particular DMMs represent adopted ordinances, policies, and long-standing budgeted conservation programs.

WATER WASTE PREVENTION ORDINANCES

Wasteful use of water is prohibited in the City’s service area under Section 6-6.08(b) of the City’s municipal code. No customer shall permit leaks or the waste of water, and if water is wastefully or negligently used on a customer’s premises, the City may discontinue service if wasteful conditions are not corrected.

Section 6-6.19 of the City’s municipal code recognizes emergency water restrictions and states that, when City Council declares that there are water supply conditions that dictate and justify the implementation of emergency water restrictions, the regulations in the Water Shortage Contingency Plan will apply. These fundamental prohibitions align with state-mandated requirements. The ordinance includes graduated penalties for waste and/or unreasonable use during all stage declarations. For all conditions, including Normal Water Supply, restrictions on water waste include:

- Runoff prohibited.
- Watering after rainfall event prohibited.
- Automatic shutoff nozzles are required for all hoses.
- Washing driveways and other paved areas is prohibited.
- Pools, ponds, and fountains are required to use recirculated water.

In addition, the City has “yc311”, which is an online service and mobile app which allows anyone to report water waste, facilitating proactive response and improved management.³¹

The City has implemented this DMM over the planning period (through WSCP water conservations stages) and will continue to actively manage water waste through 2050.

METERING

All water service connections in the City’s service area are metered. The City began using radio-read customer meters in 2010 and began transitioning to automated metering infrastructure (AMI) in 2017 to provide more timely information to customers and for the City’s management needs. AMI meters have been shown to reduce exterior landscape use and

³¹ https://yubacity.hosted.civiclive.com/online_services/yc311

modest reductions in interior water use. The City currently has nearly 20,000 AMI meters installed with 100% of customers having an AMI meter.

CONSERVATION PRICING

The City's water rate structure is set to generate the necessary funds to efficiently operate the City's water system and maintain reliable water supplies. The City uses a single-tier pricing structure based on water use and meter size. The rate structure includes a baseline allocation rate and per HCF charge above baseline component. Under normal water supply conditions, this rate structure has effectively reduced customer water use. The City can assess surcharges for violations of water use restrictions according to City ordinance 6-6.20.

PUBLIC EDUCATION AND OUTREACH

The City regularly engages its customer base with several conservation and demand management outreach programs. Promoting water-wise activities, water schedules, and educational programs are part of the City's regular outreach efforts, which include a water efficiency web page providing resources to the community for conserving water.³²

In addition to local public education and outreach programs, the City also participates in a regional public education and outreach program through the Regional Water Authority. The Regional Water Authority (RWA) is a joint powers authority formed in 2001 to promote collaboration on water management and water supply reliability programs in the greater Sacramento, Placer, El Dorado, Yolo and Sutter counties. In collaboration with 19 water provider members and other wastewater, stormwater and energy partners, RWA formed the Water Efficiency Program (WEP) in 2001 to bring cost effectiveness through economies of scale to public education and outreach activities. While the City is not an active participant in the WEP, through its membership in RWA, the City's water service customers can access the WEP materials through RWA.

The main function of the WEP is to develop and distribute public outreach messages to customers in the region by collaborating with its water supplier members. The Program distributes these messages on a regional scale through regional media and advertising buys and was honored with the United States Environmental Protection Agency WaterSense Partner of the Year award in 2021 along with three Public Relations Society of America (PRSA), California Capital Chapter awards in 2023/2024 for WEP's public outreach and school education programs. From 2021-2025, the WEP created a series of public outreach campaigns. Below is a summary of each campaign and highlighted achievements.

³² https://yubacity.net/departments/public_works/utilities/water_conservation/index.php

2021 was a year for nimble messaging and maximum flexibility to adapt outreach to the rapidly changing conditions. RWA’s WEP began 2021 with a focus on household leaks and then transitioned to the fourth year of an award-winning outreach campaign focused on tackling the landscape overwatering problem by encouraging residents to check soil moisture before turning on sprinklers (Check & Save). With the sudden emergence of drought in May 2021, the program introduced new creative and tools for WEP participants. The goal: Help provide consistent and actionable tips region-wide while providing flexibility for RWA members to customize materials to reflect their unique water supply situation and call to action.

As the drought grew more serious through late 2021 and into 2022, the WEP updated messaging again and ramped up outreach, asking residents to reduce lawn watering while continuing to water trees (Stress Your Lawn, Save Your Trees), understanding that lawns can handle less water but that drought-stressed trees can be lost forever. This messaging supported the Governor’s request of water suppliers to voluntarily reduce water use by 15 percent. Additionally, the WEP continued to partner with the Sacramento Tree Foundation to help educate residents and business on how to maintain and expand the region’s healthy tree canopy and included a series of co-branded educational videos and materials.

After the drought subsided in 2023, the WEP launched a new multi-year outreach program aimed at encouraging water efficiency during a non-drought year. Research indicates that public engagement in water conservation tends to surge during drought periods, such as 2022, but declines during non-drought years, like 2023. Consequently, garnering attention and motivating action becomes more challenging during non-drought periods. To tackle this challenge, the 2023 outreach program focused on two main messages:

- **SUMMER STRONG**—focused on promoting water-wise best practices outdoors. A Summer Strong yard is tough enough to muscle through the Sacramento region’s hottest days and still look its best. The campaign featured eye-catching graphics to promote efficient tree watering, adding low-water and native plants, checking soil moisture, using weather-based sprinkler timers, and watering early to minimize evaporation.
- **SUDS WOULD BE DUDS WITHOUT H2O**—With clean, reliable water essential to great beer (and to the success of local breweries), the WEP launched a pilot project to partner with local craft brewers, aiming to educate patrons about the importance of water to beer and how to preserve this natural resource. Initial partners included Jack Rabbit Brewing Company and Red Bus Brewing Company, which committed to distributing Be Water Smart materials to their customers. This campaign featured the development of a rebate program to upgrade brewing equipment to be more water

efficient and the distribution of coasters, koozies and stickers with water savings messages.

In 2024, the WEP enhanced its existing Summer Strong campaign with the Summer Strong Yard Champs promotion, spotlighting Sacramento-area residents who transformed their landscapes into water-efficient yards. Homeowners nominated yards featuring low-water plants and efficient irrigation systems for a chance to be featured on regional billboards. Nearly 50 nominations were reviewed, with winners receiving professional photoshoots. Featured yards included a mix of DIY and professionally designed landscapes, all showcasing water-saving practices like low-water and native plants, drip irrigation, and rainwater capture, inspiring others to adopt similar approaches. In 2025, the Summer Strong campaign added a new mascot, Jack LaPlant, an animated plant figure that carried on all the same water savings tips but with refreshed visuals to draw in a new audience. In 2024, the WEP expanded its successful pilot project, Suds Would be Duds without H₂O, with local craft breweries to raise awareness about water's role in craft beer production and to promote water efficiency. The campaign visited 52 breweries across the Sacramento region. Around 20 breweries are considered active partners, including six of the top craft breweries in the area. Promotional materials, including 10,500 coasters and 7,200 stickers, were distributed by these partners and included water-saving tips and a link to our BeWaterSmart.Info website to access rebates. Additionally, two breweries, Urban Roots Brewery & Smokehouse and Solid Ground Brewing participated in WEP's commercial indoor rebate program. Each brewery received \$15,000 to upgrade or add equipment that reduced water used for chilling and sanitizing processes.

Both campaigns, Summer Strong and Suds Would be Duds without H₂O, were continued through the end of 2025 and were implemented through both paid advertising buys and earned media from public service announcements (PSAs) and aired in English and Spanish. Every year the campaigns' messaging can be heard on local radio stations such as Capital Public Radio and online through Google, Facebook, and YouTube advertisements. For clarification below, impressions represent how many times an ad was seen.

From 2021-2025, the WEP public outreach campaigns produced:

- Television Advertising
3,926 television advertisements
23,212,700 impressions
- Streaming Video Advertising (Comcast, EyeQ, Hearst, Paramount Plus, & Premion)
3,532,621 advertisements
3,532,621 impressions

- Radio Advertising
 - 5,273 radio advertisements
 - 19,994,200 impressions
- Digital Advertising (Facebook, Google Display Network & Spotify)
 - 29,472,602 million impressions
 - 297,870 clicks
- Billboard advertising
 - 2,037,102 digital advertisements
 - 62,807,653 impressions
- Public Service Announcements (Television and Radio)
 - 24,248,000 impressions
 - \$683,400 in value had they been purchased as advertising
- Facebook
 - 60 posts per year

The Program continues to utilize our public outreach website, BeWaterSmart.Info, and the “Be Water Smart” brand to reach customers throughout the region. The website, which completed a major redesign and upgrade in 2025, contains customer-specific (enter your address) local water supplier information on rebates and services, general top ways to save for residents and businesses, an interactive watering guidelines and water waste reporting tool, a water-wise plant and gardening database, recent press releases, the Sacramento Smart Irrigation Scheduler tool, and more. Between 2021 and 2025, the website averaged 37,000 unique visitors per year.

For more targeted outreach, the Program distributed quarterly e-newsletters to enrolled residents. The e-newsletters are filled with water savings tips, upcoming events, and region specific articles. They are usually timed around changes in the weather to help signal the need for residents to adjust their irrigation systems, such as daylight savings coupled with a message to dial back/reduce sprinkler systems run times. The e-newsletter reaches 9,361 households.

The WEP selects 2 public events each year to attend as an opportunity for the public to interact with local water efficiency staff. This provides an opportunity for the region to communicate its messages in person. From 2023-2024, WEP attended ECOS Earth Day (April) and the Farm-to-Fork Festival (September).³³ In 2025, the WEP opted to attend the Sacramento Republic Brew Festival (June) instead of the Farm-to-Fork Festival to elevate our

³³No public events were attended in 2021 and 2022 due to the COVID pandemic.

existing partnership with Sacramento Republic FC. At these events, the Be Water Smart team provided water-wise tips, encouraged visitors to sign the pledge banner, collected e-mails for those who wish to sign up for the e-newsletter list, as well as identified a customer's water supplier and connected them with rebates and services. Additionally, WEP, in coordination with participating local water suppliers, hosts an annual Mulch Mayhem event (May) in which customers can pick up a truck load of free mulch from selected locations throughout the region.³⁴ Combined, these in person events are attended by thousands of people each year throughout the region.

The Program provides a variety of "give-a-way" items to customers at in person public events and through direct mail requests from the BeWaterSmart.Info website. From 2021-2025, WEP has distributed thousands of leak detection tablets, moisture meters, garden gloves, and drink koozies to customers to encourage the water savings practices described in our public outreach campaigns and brewery partnerships.

The Program is also highly active in communicating to local media outlets. Between 2021 and 2025, RWA issued 23 press releases on WEP activities and regionally significant news and participated in 17 radio public affairs interviews airing on 18 stations across the Sacramento region's major commercial radio networks. The RWA and the WEP were mentioned in dozens of news articles published by local and regional media outlets both within and outside of the Sacramento region during the same time frame.

Finally, the WEP partners with professional sports teams in the region to expand the Be Water Smart advertising to new and captive audiences. WEP partnered with the Sacramento River Cats (local Triple – A affiliate of the San Francisco Giants) in 2021, which included our long standing water savings advertisements on all bathroom stall doors as well as 30-second Check & Save spots broadcast on KMAX Channel 31 during each Saturday game and multiple 30-second radio spots broadcast during every game via their streaming radio coverage. The total attendance for regular season games was 342,861. In addition, 24 special events at Sutter Health Park drew 66,300 people in 2021. In 2023, WEP launched a new partnership with Sacramento Republic FC (local USL professional soccer team), displaying water-wise messages at games to promote "Summer Strong" yards. The partnership continued through 2025 and included the following activities: a 30-second LED ad, messaging on water refill stations, and giveaways booths at events/games.

To support public outreach messaging and promote water savings tips, the Program also coordinated several regional rebate programs, which were partially or fully funded by state,

³⁴The 2021 Mulch Mayhem event was held in September due to the COVID pandemic.

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federal, and private foundation grants. A variety of high efficiency rebate options were provided including toilets, clothes washers, and irrigation efficiencies (full summary in **Table 4-5**). Additionally, from August 2023 - November 2025, RWA managed a regional direct installation program, in which a contractor was hired to replace old high use fixtures in multifamily and commercial/institutional properties in disadvantaged communities in the region. Collectively these rebates and direct installations will produce an estimated lifetime (10 years) savings of 7.4 billion gallons of water and 7.9 million kilowatt hours of energy.

TABLE 4-5: REGIONAL REBATES AND INSTALLATIONS FROM 2021-2025

Rebate/Installation Type	2021	2022	2023	2024	2025	Lifetime Water Savings 2021-25 (acre-feet)	Lifetime Energy Savings 2021-25 (kWh)**
High Efficiency Clothes Washer Rebates	359	256	307	321	298	229.2	79,309
High Efficiency Toilet Rebates	767	1,275	602	423	326	422.0	145,990
Smart Irrigation Controller Rebates	686	1,049	3,051	556	464	3,652.6	1,264,024
Irrigation Efficiencies Rebates*	5,941	7,153	13,327	11,160	10,321	16,170.6	5,595,912
Turf Replacement Rebates (sq ft)	153,880	239,645	135,607	300,152	266,840	1,244.7	430,711
Toilet Direct Installation	n/a	n/a	584	2,183	1,688	435.5	150,671
Showerhead Direct Installation	n/a	n/a	562	1,766	1,532	605.2	209,475
Faucet Aerators Direct Installation	n/a	n/a	884	3,215	2,343	63.2	21,850
Urinal Direct Installations	n/a	n/a	n/a	19	40	4.0	1,348
Total Water Savings						22,826.7	7,899,291

*Includes: pressure regulator equipment, pipe and pipe fittings, drop or low volume equipment, and sprinkler heads or nozzles.

