

CITY OF YUBA CITY  
STAFF REPORT

**Date:** October 16, 2018  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** Diana Langley, Public Works Director

---

**Summary**

**Subject:** Annexation of Wildewood East Subdivision

**Recommendation:** Authorize the Public Works Director to prepare an application requesting the Sutter Local Agency Formation Commission (LAFCo) to initiate proceedings for the reorganization of territory.

**