**Regional average of 346 kWh per AF

kWh = kilowatt-hour

n/a = no funding available

Lifetime = 10 years

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In addition to public outreach, the Program also coordinates regional school education activities. The RWA-sponsored water efficiency exhibits (\$500,000 sponsorship) opened for viewing in 2021 at the new SMUD Museum of Science and Curiosity (MOSAC) in downtown Sacramento, reflecting years of input by RWA Water Efficiency Program Manager, Amy Talbot, who helped shape the exhibits. The exhibits teach visitors to become a “Home Water Detective,” create their own mix tape from water conserving sounds in “Drop a Beat” and learn about local “Water Champions. MOSAC currently welcomes around 150,000 visitors a year from all over the region. Since 2012³⁵, the Program has hosted the Water Spots Video Contest for high school and middle school students. The WEP provides a new contest theme each year and provides the region’s teacher and students with relevant facts and images to help them develop 30 second video PSAs. The contest themes for 2022 and 2023 were “When in Drought...take action to reduce water use” and “Do Your Part to Be Water Smart” respectively. Students submit their videos to WEP who hosts a panel of local celebrities including Monica Woods from ABC 10 to decide on a first, second and third place winner. The top 10 scoring videos are then posted online for public voting to select a “people’s choice” winner as well. Both teachers and student receive cash prizes, and the winning videos are played at Raley Field during River Cats games and in select movie theaters throughout the region (Example: Century Blue Oaks theatre in Rocklin and Century Laguna 16 in Elk Grove). The winning PSAs are incorporated into the WEP’s media activities as well. The 2022 Grand Prize winner video “Doing Your Part” appeared 2,619 times in theatres and delivered 49,000 impressions. The 2023 Grand Prize winner video “Saving Water” appeared 2,149 times in theatres and delivered 47,000 impressions. Students from about a dozen area schools submitted a total of 54 videos total for the 2022 and 2023 contests.

In late 2023, WEP sunset the Water Spots Video Contest and launched a new school education program, Drip Drop, Hip Hop, in collaboration with NorCal School of the Arts (NorCal Arts), which brings together the worlds of art and sustainability to empower children, families, and communities in the Sacramento region. Funded by a \$300,000 grant from the Capital Region Creative Corps and California Arts Council, Drip Drop, Hip Hop educates students and families about water efficiency through a two-person play and arts-integrated lesson plan. The program is free of charge for primarily Title I schools and community venues in Sacramento, Placer, and El Dorado counties plus the City of West Sacramento. The children receive a shower timer with water-efficiency tips with each classroom visit. Additionally, in 2024 the program developed a 30-second television and radio Public Service Announcement (PSA) showcasing local children spreading the water efficiency message to a broader audience in both English and Spanish. In 2024, the PSA was broadcast 1,205 times in 7

³⁵The program did not host a Water Spots Video Contest in 2021 due to the COVID pandemic.

television outlets for a total of 5.6 million impressions for an added value of \$124,250 and 567 times in 17 radio outlets for a total of 1.2 million impressions and an added value of \$45,290. As of the end of 2025, the Drip Drop Hip Hop reached 13,232 students through 509 classroom performances and additional community events in Sacramento, Placer, and El Dorado counties. Teachers reported increased water conservation knowledge and that students shared the information with their families.

Implementation of this DMM is active and ongoing.

PROGRAMS TO ASSESS AND MANAGE DISTRIBUTION SYSTEM REAL LOSS

The City's water loss assessment and management program includes annual water audits and an ongoing leak detection and repair. This includes an ongoing meter calibration and replacement program for all production and distribution meters. The City's activities include:

- Annual water audit and water balance
- Proactive leak identification and repair in the City's distribution system
- Annual meter calibration and replacement program

In addition, the City has recently updated its Water Loss Control Plan in 2025 and implementation is aimed at reducing overall water loss through the distribution system. These actions in conjunction with other measures are aimed at reducing overall system water loss.

WATER CONSERVATION PROGRAM COORDINATION AND STAFFING SUPPORT

The City funds a full-time Administrative Analyst that acts as our water conservation coordinator on a part-time basis to run the City's water conservation programs. The City budgets \$30,000 annually for water conservation rebates. The conservation budget is used to fund various rebate, conservation and education programs. The City works with customers, neighboring water suppliers and RWA to promote conservation through public education, water audits, landscape studies to affect water conservation, and monitoring conservation efforts.

Recently, the City was able to secure \$3.4 million grant funding from DWR through its Urban Community Drought Relief Program.

4.3.2. RECENT DMM ACTIVITIES

The City has continued to promote and implement water conservation actions with great success. Highlights of the City's recent actions and conservation measures include:

- Facilitating children’s education activities through its Children’s Conservation Connection.
- Providing flyers and brochures, updated throughout the year.
- Respond to over 81 service calls per year and fixing over 42 leaks per year in the distribution system.
- Offering rebate programs for the following water conservation fixtures and activities:
 - WaterSense labeled toilets
 - WaterSense labeled smart irrigation controls
 - WaterSense labeled showerheads

4.3.3. PLANNED DMM ACTIVITIES

In addition to ongoing water conservation commitments, the City will continue to evaluate the need for additional programs and actions necessary to achieve water use objectives in compliance with California Water Code §10609.20. Resources will be dedicated in the City’s budget for demand management activities which will help comply with these future water use objectives. Special consideration will be taken regarding changing urban water use patterns in the service area as well as the configuration of anticipated new residential customers to assure use remains efficient.

4.4. FORECASTING CUSTOMER USE

Forecasting future water demands begins with existing customer demands and trends, aggregates additional customers expected through growth, and considers the factors that will influence the water use of both existing and new customers well into the future, including factors that directly affect the efficiency of water use.

Pursuant to California Water Code §10610.4(c), an urban water supplier “shall be required to develop water management plans to actively pursue the efficient use of available supplies.” The City recognizes the importance of efficient use and incorporates this approach into its planning for forecasted water uses. In other words, as required by the UWMPA, the future water uses of both existing customers and those added over the 25-year planning horizon reflect the “efficient use” of water.

4.4.1. REPRESENTATIVE CURRENT WATER USE

The actual monthly potable customer water use data for 2021 through 2025 is shown in **Table 4-1** and **Table 4-2**. From this information an estimate of the representative “current” water use by existing customers has been developed. Knowing that actual use by existing customers varies slightly year-to-year based on a variety of factors (e.g. total rainfall and the timing of spring rain events impacting when landscape irrigation may begin), the recent data

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provides a basis for estimating current water use. 2025 metered volumes by classification with slight adjustments are used as a proxy for “current” water use for each customer classification, which allows a baseline from which to estimate the future use of these existing customers.

TABLE 4-6: REPRESENTATIVE CURRENT PRODUCED WATER (ACRE-FEET)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Single-Family Residential	330	340	280	360	490	790	850	920	820	840	530	360	6,910
Multi-Family Residential	80	80	70	90	90	120	120	130	120	130	100	80	1,210
Commercial Institutional	100	100	90	110	120	160	160	170	140	180	140	100	1,570
Industrial	250	300	280	240	200	10	130	120	110	130	130	110	2,010
Landscape Irrigation	18	18	18	18	45	90	99	117	117	108	63	27	738
Other	0	0	0	0	0	0	10	10	0	0	0	0	20
Total Potable Use	790	850	750	820	950	1,180	1,380	1,490	1,320	1,400	970	690	12,590
WTP Process Water	47	51	45	49	57	71	83	89	79	84	58	41	755
System Loss	50	60	50	50	60	80	90	100	90	90	60	50	830
Total	887	961	845	919	1,067	1,331	1,553	1,679	1,489	1,574	1,088	781	14,175

4.4.2. FACTORS AFFECTING FUTURE CUSTOMER USE

There are several factors that affect the forecast of future customer use, ranging from State and local landscape regulations, building code requirements, and other water-use mandates, to changes in the types of housing products being offered. These factors are incorporated into determining the appropriate per-dwelling unit or per customer connection water demand values for use in forecasting future water needs. Relevant characteristics of the factors are described here.

WATER CONSERVATION DIRECTIVES

In response to the 2013 through 2015 multi-year drought conditions, Governor Brown issued Executive Order B-37-16 in May 2016 entitled “Making Water Conservation a California Way of Life.” In May 2018, Governor Brown signed into law SB 606 and AB 1668, which imposed additional statutory requirements above and beyond the 20 percent by 2020 target reflected in the 2009 legislation. This is expected to result in continued efforts to increase water use efficiency and ultimately to reduce water demands of existing water users and continue to influence the expected demands of future water users. One key outcome of the 2018 legislation was establishing Urban Water Use Objectives for all urban retail water suppliers. As noted previously, the City is in compliance with these UWUOs as reflected in reporting to the State.

PROHIBITION ON NON-FUNCTIONAL TURF

In 2023, the Legislature determined that the use of treated, potable drinking water for irrigating decorative or aesthetic landscaping that serves no recreational or public use is inefficient and inconsistent with state water conservation and climate resilience objectives.³⁶ Under CWC §10608.12(u), “nonfunctional turf” (NFT) is defined as “any turf that is not functional turf, and includes turf located within street rights-of-way and parking lots.” Per CWC 10608.12 (m), “functional turf” is defined as “a ground cover surface of turf located in a recreational use area or community space. Turf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly is not functional turf”. The NFT definition excludes cemeteries, parks, sports fields, and lawns that are regularly used for recreation or community gathering.³⁷

The prohibition on NFT applies primarily to commercial, industrial, institutional, and municipal properties, as well as common areas maintained by homeowners’ associations and common interest developments³⁸. Potable water may continue to be used to maintain the health of trees and other perennial, non-turf landscaping, and where irrigation is necessary to address immediate public health or safety concerns. For example, potable irrigation may be allowed where discontinuation would compromise fire prevention or fuel reduction efforts, dust control, or other measures needed to protect human health and safety.

Implementation of the NFT provisions is phased over several years and may be enforced at the local level by public water systems, cities, and/or counties.³⁹ Non-compliance of the NFT provisions may result in civil penalties imposed on property owners, or other locally defined enforcement actions.

Initial compliance begins in 2026, with progressively broader property categories subject to the prohibition through 2030 and beyond, including later deadlines for properties located in disadvantaged communities.⁴⁰ In 2026, public water systems are required to update local ordinances and customer policies to reflect the new restrictions.

³⁶ In 2025 provisions of Assembly Bill 1572 were codified into the California Water Code.

³⁷ CWC §10608.12

³⁸ Per Civil Code §4100, common interest developments are defined as community apartment projects, condominium projects, planned developments, and stock cooperatives.

³⁹ CWC §10608.14

⁴⁰ Per CWC §10608.12 (l), “disadvantaged community” means a community with an annual median household income that is less than 80 percent of the statewide annual median household income.

The following timeline outlines the dates set forth by the CWC and corresponding requirements:

- **By January 1, 2027:** Public water systems must update local ordinances, regulations, or policies to reflect NFT requirements and must notify customers.
- **Beginning January 1, 2027:** State properties owned or leased by the Department of General Services will no longer be allowed to irrigate NFT with potable water. In addition, all potable irrigation of NFT will be prohibited for local governments, public agencies, public water systems⁴¹, as well as municipal and institutional properties. Revised water systems ordinances and customer communications must be in effect statewide.
- **Beginning January 1, 2028:** All potable irrigation of NFT will be prohibited statewide for all other commercial and industrial properties.
- **Beginning January 1, 2029:** All potable irrigation of NFT will be prohibited for multifamily residential properties, excluding disadvantaged communities. This limitation also applies to common areas of homeowners' associations and similar entities.
- **June 30, 2030:** Commercial, industrial, and institutional property owners with more than 5,000 square feet of irrigated area must begin certifying compliance to the State Water Resources Control Board. Certification is required every three years thereafter (through 2039).
- **June 30, 2031:** Owners of HOA and common-interest development properties with more than 5,000 square feet of irrigated common area must begin certifying compliance. Certification is required every three years thereafter (through 2040).

The City was awarded funding through the Department of Water Resources' Urban Community Drought Relief Program to support landscape conversion projects that reduce outdoor potable water use. The program is expected to convert approximately 152,000 square feet of City-owned non-functional turf to water-efficient landscaping, resulting in an estimated annual water savings of 8.2 acre-feet. In addition, rebate incentives are being offered to commercial property owners to facilitate the conversion of approximately 100,000 square feet of non-functional turf, with an estimated annual water savings of 5.2 acre-feet.

The incentives apply to non-functional turf previously irrigated with potable City water. Project installations are required to be completed by the end of 2026. Because newly installed

⁴¹ Per CWC §10608.14(a)(5), properties owned by public agencies, local governments, and public water systems located in a disadvantaged community have an implementation date beginning January 1, 2031.

drought-tolerant landscaping requires an establishment period, full water savings are expected to be realized approximately three years after project completion.

REQUIREMENTS IN CALIFORNIA BUILDING CODE

Beginning in January 2010, the California Building Standards Commission adopted the statewide mandatory Green Building Standards Code (hereafter the “CAL Green Code”) requiring the installation of water-efficient indoor and outdoor infrastructure for all new projects after January 1, 2011. The CAL Green Code was incorporated as Part 11 into Title 24 of the California Code of Regulations and was most recently updated in 2025.

The CAL Green Code applies to the planning, design, operation, construction, use and occupancy of every newly constructed or remodeled building or structure. All new residential and non-residential customers must meet the water use requirements of the CAL Green Code as well as the outdoor requirements described by MWELo (see next section).

The CAL Green Code’s indoor requirements generally manifest through: (1) installation of plumbing fixtures and fittings that meet the 20 percent reduced flow rate specified in the CAL Green Code, or (2) by demonstrating a 20 percent reduction in water use from the building “water use baseline.”⁴²

CALIFORNIA MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

The California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELo) governs new development and retrofitted landscape water efficiency standards. All retail water suppliers or counties are required to adopt the MWELo or enact their own provisions that are equal to or more restrictive than the MWELo provisions. The most recent MWELo update in January of 2025 repealed several sections and added a distinction in compliance options for new construction projects between 500 and 2,500 square feet of landscape area and those with 2,500 square feet or more of landscape area.⁴³

The MWELo provides a methodology to calculate total water use based upon a given plant factor and irrigation efficiency or sets forth the Maximum Applied Water Allowance (MAWA) formula to use if project landscaping details are lacking. Additionally, if using the plant factor basis, the MWELo requires the landscape design plan to delineate hydrozones (based upon plant factors) and then to assign a unique water use value for each hydrozone (low, medium, high).⁴⁴ The City reviews all new development for conformance with these standards.

⁴² See CAL Green Code Chapter 4.

⁴³ CCR Tit. 23, Div. 2, Ch. 2.7, Sec. 491.2

⁴⁴ CCR Tit. 23, Div. 2, Ch. 2.7, Secs. 490.2

METERING, VOLUMETRIC PRICING, WATER BUDGETS

California Water Code §525 requires water purveyors to install meters on all new service connections after January 1, 1992. California Water Code §527 requires water purveyors to charge for water based upon the actual volume of water delivered if a meter has been installed. This action alone is not expected to substantially reduce water use. However, it is anticipated that the retail billing system will encourage and help maintain reasonable use (e.g., through implementation of a tiered rate structure and/or water budgets), so that individual customer water demands are reasonably not expected to increase over time.

The City's customers are fully metered. Customers are billed at a baseline allocation rate with a per HCF charge above the baseline amount.

4.4.3. CUSTOMER WATER USE FORECAST

Forecasting future water demands begins with an understanding of existing customer demands and trends, recognizing the additional customers expected through growth, and considering the factors that will influence the water use of both existing and new customers well into the future – especially factors that directly affect the efficiency of water use.

Pursuant to California Water Code §10610.4(c), an urban water supplier “shall be required to develop water management plans to actively pursue the efficient use of available supplies.” One challenge from this directive is reflecting how the pursuit of efficient use is best represented in the forecast water uses that are the cornerstone of good planning. As required by the Act, the future water uses of both existing customers and those added over the 25-year planning horizon should reflect the “efficient use” of water.

EXISTING CUSTOMER FUTURE USE

To be conservative and assure the analysis of water system reliability is adequate (see Chapter 5), the City is maintaining the annual “current” retail customer potable water use as shown in **Table 4-6**, a total delivered quantity of about 12,590 acre-feet, with a total production need of about 13,420 acre-feet when considering distribution system losses, and a total of 14,175 acre-feet when considering necessary WTP processing water.

While these existing customers may undertake a variety of conservation measures – actively through decisions to modify a behavior or a water use, or passively through the purchase of appliances and fixtures that simply use less water – they may also maintain their use as-is. Holding the current use as a constant for all existing customers into the future will provide a conservative number that can be re-evaluated prior to the 2030 UWMP.

NEW CUSTOMER FUTURE USE

As detailed in Chapter 2, the City anticipates continued growth with an associated increased demand placed upon the City’s water supplies. Forecasting the needs of these future customers is dependent upon the type and number of customers and the unit water demand factors associated with each customer type.

For this UWMP, two distinct customer classifications are anticipated: (1) residential, and (2) non-residential. Residential customers will include both single-family dwelling units built under a variety of densities, and multi-family residential dwelling units. Non-residential uses are expected to include a blend of commercial, institutional, industrial and active landscapes, such as parks, in ratios similar to the City’s current residential-to-non-residential customers. Values developed for each distinct land use are based on several sources of information, details of which are provided in the following subsections.

NEW RESIDENTIAL CUSTOMER WATER USE

Table 2-5 summarized the City’s anticipated new residential growth over the UWMP planning horizon. This growth provides the basis for the estimated future customer water needs, as the non-residential customers will be ratio of the new residential customers. **Table 4-7** presents the relevant residential growth information from **Table 2-5**.

TABLE 4-7: ANTICIPATED NEW RESIDENTIAL UNITS (FROM TABLE 2-5)

Category	Forecast				
	2030	2035	2040	2045	2050
Total Housing Starts Over 5 years	862	1,107	1,242	1,169	1,097
New Single-Family Units	647	830	932	877	823
New Multi-Family Units	215	277	310	292	274
Total New Housing Units (cumulative)	862	1,969	3,211	4,380	5,477

The City anticipates these new residential elements will be built in accordance with all applicable building code including the Cal Green Code discussed previously, and relevant City ordinances.

Distinct demand factors are provided for the following residential uses:

- Indoor Residential Use – this category identifies the generally anticipated water use for single-family and multi-family dwelling units.



- Outdoor Residential Use – this category addresses the landscape water demands commonly anticipated for the two primary dwelling unit types.

For purposes of this UWMP, residential unit water demand factors are described as the “acre-feet of water use annually per dwelling unit” – or acre-feet/dwelling unit (af/du).

New residential connections are assumed to meet all Urban Water Use Objectives. All residential connections built until January 1, 2030 are assumed to meet the 47 gpcd indoor residential use standard. Starting in 2030, all new residential units are assumed to meet the 42 gpcd standard under California Water Code §10609.

Based on this per-capita assumption, the following indoor per-dwelling unit value is assumed for each new residential unit:

- Single-family residential indoor use: 0.14 acre-feet per year based upon an assumed occupancy of 2.96 people per unit based on CA DOF estimates for occupancy rate associated with the City.
- Multi-family residential indoor use: 0.14 acre-feet per year based upon an assumed occupancy of 2.96 people per unit.

Outdoor residential water use is primarily a factor of lot size and the type and extent of landscaped area. The City’s anticipated growth will likely include a range of residential densities (e.g. houses per acre) and therefore an estimated “typical” lot is assumed for purposes of forecasting.

As represented in **Table 2-4**, several anticipated projects are recognized by the City which will reflect a range of housing types, densities and configurations that affect the irrigable area for each lot. For purposes of this UWMP, each new single-family residential unit is anticipated to have a total gross area of 7,000 square-feet, with 3,000 square-feet anticipated to be irrigable (after accounting for the home footprint, driveways, walkways, other hardscapes, and non-irrigated areas. Multi-family units, which typically have shared common landscape areas, are assumed to have an associated irrigable area of 300 square-feet per unit.

Outdoor demands for new residential dwelling units are calculated based on regulations defined under the MWEL. The MWEL provides for determining the Maximum Applied Water Allowance (MAWA) where the maximum is calculated as 55 percent of the reference evapotranspiration for the area for every square foot of landscaped area, resulting in the following equation:

$$MAWA = (ET_o)(0.62)(0.55 \times LA)$$

Where,

ET_o is the reference evapotranspiration in inches per year,

LA is the landscape area in square-feet. 0.62 is a conversion factor to gallons. The resulting value is in “gallons per year.”

A primary factor in this calculation is evapotranspiration (“ET”). The methodology directs the use of ET from a reference crop, such as maintained grass – a value referred to as ET_o. For this UWMP, the ET_o is 53.31 inches per year (4.4 feet per year).⁴⁵

Using the MAWA equation, outdoor demand factors for each residential lot category are calculated:

- Single-Family Residential – Anticipated single-family dwellings are conservatively assumed to have an outdoor demand factor of 0.17 acre-feet per dwelling unit per year.
- Multi-Family Residential – Anticipated multi-family dwellings will have larger, shared common areas, resulting in an outdoor demand factor of 0.02 acre-feet per dwelling unit per year.

The resulting forecast water use for existing and new residential customers is provided in **Table 4-8**.

NEW NON-RESIDENTIAL CUSTOMER WATER USE

The City anticipates several acres of non-residential uses to be developed in the future to accompany the residential growth. Non-residential per-connection demand factors were also estimated for purposes of forecasting the water needs of these anticipated commercial, institutional, industrial and irrigated landscape customers. For purposes of the UWMP, the City assumes non-residential connections will mimic the existing residential to non-residential ratios, where non-residential connections represent about 10% of the total current connections.

For purposes of this 2025 UWMP, demand factors were developed for the two categories of non-residential use: Commercial, institutional, and industrial (CII), and Irrigated Landscape.

- CII Connections – this customer classification includes a wide array of different uses from neighborhood retail centers, to large retail centers, to office and government

⁴⁵ ET_o is from CIMIS Station 84 (Browns Valley) available at: <https://cimis.water.ca.gov/>

buildings, to light and even heavy industrial uses. To reflect this variety, each acre of new CII use is assumed to use 1.98 acre-feet per connection, which matches the City's current CII customers average annual use per connection.

- Irrigated Landscape – this classification includes passive and active parks, streetscapes, and other dedicated landscape areas. Each landscape connection is assumed to have an average annual water need of 1.99 acre-feet per connection. This is based upon the City's existing use for landscape connections and includes a 10% reduction to account for the ban on non-functional turf described in previous sections.

The resulting forecast future use of existing and new non-residential customers is provided in **Table 4-8**.

4.4.4. SUMMARY OF FORECAST WATER USE

Based upon the estimated water use of the existing and new customers, the City anticipates an increase in potable water use over the planning horizon while also reflecting the full contract quantity for non potable uses. **Table 4-8** presents the resulting customer water use forecast. Although the forecast is presented on an annual basis in 5-year increments through 2050, the monthly pattern is expected to mimic the current monthly pattern. This characterization is important when evaluating the City's water service reliability as detailed in Chapter 5.

TABLE 4-8: FORECAST FUTURE WATER USE (ACRE-FEET)

Classification		2030	2035	2040	2045	2050
Existing	Single-family Residential	6,910	6,703	6,502	6,307	6,117
	Multi-family Residential	1,210	1,174	1,138	1,104	1,071
	Commercial/Institutional	1,570	1,570	1,570	1,570	1,570
	Industrial	2,010	2,010	2,010	2,010	2,010
	Landscape Irrigation	738	738	738	738	738
	Other	20	20	20	20	20
New	Single-family Residential	199	454	741	1,011	1,264
	Multi-family Residential	34	77	125	171	214
	CII	141	323	526	717	897
	Landscape	40	92	150	204	255
Potable Customer Water Use Subtotal		12,872	13,160	13,520	13,852	14,156
Distribution System Water Loss		922	943	968	992	1,014
Total Potable Water Use		13,794	14,102	14,488	14,844	15,170
Treatment Plant Process Water		659	674	693	710	725
Total Diversion		14,453	14,777	15,181	15,554	15,896

As seen from the table above, the existing residential water use (single-family and multi-family) is reduced over the planning period. This reduction is aimed to incorporate changes in UWUO regulations, specifically the reduction of the outdoor residential water use standard over the planning horizon. These assumed reductions will be tracked by the City and actual use will be reported to the State Water Resources Control Board consistent with existing UWUO reporting requirements.

4.4.5. ADJUSTING WATER USE FORECASTS FOR SINGLE-DRY AND MULTIPLE DRY CONDITIONS

The demand forecasts presented in the prior subsection represent expected water needs under normal hydrologic conditions. To credibly forecast potential maximum future water use, the forecasted normal year water uses must be modified to reflect anticipated increases in demand during drier conditions. Conservative modifications to the forecasted normal year water use to more likely reflect use conditions during drier and dry years are warranted to help adequately address water service reliability in Chapter 5. For purposes of this UWMP, the following adjustment is made:

- Single dry year: Landscape irrigation needs would increase to reflect the generalized earlier start of the landscape irrigation season due to limited rainfall in the single driest year. Since this increase only applies to the outdoor portion of a customer’s forecast use, an adjustment factor of 5% is applied to the total normal-year forecasts to conservatively reflect the expected increase in demand for water for landscaping.
- Multiple dry years: During multiple dry years, demands are also expected to increase similar to the single dry year. For multiple dry year conditions, the single dry year increase of 5% is held in each of the subsequent years. This is representative of an “unconstrained demand” as should be represented when evaluating whether Water Shortage Contingency Plan actions may be warranted.⁴⁶

These values are reflected in tables provided for the Drought Risk Assessment and Annual Reliability Assessment presented in Chapter 5.

4.4.6. CLIMATE CHANGE CONDITIONS

Including climate change analysis into a water use analysis will assist the City in understanding the potential effects on long-term reliability, which in turn, allows the City to proactively begin planning appropriate responses. For example, hotter and drier weather may lead to an increased demand in landscape irrigation, especially during spring and fall months, increasing the pressure on water supplies that may have availability restrictions during these periods. This potential is reflected in the consideration of the single dry year increase of 5% that is used for the water service reliability analysis, as discussed previously. Whether the elevated single dry year water forecast becomes more akin to the “normal” demand will become more apparent as the City continues to assess monthly water use trends throughout its service area.

4.5. PROJECTING DISADVANTAGED COMMUNITY WATER USE

Pursuant to CWC §10631.1, retail suppliers are required to include the projected water use for lower income households. Per California Health and Safety Code §50079.5, a lower income household has an income below 80 percent of area median income, adjusted for family size. For purposes of this UWMP, annual median income was derived from U.S. Census Bureau information and determined to be about \$100,149 for the State.⁴⁷ Therefore, 80% of this is estimated to be about \$80,119 per year. According to the detailed data, approximately 51% of the households earn at or below this 80-percentile income.

⁴⁶ California Water Code §10632(a)(2) states water suppliers should use “unconstrained demand” when performing their annual water supply and demand assessment.

⁴⁷ <https://censusreporter.org/profiles/16000US0686972-yuba-city-ca/>

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For purposes of estimating the future water needs, 51% of the total single-family and multi-family connections are presumed to represent disadvantaged households, resulting in approximately 28-29% of the future total potable water use. Applying this condition to the forecast water use for the entire City results in the estimate provided in **Table 4-9**.

TABLE 4-9: ESTIMATED LOW-INCOME WATER USE FORECAST (ACRE-FEET)

	2030	2035	2040	2045	2050
Total Potable Use	14,453	14,777	15,181	15,554	15,896
Low Income Use	4,222	4,250	4,300	4,343	4,380
% of Total Potable Use	29%	29%	28%	28%	28%

CHAPTER 5

WATER SYSTEM RELIABILITY

This chapter provides the City’s water system reliability findings as required under Water Code §10635 and provides reliability information that City may use in completing an annual supply and demand assessment pursuant to Water Code §10632.1.

Assessing water service reliability is the fundamental purpose for City in preparing its 2025 UWMP. Water service reliability reflects the City’s ability to meet the water needs of its customers with water supplies under varying conditions. The City’s UWMP considers the reliability of meeting customer water use by analyzing plausible hydrological variability, regulatory variability, climate conditions, and other factors that impact the City’s water supply and its customers’ water uses. The reliability assessment looks beyond the City’s past experience and considers what could be reasonably foreseen in the future.

Moreover, the analysis posits that active supply management will be integral to the City’s long-term water reliability. This chapter synthesizes the details embedded in the Chapters 3 and 4 and provides a rational basis for future decision-making related to supply management, demand management, and project development. This chapter presents three system reliability findings:

- Five Year Drought Risk Assessment: The 2026 through 2030 Drought Risk Assessment (DRA) for the City’s service area.
- Long-Term Service Reliability: The reliability findings for a Normal Year, Single Dry Year, and Five Consecutive Drought Years in five-year increments through 2050.

In short, through active management, City has reliable water supplies available for its service area through 2050.

5.1. FIVE YEAR DROUGHT RISK ASSESSMENT

The Drought Risk Assessment (DRA) requires a methodical assessment of water supplies and water uses under an assumed drought period that lasts five consecutive years. The City has prepared an independent monthly assessment of the water supplies and demands for its system because of the monthly variability associated with the water supplies that are used to serve that system.

The City has a unique water supply portfolio. The City currently has access to five sources of supply and each source has unique attributes that affect reliability under various hydrological and regulatory conditions. These supply sources are further complicated by the carryover and storage provisions available to some of the water assets. This diverse water supply portfolio creates a water management structure that requires careful consideration of hydrological, regulatory, and institutional variability. Specifically, some water assets are particularly susceptible to drought while other water assets have varying degrees of reliability based upon regulatory constraints and historical water use. Nevertheless, the City has organized and coordinated its water portfolio management to optimize water supply reliability in the event of a severe drought. The City’s DRA represents a consolidation of its water supplies into an organized monthly management structure.

Table 5-1 below shows the City’s DRA that integrates all of its supplies for 2026 through 2030 as described in Chapter 3 and reflects the dry year unconstrained water uses described in Chapter 4. As the table shows, the City has sufficient water assets available in all months under its prescribed water management protocol although some months have limited supplies as compared to the conservatively projected demands (unconstrained demands devoid of potential conservation savings).

TABLE 5-1: FIVE YEAR DROUGHT RISK ASSESSMENT (ACRE-FEET)

Drought Year		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2026	Supply	2,091	1,966	2,091	2,181	1,442	1,793	1,772	1,922	1,929	1,626	2,150	2,091	23,054
	Demand	814	834	802	926	1,129	1,490	1,677	1,843	1,683	1,558	1,280	906	14,943
	Difference	1,278	1,132	1,289	1,255	313	303	95	79	246	68	869	1,185	8,112
2027	Supply	2,091	1,966	2,091	1,031	1,442	1,693	1,742	1,922	1,764	1,726	2,050	2,091	21,610
	Demand	817	838	805	929	1,133	1,496	1,683	1,850	1,690	1,564	1,285	910	15,001
	Difference	1,274	1,129	1,286	102	309	197	59	72	74	162	764	1,181	6,609
2028	Supply	2,370	2,245	2,370	1,129	1,438	1,558	1,747	1,922	1,772	1,747	2,328	2,370	22,995
	Demand	820	841	809	933	1,138	1,502	1,690	1,857	1,696	1,570	1,290	913	15,059
	Difference	1,550	1,404	1,561	196	300	56	57	65	76	177	1,038	1,456	7,935
2029	Supply	2,091	1,966	2,091	1,131	1,442	1,693	1,767	1,922	1,764	1,751	2,050	2,091	21,760
	Demand	823	844	812	937	1,142	1,508	1,697	1,865	1,703	1,576	1,295	917	15,118
	Difference	1,268	1,122	1,280	194	300	185	70	57	61	175	754	1,174	6,642
2030	Supply	2,091	1,966	2,091	1,131	1,442	1,693	1,822	1,937	1,789	1,751	2,050	2,091	21,855
	Demand	826	847	815	940	1,147	1,514	1,703	1,872	1,710	1,582	1,300	920	15,176
	Difference	1,265	1,119	1,276	191	295	179	119	65	79	169	749	1,171	6,679

Note: Supplies do not include anticipated recycled water use (non-potable) as demands are characterized as potable.

5.2. LONG TERM SERVICE RELIABILITY

The Urban Water Management Planning Act directs urban water purveyors to analyze water supply reliability in a normal, single dry, and five consecutive dry years over a 20-year planning horizon. The following subsections describe the long-term water service reliability for the City through a 25-year planning horizon under the normal and single planning scenarios dry year scenarios.

5.2.1. NORMAL AND SINGLE DRY YEAR CONDITIONS (2030–2050)

The City's future water supplies in normal and single dry conditions reflect the same hydrological, regulatory, and institutional criteria described in previous sections. In normal years, supplies are generally constrained only by their express limiting features. In dry years, additional hydrological, regulatory, and institutional issues will constrain the availability of water. However, future water supplies remain relatively constant as average demands grow over time. All of this information is described in detail in Chapters 3 and 4 and is reflected in the tables below.

The City's future water demands in normal and single dry conditions through 2050 reflect the same considerations described in previous sections of this chapter. In normal conditions, demands tend to reflect anticipated uses based upon normal hydrological conditions. But in dry conditions, demands increase to reflect dry conditions and additional application of water for outdoor irrigation. Future water demands are generally predicted to increase as land uses and populations within the City's service area grow. All of this information is detailed in Chapter 4 and reflected in the numbers shown in the tables below.

Table 5-2 shows the normal year supplies and demands on an annual timestep from 2030 through 2050.

TABLE 5-2: NORMAL AND SINGLE DRY YEAR WATER SUPPLY AND DEMAND THROUGH 2050 (ACRE-FEET)

Normal Year	2030	2035	2040	2045	2050
Supply	25,572	25,572	25,572	25,572	25,572
Demand	14,453	14,777	15,181	15,554	15,896
Difference	11,119	10,795	10,391	10,018	9,676
Single Dry Year	2030	2035	2040	2045	2050
Supply	23,644	23,644	23,644	23,644	23,644
Demand	15,176	15,515	15,940	16,331	16,690
Difference	8,468	8,129	7,704	7,313	6,954

Note: Supplies do not include anticipated recycled water use (non-potable) as demands are characterized as potable.

5.2.2. FIVE CONSECUTIVE DRY YEARS (2030-2050)

The City defines drought condition lasting five consecutive years as one that constrains the City from obtaining some of its water supplies in its water supply portfolio due to hydrological, regulatory, and institutional constraints. These conditions include more restrictive regulatory constraints on its water rights and constrained conditions for its water supply contracts. The restrictive conditions manifest in changes to the availability of the City’s water assets during different periods in a given year but keep the annual volumes above the annual need. Moreover, these restrictive conditions may also impact the increased uses of available supplies in the future that are associated with land use and population growth. These conditions are described in significant detail in Chapter 3 and reflected in the tables below.

Five consecutive dry year demands include the anticipated demands based upon historical trends in water usage in drought conditions by the City’s customers. Demands in extended dry conditions may increase as hydrological conditions generate additional customer uses for outdoor irrigation. As droughts persist, however, demands may decline as the realistic constraints on supply availability are realized at the customer level. Out of an abundance of caution to ensure supplies are available to meet projected demands, the fluctuating demand pattern is not reflected in this future reliability assessment. The gradual increase in demands also account for reasonable water conservation measures derived from improved efficiencies in indoor fixtures, improved management of outdoor landscape irrigation, and a general awareness of the value of long-term water conservation at the consumer level. In addition, the future dry conditions reflect increased land use and populations that would rely upon available supplies. These variable conditions are described in significant detail in Chapter 4 and reflected in the tables below. **Table 5-3** below shows the annual water supply

and demand conditions for the City’s service area in five consecutive dry years from 2030 through 2050.

TABLE 5-3: FIVE CONSECUTIVE DRY YEARS WATER SUPPLY AND DEMAND THROUGH 2050 (ACRE-FEET)

		2030	2035	2040	2045	2050
Year 1	Supply	23,054	23,054	23,054	23,054	23,054
	Demand	15,176	15,515	15,940	16,331	16,690
	Difference	7,878	7,539	7,114	6,723	6,364
Year 2	Supply	21,610	21,610	21,610	21,610	21,610
	Demand	15,244	15,600	16,018	16,403	16,762
	Difference	6,366	6,009	5,591	5,206	4,847
Year 3	Supply	22,995	22,995	22,995	22,995	22,995
	Demand	15,312	15,685	16,097	16,475	16,834
	Difference	7,683	7,309	6,898	6,520	6,161
Year 4	Supply	21,760	21,760	21,760	21,760	21,760
	Demand	15,380	15,770	16,175	16,547	16,906
	Difference	6,380	5,989	5,585	5,213	4,854
Year 5	Supply	21,855	21,855	21,855	21,855	21,855
	Demand	15,448	15,855	16,253	16,619	16,977
	Difference	6,407	6,000	5,601	5,236	4,877

Note: Supplies do not include anticipated recycled water use (non-potable) as demands are characterized as potable.

5.3. ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT

Each year, the City considers current supply and demand conditions and performs an annual water supply and demand assessment (Annual Assessment) pursuant to CWC §10632.1 to evaluate real time circumstances, which may differ from the projected DRA scenarios. This assessment evaluates current water supply and use for a 12-month forecast from July through the following June. Procedures for conducting the Annual Assessment are contained in the City’s Water Shortage Contingency Plan. The City has conducted the assessment as required by the CWC and will continue to provide a reliability assessment for current conditions regarding supplies and expected demands.

5.4. WATER SUPPLY RELIABILITY SUMMARY

The City has a diverse and robust water supply portfolio capable of meeting the water demands in its service area in normal, single dry, and five consecutive dry years from 2025

through 2050 so long as active management of its supply portfolio occurs. The City's diverse water supply portfolio requires coordinated water management between the City and its contract partners – DWR and NYWD – in order to render the supply reliable in all year types through 2050.

CHAPTER 6

WATER SHORTAGE CONTINGENCY PLAN

This Water Shortage Contingency Plan (WSCP) addresses the requirements in California Water Code §10632 of the Urban Water Management Planning Act (The Act). The WSCP is incorporated into the City of Yuba City's (City or Yuba City) 2025 Urban Water Management Plan (UWMP) and is used by Yuba City to respond to water shortage contingencies as they may arise. The WSCP addresses possible conditions in which the water supply available to customers of the City is insufficient to meet the normally expected customer water use at a given point in time due to drought, regulatory action constraints, and natural and man-made disasters. This WSCP describes the City's strategy for allocating water during such water supply shortages, while assuring customers that at all times it will meet the minimum health and safety requirements of a drinking water purveyor.

This WSCP consists of the following required elements:

1. An analysis of water supply reliability.
2. Procedures for conducting an annual water supply and demand assessment.
3. Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage.
4. Shortage response actions that align with the defined shortage levels.
5. Communication protocols and procedures.
6. Customer compliance, enforcement, appeal, and exemption procedures.
7. A description of legal authorities.
8. A description of financial consequences.
9. Monitoring and reporting requirements.
10. Reevaluation and improvement procedures.
11. Special Water Feature Distinction.
12. Plan Adoption, Submittal, and Availability.

The Act contains specific requirements for each of these elements.⁴⁸ As required by California Water Code §10632 this WSCP is incorporated into the UWMP, yet it is also a stand-alone plan that is adopted independently from the UWMP and may be amended or refined and

⁴⁸ California Water Code §10632, available at: https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=WAT§ionNum=10632

readopted over coming months and years as needed (see subsection 6.12 Plan Adoption, Submittal, and Availability, below).

6.1. WATER SUPPLY RELIABILITY ANALYSIS

Yuba City is located in eastern Sutter County on the western bank of the Feather River. Located adjacent to the east of the Feather River is the City of Marysville, and to the north, west, and south is generally undeveloped agricultural land. The City delivers quality, reliable water to a population of approximately 70,000 located in a 15 square mile service area within and just outside of its City limits (see Chapter 2). The City's water source is surface water from the Feather River, with a small supplemental groundwater supply available at the water treatment plant, and independent non-potable groundwater wells used to irrigate City parks (Blackburn-Talley, Regency, Gauche Aquatic Park, Sam Brannan, and Northridge).

As described in Chapter 5 of the UWMP, the City has a reliable water through 2050 with active management of its supply portfolio. The City has a diverse and robust water supply portfolio capable of meeting the water demands in its service area in normal, single dry, and five consecutive dry years from 2025 through 2050 so long as active management of its supply portfolio occurs. The City's diverse water supply portfolio requires coordinated water management between the City and its contract partners – DWR and NYWD – in order to render the supply reliable in all year types through 2050. Although Yuba City has a secure water supply, this WSCP serves as a roadmap to help the City meet the challenges that may arise from future droughts, regulatory actions, and unforeseen man-made and natural disasters.

6.2. ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES

The WSCP describes the City's procedural methodology for managing shortages and conducting its required Annual Water Supply and Demand Assessment (Annual Assessment). The Annual Assessment is to be submitted to California Department of Water Resources (DWR) by July 1 each year with the first Annual Assessment due July 1, 2022. The Annual Assessment examines Yuba City's anticipated water reliability for the current year and one additional dry year. The Annual Assessment will be prepared at the beginning of each calendar year to evaluate near-term water supply reliability and determine what, if any, water shortages stages may be triggered during the required period. The Annual Assessment will be used by Yuba City decision-makers to prepare for and initiate implementation of any needed response actions, as well as to inform customers, the general public, interested

parties, and local, regional, and state governmental entities to prepare for such required actions.

6.2.1. ANALYTICAL AND DECISION-MAKING PROCESSES

Yuba City plans to conduct its Annual Assessment according to the following timeline and process:

February	Initial data collection and analysis
March	Preliminary Draft Annual Assessment internal review and revisions
April	Draft Annual Assessment and results briefing for Yuba City decision-makers
May	Public Notification and Release of Draft Annual Assessment
June	Approval of Annual Assessment by Yuba City decision-makers
By July 1	Submit Annual Assessment to DWR in advance of July 1 deadline

The City will prepare its Annual Assessment using the following key data and analytical procedures (which may be modified as needed):

- The Water Treatment Plant Supervisor and Chief Plant Operator will utilize their Standard Operating Procedure spreadsheet to prepare supply estimates for each water source on a monthly basis for the analysis period, considering desired reservations of supplies in the event the following year is also dry (e.g. maintain a pre-determined minimum as SWP Carryover supply for a future year).
- Update unconstrained customer demand and estimate anticipated actual water use on a monthly basis for the analysis period.
- Update infrastructure assessment, including estimated water supply production capability on a monthly basis for the analysis period.
- Identify and quantify any locally applicable factors that may influence or disrupt supplies during the analysis period.
- Refine the definition of “dry year” as relevant to dry conditions like water year 2015 and 2021, especially as related to recently realized constraints on water supply availability .
- Identify any shortfall between projected available supply for the upcoming year and anticipated unconstrained demand.
- Identify and incorporate any applicable constraints (infrastructure, regulatory, etc.).
- Develop, analyze, and propose water resource management strategies to address any shortfall between projected supply and anticipated demand with reference to the water shortage stages identified in this WSCP.

- Present the Annual Assessment (and resulting water shortage stage declaration, if applicable) to the City decision-makers.

If the results of the Annual Assessment indicate the need for any alternative water shortage response actions which may be addition to those specified in Subsection 6.4, below, the alternative response actions will be described and submitted in the Annual Assessment, as specified in CWC 10632.2.

6.2.2. SUBMITTAL PROCEDURES

The City will submit its Annual Assessment to the DWR via email by June 15 each year, but in no case later than July 1 each year. Prior to DWR submittal, Yuba City will also notify Sutter County Office of Emergency Services, Cal Water, the City of Marysville, the public, and other stakeholders concerning the results of the Annual Assessment and where it is available for review.

6.3. SIX STANDARD WATER SHORTAGE STAGES AND TRIGGERS

New state requirements for the WSCP require water suppliers to adopt six water shortage stages, which correspond to progressively severe water shortage conditions (up to 10%, 20%, 30%, 40%, 50%, and greater than 50% percent shortage), as compared to the normal service reliability condition. The City has adopted the six standard water shortage stages. Each stage corresponds to a range of reduction in anticipated water supply availability (or reduction in treated water production capacity) in relationship to “normal” demand. Because average water use varies on a monthly, seasonal, and sometimes annual basis, the City will determine the actual water shortage stage based on the expected water production “gap” between actual available water supply and anticipated water use (water demand) at any given time. Reduction of available water supply by the indicated percentages will trigger an appropriate water shortage stage and the City will implement some or all of the response actions identified in Tables 6-1 through 6-6.

6.4. SHORTAGE RESPONSE ACTIONS

The WSCP is required to identify locally appropriate shortage response actions that align with the defined shortage stages and include demand reduction actions, supply augmentation actions, system operational changes, and mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions. For each response action the WSCP is to provide an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.

6.4.1. STAGES OF SHORTAGE RESPONSE ACTIONS

The City has identified shortage response actions to be implemented during each of the six sequential stages and corresponding water shortage conditions. These actions are based on specific hydrological and regulatory conditions and the fundamental need to meet water service requirements within the City's service area. Moreover, the shortage response actions provide the City with some flexibility to address dynamic water shortage conditions while protecting the City against extreme conditions where supplies are drastically reduced beyond 50%. The following is an overview of the staged response actions the City could follow during a given water shortage condition based on shortage severity, relative supply conditions for each stage, and percent shortage reduction levels.

A water shortage declaration would be made by resolution of the City Council, with administrative discretion delegated to the Public Works Director under the direction of the City Manager (Mun. Code Sec. 6-6.19 (a) Emergency water restrictions and Sec. 6-6.04. Administration).

In general, shortage response actions are intended to address water shortages in City water production from the Water Treatment Plant, which is primarily treated surface water from the Feather River. . Because many of the City's parks are irrigated with groundwater and some property owners have wells for irrigation, these properties may not be subject to the mandatory watering restrictions, with administrative discretion delegated to the Public Works Director restrict City groundwater use at Stage 3 and above or in response to catastrophic events.

The shortage response actions that may be implemented in each stage include, but are not limited to, the following:

Stage 1 (up to 10 percent shortage) "Water Alert" – If water supplies are threatened with constraint, the Plan calls for an introductory Stage 1 drought response, during which customers are informed of possible shortages and asked to voluntarily conserve 10 percent. In addition, customers are prohibited from wasting water or unreasonably using water for beneficial purposes. For example, prohibited water uses under this stage include: allowing water to run off unused into a gutter, ditch, or drain; failing to repair a controllable leak; washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas; utilizing a hand-held hose without an automatic shut-off nozzle; and irrigating during a precipitation event. Additional prohibitions will apply to new developments such as prohibiting single pass-through cooling water systems; commercial car washes and laundries without recirculating water systems; and decorative fountains without recirculating water systems.

This stage includes performing public outreach and education about the shortage and methods individuals can implement to reduce their water use. The City will inform the public and neighboring governmental bodies of the potential shortage condition and will coordinate with customers to implement the actions consistent with this Stage.

Stage 2 (up to 20 percent shortage) “Water Warning” – In the event Stage 2 is implemented the City will continue to encourage community-oriented voluntary conservation measures, enforce conservation measures, and implement mandatory water use reduction measures to decrease demand by up to 20 percent. Stage 2 activities include a continuation of activities described under Stage 1, as well as greater conservation and water use restrictions. These additional restrictions include beyond those identified in Stage 1, Encourage customers to voluntarily water one day less per week and to water during the coolest part of the day and vehicle washing must be done using a bucket or hand-held hose with an automatic shut-off nozzle, or take place at a commercial car wash. The City may consider limiting hours or closing spray pads or water slide at City parks. Customer baseline water use may be monitored and addressed with excess use above the shortage percentage potentially subject to financial penalties as described in Subsection 6.8, below.

The City will also continue to engage in public outreach and education as it applies to the water shortage conditions and the actions necessary to achieve up to 20% reduction in use.

Stage 3 (up to 30 percent shortage) “Severe Shortage” – Stage 3 includes all response actions taken in Stages 1 and 2 and is focused on continuing to encourage customers to voluntarily reduce water use regarding turf watering, fillings pools, etc., and may include additional mandatory-watering restrictions as appropriate, such as allowing outdoor irrigation only between the hours of 6:00 PM and 9:00 AM on certain days. Increased monitoring related to prescribed water conservation actions will occur under this stage. The City would close spray pads and water slide at City parks Customer baseline water use may be monitored and addressed with excess use above the shortage percentage potentially subject to financial penalties as described in Subsection 6.8, below.

The City will also continue to engage in public outreach and education as it applies to the water shortage conditions and the actions necessary to achieve up to 30% reduction in use.

Stage 4 (up to 40 percent shortage) “Critical Shortage” – Stage 4 includes all response actions taken in prior stages regarding mandatory conservation and intensifies their implementation and enforcement. Stage 4 restrictions will be implemented if the Stage 3 demand reduction and other response actions are deemed insufficient to achieve reductions due to water supply shortages. All Stage 3 response actions will be intensified, and water

production will be monitored daily by Yuba City for compliance with necessary reductions. Customer baseline water use may be monitored and addressed with excess use above the shortage percentage potentially subject to financial penalties as described in Subsection 6.8, below.

The City will also continue to engage in public outreach and education as it applies to the water shortage conditions and the actions necessary to achieve up to 40% reduction in use.

Stage 5 (up to 50 percent shortage) “Water Crisis” – Stage 5 includes all response actions taken in prior stages regarding mandatory conservation. The primary focus of Stage 5 is to ensure the protection of the water supply for all public health and safety purposes. This Stage will require reductions in water demand by up to 50 percent and will follow all voluntary and mandatory actions described in Stages 1-4. Customer baseline water use may be monitored and addressed with excess use above the shortage percentage potentially subject to financial penalties as described in Subsection 6.8, below. The City will also continue to engage in public outreach and education as it applies to the water shortage conditions and the actions necessary to achieve up to 50% reduction in use.

Stage 6 (greater than 50 percent shortage) “Water Emergency” – Stage 6 includes all response actions taken in prior stages focused on reducing water demands by more than a fifty percent in response to greater than 50 percent water shortages. This stage requires only use of water for human health and safety purposes. No additional water uses are permitted, including any outdoor irrigation for anything other than maintenance of mature trees (particularly heritage oaks and cottonwoods). Customer baseline water use may be monitored and addressed with excess use above the shortage percentage potentially subject to financial penalties as described in Subsection 6.8, below. The City will also continue to engage in public outreach and education as it applies to the water shortage conditions and the actions necessary to achieve greater than 50% reduction in use.

SHORTAGE RESPONSE ACTIONS

Table 6-1 through **Table 6-6** summarize staged response actions to reduce customer use and identify their estimated effectiveness (in parenthesis).

TABLE 6-1: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 1

Water Alert: Shortage up to 10%	
1.	Waste and Unreasonable Use of Water Prohibited and Voluntary conservation encouraged (up to 10%)
2.	Situation and possible subsequent water shortage stages explained to the public and governmental bodies (up to 10%)
3.	Focus on customers with high per capita water usage to achieve proportionally greater reduction than those with low use
4.	Actions include, but not limited to: <ul style="list-style-type: none">• Public information campaign consisting of distribution of literature, speaking engagements, website updates, bill inserts, and conversation messages printed in local newspapers• Educational programs in area schools• Conservation Hotline (combined up to 10%)
5.	Consumption Reduction Methods, including: <ul style="list-style-type: none">• Demand reduction program• Plumbing and irrigation fixture replacement• Water conservation kits• Education programs• Voluntary rationing (combined up to 10%)
6.	Conservation Rules and Restrictions and Prohibitions on End Uses, to include: <ul style="list-style-type: none">• Allowing water to run off unused into a gutter, ditch, or drain;• Failing to repair a controllable leak;• Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas;• Utilizing a hand-held hose without an automatic shut-off nozzle; and• Irrigating during a precipitation event• For new development additional prohibitions include single pass-through cooling water systems; commercial car washes and laundries without recirculating water systems; and decorative fountains without recirculating water systems.

TABLE 6-2: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 2

Moderate Shortage (up to 20%)
<ul style="list-style-type: none">• All measures implemented in Stage 1• Request voluntary conservation water usage reductions (up to 20%)• Enforce Conservation Rules and Restrictions and Prohibitions on End Uses listed in Table 6-1 (10-20%)• Usage in excess of customer baseline may be subject to drought penalty• All Consumption Reduction Methods from Stage I and intensified as needed; additionally:<ul style="list-style-type: none">• Use prohibitions• Encourage customers to voluntarily water one day less per week and to water during the coolest part of the day• Vehicle washing must be done using a bucket or hand-held hose with an automatic shut-off nozzle, or take place at a commercial car wash.• Limit hours or close spray pads and water slide at City parks.

TABLE 6-3: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 3

Severe Shortage (up to 30%)
<p>All measures implemented in Stages 1 and 2</p> <p>Enforce outdoor irrigation restrictions including limiting number of watering days per week, and time when irrigation can occur (e.g., between 6:00 pm and 9:00 am)</p> <ol style="list-style-type: none"> 1. Some or all of the following: <ul style="list-style-type: none"> • Adherence to customer baselines and actual water use reductions water allocations and mandatory conservation rules • Water usage goals established by an authorized government agency or official • Customer water usage in excess of baseline to be monitored and recorded • Intensify enforcement of water use prohibitions; including restrictions of days and daytime hours for watering, excessive watering resulting in gutter flooding, using a hose without a positive shutoff device, use of decorative fountains with non-recirculating pumps, washing down sidewalks or patios, not repairing leaks in a timely manner, etc. (up to 30%) 2. Monitor water production weekly for compliance with necessary reductions; 3. All activities are intensified and production is monitored daily for compliance with necessary reductions. (up to 30%) 4. All Consumption Reduction Methods from Stage 2 and intensified as needed; additionally: <ul style="list-style-type: none"> • Reduce pressure in water lines; Flow restriction • Mandatory rationing • Close spray pads and water slide at City parks • Incentives to reduce water consumption; Excess use penalty • Percentage reduction by customer type (combined up to 30%) 5. Penalties and Charges for Excessive Use, including penalties for not reducing consumption, charges for excess use

TABLE 6-4: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 4

Critical Shortage (up to 40%)
<ol style="list-style-type: none"> 1. All measures implemented in Stages 1-3 2. All activities are intensified and production is monitored daily for compliance with necessary reductions. (up to 40%) 3. All Consumption Reduction Methods from Stage 3 and intensified as needed; additionally: <ul style="list-style-type: none"> • Restrict building permits; Restrict for only priority uses 4. Penalties and Charges for Excessive Use, including penalties for not reducing consumption, charges for excess use (up to 40%) <ul style="list-style-type: none"> • Continue monitoring and addressing water use above baseline with penalties 5. Catastrophic Event (Supply reduction up to 40%): Implement Applicable Actions for Catastrophic Events

TABLE 6-5: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 5

Shortage Crisis (up to 50%)
<ol style="list-style-type: none"> 1. All measures implemented in Stages 1-4 2. Source of supply for the System is severely curtailed to the level that requires each customer to restrict their water use for only human health and safety purposes (up to 50%) 3. All activities are intensified and production is monitored daily for compliance with necessary reductions (up to 50%) 4. All Consumption Reduction Methods from previous stages and intensified as needed 5. Possible reductions in customer baselines and actual water use reductions (up to 50%) 6. Usage in excess of customer baseline to be charged at regular rate plus an additional drought emergency surcharge amount (up to 50%) Update current water shortage condition response measures based on Council approvals and direction, state policy directives, emergency conditions, or to improve customer response 7. Catastrophic Event (Supply reduction up to 50%): Implement Applicable Actions for Catastrophic Events (such as boil water order) - Continue water monitoring for reduction from baseline with potential penalties

TABLE 6-6: WSCP ACTIONS TO REDUCE CUSTOMER USE - STAGE 6

Emergency Shortage (greater than 50%)
<ol style="list-style-type: none"> 1. All measures implemented in Stages 1-5 2. Source of supply for the System is severely curtailed to the level that requires each customer to restrict their water use for only human health and safety purposes (>50%) 3. All activities are intensified and production is monitored continually for compliance with necessary reductions (up to >50%) 4. All Consumption Reduction Methods from previous stages and intensified as needed 5. Possible reductions in customer baselines and actual water use reductions (up to >50%) 6. Usage in excess of customer baseline to be charged at regular rate plus an additional drought emergency surcharge amount 7. Update current water shortage condition response measures based on Council approvals and direction, state policy directives, emergency conditions, or to improve customer response 8. Catastrophic Event (Supply reduction greater than 50%): Implement Applicable Actions for Catastrophic Events. Continue water monitoring for reduction from baseline with potential penalties

6.4.2. DEMAND REDUCTION ACTIONS

The City has identified a range of available and feasible customer demand reduction actions that can be used adaptively and implemented with progressively greater intensity to meet the supply shortage challenges faced under each water shortage condition. These demand reduction actions are identified by the associated water shortage stage in which they may be implemented. Tables 6-1 through 6-6 summarize Yuba City demand reduction actions associated with each water shortage stage and shortage level. An estimate of the action’s effectiveness as related to that stage is indicated parenthetically. Other response actions not specified in this Plan may also be identified by the City to implement the essential purposes of this Plan or the UWMP (see CWC 10632.2).

6.4.3. SUPPLY AUGMENTATION ACTIONS

The flexible management of the City’s water supplies to avoid shortages and support water system reliability have been described in Chapter 3. The following supply augmentation mechanisms may be used as response actions under a given water shortage condition, in combination or as replacement to demand reduction responses, as determined by the City.

Emergency Intertie with Marysville Treated Water System – The City completed construction of an emergency intertie with California Water Service Company (Cal Water),

which serves the City of Marysville. This intertie has a capacity of 1,500 gallons per minute (gpm). It crosses the Feather River as part of the newly completed 5th Street Bridge replacement project, connecting the water distribution systems of the two cities and providing for emergency service in either direction on demand. The emergency intertie is available as needed to mitigate the water shortages under all stages. An agreement for usage of the intertie is currently being developed by the City of Yuba City and Cal Water.

Emergency Groundwater Supply – One groundwater well is located at the WTP and connected with the water supply system by providing a raw water source into the WTP, providing immediate supplemental water supply of up to 1,500 gpm. This well is regularly maintained and managed to enhance the City’s water reliability. The WTP groundwater well is available as needed to mitigate the water shortages under all stages.

The City also owns several legacy groundwater supply wells in various locations, many of which are adjacent to the water distribution pipelines (see Figure 2-7). Several of these wells (5,8,9 arsenic treatment plant) are being rehabilitated as emergency supply wells and are currently scheduled to be in production and available to provide emergency groundwater supplies. Within a few days the cumulative potential production capacity of these wells would be 2,300 gpm. The City will assure any direct use of groundwater conforms with drinking water standards, which may require well-head treatment. In addition, future groundwater use may be restricted by groundwater management provisions associated with implementing the Sutter Subbasin Groundwater Sustainability Plan. The City is one of nine Groundwater Sustainability Agencies which work collaboratively as the Sutter Subbasin Groundwater Management Coordination Committee (SSGMCC) to ensure the long-term supply and quality of groundwater resources in the basin.

Aquifer Storage Recovery (ASR) – The City has evaluated the feasibility of an aquifer storage recovery (ASR) project to enhance water supply reliability. The ASR system would allow the City to divert and treat seasonally available surface water for long-term underground storage, thereby creating a significant emergency storage capability.

6.4.4. OPERATIONAL CHANGES

The following water system operational change may be used as response actions under a given water shortage condition, as determined by the City.

Reduce Water System Pressure – The City normally operates its water distribution system at 50 to 60 pounds per square inch (psi). In the event of significant water shortages, the system pressure could be reduced to a minimum pressure of 50 psi to maintain sufficient fire flow. System pressure is maintained using variable speed pumps. No elevated water storage tanks

are in use. The pressure reduction would reduce demand and reduce the amount of distribution system leakage. Reducing water system pressure is included as a response action under Stage 3 no lower than 50 psi to ensure adequate pressure to meet fire flow requirements.

6.4.5. MANDATORY PROHIBITIONS

This section is required to identify any mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions. The Yuba City Water Regulations prohibit water waste. Certain prohibited water use practices, including intentional or unintentional water waste and unreasonable uses of water, are also listed among the demand reduction actions on Tables 6-1 through 6-6.

6.4.6. EMERGENCY OPERATIONS PLAN FOR CATASTROPHIC WATER SHORTAGES

This section identifies actions to be undertaken by Yuba City to prepare for, and implement during, a catastrophic interruption of water supplies. In addition to climate, other events that can cause water supply shortages are earthquakes, chemical spills, flooding, dam failures, waterline ruptures, and energy outages at treatment and pumping facilities, which could cause a water shortage severe enough to trigger a Stage 1-6 water supply shortage condition.

The City Manager's Office and the Fire Department are planning to begin development of an Emergency Operations Plan soon, which will provide procedures and guidance to City personnel in responding to emergency situations including catastrophic events, both natural and manmade. The plan will provide procedures for preparing, mobilizing, and employing City resources and coordinating outside resources during an emergency. The City provides periodic training, including simulated events and responses to keep City personnel fully trained on implementation of emergency procedures. Mobilization is consistent with Standardized Emergency Management and the Incident Command System.

In addition to specific actions to be undertaken during a catastrophic event, the City performs maintenance activities, such as annual inspections for earthquake safety, and budgets for emergency items, such as auxiliary generators, to prepare for potential events.

The following is a summary of actions cross-referenced against specific catastrophes for three of the most common possible catastrophic events: regional power outage (such as Public Safety Power Shutoff or "PSPS" events), natural disasters (such as earthquake, flood or storm damage, or fire), and malevolent acts.

TABLE 6-7: RESPONSE ACTIONS DURING CATASTROPHIC EVENTS

Possible Catastrophe	Summary of Potential Actions
Regional Power Outage	<ul style="list-style-type: none"> • Isolate areas that will take the longest to repair and/or present a public health threat. Arrange to provide emergency water. • Establish water distribution points and ration water if necessary. • If water service is restricted, attempt to provide potable water tankers or bottled water to the area. • Make arrangements to conduct bacteriological tests, in order to determine possible contamination. • Utilize backup power supply to operate pumps in conjunction with elevated storage.
Natural Disaster	<ul style="list-style-type: none"> • Assess the condition of the water supply system. • Complete the damage assessment checklist for reservoirs, water treatment plants, system transmission and distribution. • Coordinate with Governor’s Office of Emergency Services. City to identify immediate firefighting needs. • Isolate areas that will take the longest to repair and/or present a public health threat. Arrange to provide emergency water. • Prepare report of findings, report assessed damages, advise as to materials of immediate need, and identify priorities including hospitals, schools and other emergency operation centers. • Take actions to preserve storage. • Determine any health hazard of the water supply and issue any “Boil Water Order” or “Unsafe Water Alert” notification to customers. • Cancel the order or alert information after completing comprehensive water quality testing. • Make arrangements to conduct bacteriological tests, in order to determine possible contamination.
Malevolent acts	<ul style="list-style-type: none"> • Assess threat or actual intentional contamination of the water system. • Notify local law enforcement to investigate the validity of the threat. • Get notification from public health officials if potential water contamination. • Determine any health hazard of the water supply and issue any “Boil Water Order” or “Unsafe Water Alert” notification to the customers, if necessary. • Assess any structural damage from an intentional act. • Isolate areas that will take the longest to repair and or present a public health threat. • Arrange to provide emergency water.

6.4.7. SEISMIC RISK ASSESSMENT AND MITIGATION PLAN

Beginning January 2020, CWC §10632.5 mandates urban water suppliers include in their UWMP a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. This requirement can be met by submittal of a copy of the most recent adopted local hazard mitigation plan or multi-hazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the local hazard mitigation plan or multi-hazard mitigation plan addresses seismic risk.

Sutter County completed the Local Hazard Mitigation Plan (LHMP) in May 2021, and specific information regarding the City of Yuba City is provided in the LHMP as Annex B. The LHMP assesses current community risk and vulnerability to identified hazards (including seismic risks, identifies implantation actions to reduce future losses, and serves a mean to maintain eligibility for federal mitigation funds in accordance with the Disaster Mitigation Act of 2000.

The LHMP concludes that Yuba City unlikely risk of earthquake occurrence and medium significance. Earthquake hazard for Yuba City is characterized with regard to the likelihood of occurrence as “Unlikely” (less than 1% chance of occurrence in the next 100 years, or has a recurrence interval of greater than every 100 years), and with regard to significance s “Medium” (moderate potential impact). The LHMP includes a number of Multi-Hazard Actions for Yuba City which will serve to mitigate risk posed by the identified hazards assessed in the LHMP, including seismic risk.

6.5. COMMUNICATION PROTOCOLS

The City maintains an established and effective communications program to inform its customers, neighbors, and other stakeholders of water service issues, updates, and policies. Implementation of the WSCP will utilize the existing communication program structure to inform customers and others of the declared shortage stage and respective actions and restrictions in place.

The City Council meetings addressing the Annual Assessment and any potential water shortage declaration will be noticed using normal City Council meeting public notification procedures. The meeting will also be announced through regular agenda posting protocols.

Once a shortage stage as been declared by the City Council, the City will notify its customers and others through a range of efforts. The stage and restrictions will be identified in a press release, customer billing statements, and posted on the City’s website. Specifically, the City’s website will be updated to feature the shortage declaration, restrictions, and resources

available to customers from the City and other entities to help meet the restrictions. Subsequent City Council meetings will include a review of the shortage condition, customer response results, and discussion and recommendations for potential modifications. The City will also coordinate with water providers in Sutter County, Cal Water and the City of Marysville, and other public agencies such as Sutter County's Office of Emergency Services as necessary, to declare a local emergency with respect to anticipated water supplies and demands in the event conditions necessitate.

The City's communications protocols may include, but are not limited to, some or all of the following locally relevant actions. These communications protocols will be used at the discretion of City staff based on then-current and anticipated water shortage conditions:

- Publishing information on Yuba City's website.
- Staffing a telephone hotline.
- Providing bill inserts and direct mailings above and beyond those legally required.
- Directly calling customers.
- Distributing materials for non-English speaking customers.
- Preparing social media posts to communicate Yuba City actions.
- Advertising actions on other local audio and video media.
- Coordinating voluntary and mandatory water conservation activities with other local and regional governing bodies.
- Using CodeRed, the City's emergency alert system.

6.6. COMPLIANCE AND ENFORCEMENT

The Yuba City Water Regulations (Chapter 6 of Title 6 of the Yuba City Municipal Code) include the legal authority for the City Council impose emergency water restrictions and specifies significant compliance and enforcement options.⁴⁹ Compliance is generally improved by on-going customer outreach and education. City staff has discretion to enforce the Yuba City Water Regulations using warnings and by issuing citations to water customers in consideration of the specific circumstances, including the applicable water shortage stage. Violations may include watering on the wrong day of the week or midday, watering on the correct day of the week but wasting water into the street, using water to clean sidewalks, driveways, parking lots and other hardscapes, and failing to use shutoff nozzles on hoses. Financial penalties, flow restrictors, and disconnected water service are among the options

⁴⁹ https://library.municode.com/ca/yuba_city/codes/code_of_ordinances?nodeId=TIT6PUWO_CH6WASY

available to the City to ensure compliance with the required water shortage actions. Appeals processes are also available for those that are subject to the enforcement.

Enforcement measures include, among others:

- Water patrol staff looking for properties in violation of the emergency water restrictions.
- Water patrol staff obtains time-stamped photos of the property as the violation is occurring.
- The photo is attached to a letter that is sent to the person to whom the water bill is sent notifying them of the violation and giving them one week to make the necessary adjustments to gain compliance.
- If a second or subsequent violation is issued, the Finance Department may add the appropriate surcharge to their next monthly bill.

The penalties associated with water use violations are assessed in the form of a surcharge added to the bill of the responsible party. Section 6-6.20 of the City Municipal Code states:

"For each violation of any of the provisions/regulations set forth in this chapter, there shall be assessed against the responsible party for the property on which the violation occurs, i.e. the owner, lessee, person in possession of said property, or the person reflected in the Yuba City utility records as the party to whom the water bill is sent, the following penalties:

- a) First violation: A written warning of such violation
- b) Second violation: Fifty and no/100ths (\$50.00) Dollars surcharge which shall appear on the next monthly water billing.
- c) Third violation: One hundred and no/100ths (\$100.00) Dollars surcharge which shall appear on the next monthly water billing.
- d) Fourth and subsequent violations: Two hundred- fifty and no/100ths (\$250.00) Dollars surcharge which shall appear on the next monthly water billing."

6.7. LEGAL AUTHORITIES

The City is authorized to implement and enforce the water shortage response actions in this WSCP by Chapter 6 of the Yuba City Municipal Code, the "Yuba City Water Regulations." This includes the legal authority for the City Council impose emergency water restrictions and

specifies that “the regulations in the WSCP will apply”⁵⁰, including the water shortage response actions required to meet the specific circumstances posed by the water shortage stages described in Subsection 6.3, above.

In addition, the City is able to exercise general powers granted to water distributors in CWC §§350–359. CWC §350 authorizes the governing body of a distributor of a public water supply to declare a water shortage emergency whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent there would be insufficient water for human consumption, sanitation, and fire protection. Upon a finding of such an emergency condition, the distributor can adopt such regulations and restrictions on the delivery and consumption of water as will conserve the water supply for the greatest public benefit, with particular regard to domestic use, sanitation, and fire protection (CWC §353). The regulations and restrictions remain in force and effect until the supply of water available for distribution within such area has been replenished or augmented, and restrictions may include the right to deny new service connections and discontinue service for willful violations (CWC §355 and §356). The City also coordinates with Sutter County and the City of Marysville for the possible proclamation of a “local emergency” under California Government Code, California Emergency Services Act (Article 2, §8558).

6.8. FINANCIAL CONSEQUENCES

The Act requires an analysis of the impacts of implementation of this WSCP and likely financial consequences to the City. This section addresses aspects of revenue reduction, expense increases, and additional costs that may arise, and identifies financial response actions.

6.8.1. REVENUE AND EXPENDITURE IMPACTS

The City water utility is a financially independent enterprise. The City has established water rates that support its on-going operation and maintenance activities, as well as the capital projects required to provide a safe and reliable water supply to its customers. Metered customers are billed per unit of water used under the City’s rate structure, with a minimum monthly fee determined by the meter size. Because water rates are tied to customers’ normal water consumption activities, if there were a significant reduction in demand due to customer conservation measures associated with a water shortage condition, the City water utility will experience a reduction of income. In addition to the revenue reductions, the City will also experience an increase in expenses resulting from augmented communication actions,

⁵⁰ Yuba City Municipal Code, Chapter 6 – Water System

increased enforcement activities, and the administration of water shortage management actions identified in the WSCP. At the same time, a decrease in expenses related to power costs, raw water costs, and chemicals to treat the water would also occur. Staff will regularly report the identified and anticipated revenue and expenditure impacts and recommend appropriate responses to the City Council.

The City water utility can absorb a reduction of income without an immediate required rate adjustment. The City maintains a minimum of three months operating reserves and at least 3.5 million dollars in reserves that can be used as an emergency fund for water in the event of water shortages. However, if the water utility experienced a significant water shortage and reduced water demand over the longer-term, the rate structure would be reevaluated and adjusted as required.

6.8.2. DROUGHT RATE STRUCTURES AND SURCHARGES

The City does not currently have a drought rate structure or surcharges. As water rate structures are subject to the regular rate review, the City may choose to consider adopting drought rate structures or surcharges to address the financial consequences of longer-term water shortages. Should the City decide to proceed, such rate changes would be adopted in compliance with statutory rate-setting requirements. Once in place, the drought rate structure or surcharge could be activated by resolution of the City Council and remain in effect until water shortage end and drought-related costs have been recovered.

6.9. MONITORING AND REPORTING

The City will conduct regular monitoring and reporting to ensure WSCP implementation is effective and responsive to conditions as they unfold. The City will then use this information to restore and maintain the water supply and demand balance. Similar to the supply and demand projections used to establish a shortage condition, the City will monitor the same data to determine effectiveness and efficacy.

Monitoring activity will include, but is not limited to:

- Gathering monthly or bi-weekly customer water use data.
- Preparing technical assessments of customer water use and identifying deficiencies.
- Analyzing trends in water supply availability, including meteorological events, regional water supply coordination actions, and statewide regulatory trends.
- Assessing water conservation activities and the effectiveness of enforcement actions as applicable to achieving conservation objectives.

Data reporting will include preparation of written reports and presentations, as necessary, for Yuba City management meetings and other public meetings summarizing key information and data, including but not limited to:

- Actual water demands compared to projected demands by customer class and in total.
- Actual supply availability and utilization compared to projected availability for each supply source.
- Projected supply availability for next 12 months for each supply source.
- Monthly reporting of water production and conservation, as required by the State Water Resources Control Board.

These and other data will be regularly evaluated by staff to assess the effectiveness of response measures and to identify the need for any changes or modifications to the declared water shortage stage or actions based on the results. City staff will report to the City Council on a bi-monthly basis as needed to report the status of the water utility. With regard to monitoring and reporting, City staff may determine the need for additional monitoring and reporting measures, or the need to develop or amend ordinances, or update the WSCP as a whole. Any WSCP update or modification will be conducted through the City Council public meeting process, unless specific conditions require otherwise.

6.10. RE-EVALUATION PROCEDURES

The City will continually review and assess its procedures for implementing the WSCP. Specifically, the City will use the monitoring and reporting protocols identified above as a quality assurance and quality control measure to understand the effectiveness of water conservation activities. These re-evaluation and improvement procedures will include developing reports, memoranda, and presentations that assess the effectiveness of water conservation actions and the WSCP. These materials will be provided to the City's customers and decision-makers for consideration. Public comments on the published materials and management considerations should be incorporated into the development and implementation of future actions. These protocols will be continually assessed and updated by the City management staff.

6.11. SPECIAL WATER FEATURE DISTINCTION

For purposes of water shortage contingency planning and implementation, the City defines as "special water features" those that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains. Such special water features are considered distinct from

swimming pools and spas (as defined in subdivision (a) of §115921 of the Health and Safety Code).

The City has determined that special water features are a relatively small discretionary use but may be restricted under all identified water shortage conditions. Water shortage response actions will focus on health and safety issues and balancing continuation of these uses with the severity of the water shortage condition. The relative total water use from these sources is a consideration for how special water features and swimming pool uses could be curtailed during specific water shortage conditions. For instance, when swimming pool filling and refilling would exceed a customer's use allocation under the various drought stages, then these actions are prohibited and can be subject to City enforcement actions.

6.12. PLAN ADOPTION, SUBMITTAL, AND AVAILABILITY

The WSCP has been adopted, submitted, and is available as required by the Urban Water Management Planning Act. As a stand-alone document, the WSCP is also subject to the following separate adoption, submittal, and availability processes, and whenever it is separately amended or revised in the future. Yuba City may refine or amend this WSCP as necessary and in compliance with the normal public notice and adoption. Yuba City has followed all applicable law in adopting the WSCPs. The current adopted WSCP shall be available to City customers and to Sutter County and the City of Marysville within 30 days of its adoption. A copy of the current WSCP is available for public inspection during business hours at City Hall, located at 1201 Civic Center Blvd, Yuba City (subject to current COVID-19 restrictions). The current WSCP is posted and available for download here:

https://yubacity.net/departments/public_works/utilities/water_conservation/index.php

APPENDIX A

NOTIFICATIONS

APPENDIX B

DWR SUBMITTAL TABLES

APPENDIX C

ADOPTING RESOLUTIONS

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CITY OF YUBA CITY
STAFF REPORT

Date: June 2, 2026
To: Honorable Mayor & Members of the City Council;
From: Administration Department
Presentation By: Ciara Wakefield, City Clerk

Summary

Subject: Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings to implement Senate Bill No. 707

Recommendation: Adopt the Attached Resolution to Adopt a Policy Entitled “Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings” to implement Senate Bill No. 707

Fiscal Impact: Estimated costs associated with SB 707: \$25,000 Annually (Translation Services, Technology, etc)

Purpose:

The purpose of California SB 707 is to make City Council meetings more accessible, inclusive, and transparent for residents while reflecting modern technology and community engagement expectations.

Background:

On October 3, 2025, Governor Newsom signed Senate Bill No. 707 (“SB 707”), which revises and updates the Ralph M. Brown Act’s open meeting laws to provide greater flexibility in teleconferencing and enhance accessibility requirements, including translation services in certain circumstances and real-time captioning. SB 707 requires the City Council to formally authorize teleconferencing for advisory bodies, including commissions, committees, and boards, through a resolution or policy, pursuant to California Government Code section 54953.8.6.

These new requirements build on the existing teleconferencing framework established under prior legislation, including Assembly Bills 361 and 2449. SB 707 takes effect on July 1, 2026, and will remain in effect until January 1, 2030. A draft policy, entitled “Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings” is now presented to the City Council to implement Senate Bill No. 707.

It is important to note that SB 707 has new provisions applicable to all city councils and new provisions only applicable to an “eligible legislative body”, which is defined as city councils in jurisdictions with a population of 30,000 or more, or city councils of any size located within a county with a population of 600,000 or more. Because our current population is 70,000+, the City of Yuba City will be subject to all provisions of SB 707.

Analysis:

SB 707 updates the City's open meeting requirements to enhance public participation, transparency, and accessibility.

Teleconferencing and Remote Participation Requirements

- **Mandatory Hybrid Meetings:** By July 1, 2026, the City Council must provide for hybrid meetings (in-person plus a teleconference option). The teleconference option must be either a two-way telephonic or audiovisual platform (e.g., zoom). If using audiovisual platforms, a call-in option and active captioning (if available) are required.
- **Policy Regarding Broadcast Disruption:** Prior to July 1, 2026, the City Council must adopt an open session policy regarding hybrid meetings that includes procedures for restoring service in the event of a broadcast disruption. The policy should include (i) steps to be taken if audio, video, or the entire platform fails, (ii) the appropriate personnel to take corrective action to restore service, and (iii) the procedure to notify the public and resume the meeting upon restoration of service.

In addition, the policy should also outline how the City Council will deal with a disruption or disturbance from a member of the public, either in-person or on teleconference, and restore decorum to the meeting. The policy should also address the procedures for accommodating disability requests by a Councilmember or a member of the public in participating in the meeting, as well as define "just cause" and "emergency circumstances" for purposes of remote participation by a Councilmember.

- **One-Hour Recess Requirement:** Starting July 1, 2026, if a disruption prevents the public from attending the meeting remotely, the City Council must take a recess and try to restore service. If service cannot be restored within one (1) hour, the City Council must conduct a roll call vote confirming that good faith efforts were made, and make a finding that public interest in continuing the meeting outweighs remote access.
- **Legal Basis for Remote Participation of Councilmember:** Starting January 1, 2026, Councilmembers and commissioners who participate remotely must have their legal basis for remote participation recorded in the meeting minutes.
- **Councilmember with Disability:** Starting January 1, 2026, Councilmembers and commissioners with a disability may participate remotely as a reasonable accommodation, including participation via audio only (but only if their condition prevents participation on camera). Once an accommodation is granted for a disability, the Councilmember's remote participation counts toward quorum at the in-person meeting site. Unlike the "just cause" or "emergency circumstance" reasons for Councilmembers/commissioners to participate remotely, there are no restrictions on the number of meetings a Councilmember/commissioner may attend remotely and no geographic limits on participation, once a disability is established and accommodated. However, those attending remotely must still disclose any present adults and their relationship to them.
- **"Just cause" definition expanded and extended:** Currently, Councilmembers and commissioners may participate remotely due to "just cause". In addition to the existing reasons of childcare needs, a contagious illness, official City-related travel, and physical or family medical emergency, as of January 1, 2026 the definition of "just cause" will now include military service obligations. Previously sunseting at the end of 2025, the allowance for remote participation via "just cause" has been extended to December 31, 2029.

Enhancing Public Engagement (Starting July 1, 2026):

- Translation of meeting agendas: If 20% of the City's population speaks an applicable foreign language and at the same time, that population speaks English less than "very well" , then the City must translate meeting agendas (but not the entire agenda packet) into that applicable language. There is no need to verbally state how the foreign language translation of the agenda may be accessed during the applicable Council meeting. [Note that the 20% calculation must be based on data regarding foreign languages from the most recent American Community Survey.]

- Translation of the City website: Similar to meeting agendas, the following information on the City's website must also be translated if 20% of the City's population speaks an applicable foreign language and at the same time that population speaks English less than "very well". Each translation must be accessible through a prominent direct link posted on the City's website home page.

(A) An accessible internet webpage dedicated to public meetings that includes, or provides a link to, all of the following information:

(I) A general explanation of the public meeting process for the City Council.

(II) An explanation of the procedures for a member of the public to provide in-person or remote oral public comment during a public meeting or to submit written public comment

(III) A calendar of all public meeting dates with calendar listings that include the date, time, and location of each public meeting.

(IV) The agenda posted online.

- Social Media Use: Existing law temporarily allows a Councilmember to participate in individual communications on an internet-based social media platform for specified purposes, provided that a majority of Councilmembers do not use the platforms to discuss or deliberate on matters within the City's specific subject matter jurisdiction. This bill makes removes the sunset date and makes this exception permanent.

- Brown Act Copy: The City must provide a copy of the Brown Act to each Councilmember of the City.

- Oral Reporting of Compensation Decisions: SB 707 clarifies that the City is required to orally report, prior to final action, a summary of any recommendation of final action on compensation for the City Manager, any department heads, or other comparable administrative officer during an open meeting at which the final action is to be taken.

- Assistance in translation services: The City is required to reasonably assist members of the public who wish to translate a public meeting into any language or wish to receive interpretation provided by another member of the public. The bill does not require the City to provide translation services, but only to reasonably assist others who choose to engage in translation/interpretation services. It is important to note that in providing any translation service, SB 707 limits the City's liability in negligent translation and provides that the City will not be responsible for the contents or accuracy of any translation.

- The bill states that the City Council shall publicize instructions on how to request assistance to the public.

- The "assistance" listed in the bill may include any of the following, as determined by the City Council: (i) Arranging space for one or more interpreters at the meeting location, (ii) Allowing extra time during the meeting for interpretation to occur, and/or (iii) Ensuring participants may utilize their personal equipment or reasonably access facilities for participants to access commercially available interpretation services.

Automated translation tools, such as Google Translate, may be used to satisfy these requirements, provided the other statutory obligations are met and a disclaimer is included noting that translations are automatically generated and may not be exact.

- Translation near posting sites: The City must also provide a freely accessible physical location near where the agendas are posted to allow the public to post additional translations of the agenda in that location.
- Outreach requirements: The City must make reasonable efforts to invite groups that do not traditionally participate in public meetings to attend those meetings. Examples of such groups include the following:
 - Media organizations providing news coverage within the City or region, including ethnic and language-specific outlets serving non-English-speaking communities.
 - Civil-rights, civic-engagement, neighborhood, and community-based organizations, particularly those active in or serving multilingual or historically marginalized communities.

C. Additional Key Requirements

- Teleconferencing for Eligible Subsidiary Bodies: SB 707 further standardizes teleconferencing procedures for eligible subsidiary bodies, such as advisory boards and committees of the City. Before an eligible subsidiary body may use teleconferencing, the City Council must first formally authorize it by charter, ordinance, resolution or other formal action. If teleconferencing is authorized, members participating remotely must maintain real-time, two-way communication for the duration of the meeting, unless the member has a physical or mental condition meeting ADA disability criteria that results in a need to participate off camera. Further, the bill removes the prior requirement to publicly notice each remote location. Also, SB 707 requires each legislative body to reauthorize an eligible subsidiary body's use of teleconferencing every six months by majority vote, confirming that the practice continues to serve the public interest in accordance with Government Code section 54953.8.6.

The proposed policy sets forth the authority of the City Council to authorize advisory commissions to use teleconferencing, but a separate resolution(s) will need to be adopted by the City Council in the future if the City Council chooses to allow specific teleconferencing authorization. Costs of staffing and the technology for implementation of the hybrid format for each commission will need to be considered.

The policy, if adopted, will help to ensure compliance with Senate Bill 707. Further, the policy will support the City's mission to ensure public meetings remain transparent, accessible, and inclusive, consistent with the City Council's goal of proactive communication with all members of the community.

Fiscal Impact:

Estimated costs associated with SB 707: \$25,000 Annually (Translation Services, Technology, etc)

Alternatives:

1. Defer action and provide direction to staff

Recommendation:

Adopt the Attached Resolution to Adopt a Policy Entitled "Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings" to implement Senate

Bill No. 707.

Attachments:

1. Resolution - SB 707
2. SB 707 Teleconference Meeting Policy

Prepared By:
Ciara Wakefield
City Clerk

Submitted By:
Robert Bendorf
City Manager

ATTACHMENT 1

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY, CALIFORNIA, ADOPTING A POLICY GOVERNING REMOTE PARTICIPATION AND ENHANCEMENT OF PUBLIC PARTICIPATION IN CITY COUNCIL AND COMMISSION MEETINGS FOR IMPLEMENTATION OF NEW PROVISIONS OF THE RALPH M. BROWN ACT AS ENACTED BY SENATE BILL NO. 707

WHEREAS, the Ralph M. Brown Act (“Brown Act”), California’s open meeting law, governs the conduct of public meetings by governmental bodies; and

WHEREAS, on October 3, 2025, Governor Newsom signed Senate Bill No. 707 (“SB 707”) to revise the Brown Act’s open meeting laws by allowing greater flexibility in teleconferencing and accessibility requirements, including translation services in certain circumstances and real time captioning, effective July 1, 2026, and until January 1, 2030; and

WHEREAS, the City Council now desires to adopt a policy, entitled “Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings” to implement Senate Bill No. 707.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing Recitals are true and correct and are incorporated herein by this reference.
2. The City Council hereby adopts the “Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings” dated June 2, 2026, attached hereto, for purposes of implementing Senate Bill 707.
3. The City Manager or designee is authorized to implement and enforce the provisions of the Policy adopted herein.
4. The City Manager, or his/her designee, is hereby directed and authorized to make such modifications as may be necessary to the agenda templates of the City Council and City’s commissions, committees, and boards, along with any other agenda related materials, in order to implement the teleconferencing and related rules of SB 707.
5. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council of the City of Yuba City hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.
6. The City Clerk shall certify to the adoption of this Resolution, which, shall in turn, have immediate effect.

PASSED, APPROVED and ADOPTED by the City Council of the City of Yuba City at a regular meeting held on the 2nd day of June 2026.

Marc Boomgaarden
Mayor

ATTEST:

Ciara Wakefield
City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY:

Shannon Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2

Policy Governing Remote Participation and Enhancement of Public Participation in City Council Meetings

PURPOSE:

The purpose of this Policy Governing Remote Participation and Enhancement of Public Participation in City Council and Commission Meetings is to implement Senate Bill No. 707 (“SB 707”), signed into law on October 3, 2025, which revises and updates the Ralph M. Brown Act’s open meeting laws to provide greater flexibility in teleconferencing and enhance public participation, transparency, and accessibility in public meetings of the City Council and authorized commissions approved by the City Council pursuant to this Policy.

POLICY:

For purposes of implementation of SB 707, the City Council hereby adopts the following requirements.

I. Hybrid meeting format.

Meetings of the City Council and commissions approved for teleconferencing pursuant to Section VII below shall be conducted in a hybrid-format, consisting of two-way telephonic or audiovisual platform, with a call-in option and automatic captioning activated if the platform provides this feature, pursuant to Government Code section 54953.4(b)(1), as may be amended.

II. Broadcast disruption procedures.

If audio, video, or the entire teleconference platform fails in a manner that prevents the public from observing or participating remotely, the presiding officer shall recess the meeting. The City Clerk or appropriate technical personnel shall take immediate corrective action to restore service. Notice of the disruption shall be posted on the City’s website and announced at the in-person meeting location, if feasible.

If remote access cannot be restored within one (1) hour, the City Council or approved commission shall conduct a roll call vote confirming that good faith efforts were made to restore service and shall make a finding that the public interest in continuing the meeting outweighs the need for remote access before proceeding in accordance with Government Code section 54953.8(b)(7).

If a disruption affects a Councilmember or a commissioner (for commissions approved for teleconferencing pursuant to Section VII below) participating remotely due to an authorized basis, including for just cause or as a reasonable accommodation for a disability, the presiding officer shall determine whether quorum is maintained and shall recess the meeting if necessary to restore quorum or connectivity. All disruption procedures shall apply equitably whether the disruption affects the public, a Councilmember/ a commissioner (for commissions approved for teleconferencing pursuant to Section VII below), or a member participating remotely for disability accommodation. These procedures also apply

to disruptions impacting individuals participating remotely as a reasonable accommodation under applicable law.

III. Disruptions by members of the public.

In addition to authority exercised pursuant to Government Code sections 54954.3 and 54957.9, the presiding officer or their designee may remove, or cause the removal of, an individual who is disrupting a meeting, including a teleconferenced meeting, consistent with Government Code section 54957.95.

For purposes of this Policy, “disrupting” means engaging in behavior during a meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting, including failure to comply with reasonable and lawful regulations governing public comment.

Prior to removing an individual for disruptive behavior, the presiding officer or their designee shall warn the individual that their behavior is disrupting the meeting and that failure to cease the behavior may result in removal. If the individual does not promptly cease the disruptive behavior, the presiding officer or their designee may remove the individual.

A warning is not required if the behavior constitutes use of force or a true threat of force, meaning a threat that a reasonable observer would perceive as an actual threat to use force.

IV. Remote participation by Councilmembers and Commissioners.¹

- (1) Just cause. A Councilmember or commissioner may participate remotely for “just cause” as defined by Government Code section 54953.8.3(c), including childcare or caregiving needs, a contagious illness, official City-related travel, a physical or family medical emergency, or military service obligations. The legal basis for remote participation shall be disclosed and recorded in the meeting minutes as required by law.
- (2) Emergency circumstances. Remote participation due to emergency circumstances shall comply with applicable statutory requirements, including required findings and disclosures.
- (3) Disability accommodation. A Councilmember with a qualifying disability may participate remotely as a reasonable accommodation consistent with state and federal law. Participation may occur via audio only if the disability prevents on-camera participation. Once granted, such remote participation shall count toward quorum at the in-person meeting location. Required disclosures regarding adults present at the remote location shall be made as required by law.

V. Translation and public access.

¹ This section applies to the City Council and all commissions whether or not advisory commissions are approved for teleconferencing pursuant to Section VII below.

- (1) If twenty percent (20%) or more of the City's population speaks a single non-English language and speaks English less than "very well," based on the most recent American Community Survey data, City Council meeting agendas (but not full agenda packets) shall be translated into that language and made accessible on the City's website pursuant to Government Code section 54953.4(b).
- (2) When the applicable population threshold is met, the City shall provide translated versions of required public meeting information on a prominently linked webpage accessible from the City's homepage, pursuant to Government Code section 54953.4(b), including:
 - (i) A general explanation of the public meeting process;
 - (ii) Instructions for providing in-person or remote public comment;
 - (iii) A calendar of public meeting dates with date, time, and location; and
 - (iv) Posted meeting agendas.
- (3) The City shall reasonably assist members of the public who wish to provide interpretation or translate public meetings. Assistance may include arranging space for interpreters, allowing additional time for interpretation, or permitting the use of personal equipment or commercially available interpretation services. The City shall publicize clear instructions for requesting such assistance in advance of or during meetings.
- (4) The City shall also provide a freely accessible physical location near where the agendas are posted to allow the public to post additional translations of the agenda in that location pursuant to Government Code section 54953.4(c)(3).
- (4) The City may use digital translation services, such as Google Translate or similar automated tools, to satisfy the translation requirements for agendas and the public meetings webpage, provided the other requirements of Government Code section 54953.4 are met. The City is not responsible for the content or accuracy of any translation provided by such tools, in accordance with Government Code section 54953.4(b)(2). The City may include a disclaimer noting that translations are automatically generated and may not be exact. The City shall make reasonable efforts to ensure translations are understandable to the public and may provide additional clarification upon request.

VI. Outreach efforts.

The City shall make reasonable, good-faith efforts to invite organizations that do not traditionally participate in public meetings to attend City Council meetings. The City retains discretion in determining what constitutes reasonable effort consistent with applicable law. Outreach efforts may include media organizations serving non-English-speaking communities and community groups that historically have lower participation in public meetings.

VII. Teleconferencing authorization for eligible subsidiary bodies.

Pursuant to Government Code section 54953.8.6, eligible subsidiary bodies of the City may be authorized by the City Council to use teleconferencing consistent with applicable law. This policy shall only apply to advisory commissions if authorized for use by the City Council.

Members participating remotely shall maintain real-time, two-way communication for the duration of the meeting unless participating remotely due to a qualifying disability. The City Council shall adopt resolutions authorizing such teleconferencing and, if so adopted, may reauthorize teleconferencing for eligible subsidiary bodies every six (6) months by majority vote confirming that such practice serves the public interest.

VIII. Social media use.

Councilmembers may participate in individual communications on internet-based social media platforms for specified purposes, provided that a majority of Councilmembers do not use the platform to discuss or deliberate on matters within the City's subject matter jurisdiction. This exception is now permanent pursuant to SB 707 and consistent with Government Code section 54952.2(b).

IX. Brown Act copies.

The City Clerk shall provide a copy of the Brown Act to each Councilmember as required by Government Code section 54952.7.

X. Oral reporting of compensation decisions.

Prior to final action on compensation for the City Manager, any department head, or other comparable administrative officer, the City Council shall orally report, during the open meeting at which the final action is to be taken, a summary of any recommendation for final action, consistent with SB 707.

CITY OF YUBA CITY

Future Agenda Items

- Councilmember Cole
- Councilmember Kirchner
- Councilmember Shaw
- Vice-Mayor Pasquale
- Mayor Boomgaarden

CITY OF YUBA CITY

Reports and Communications

The following reports and communication items are provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda

City Manager's Report

CITY OF YUBA CITY

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City Manager's Report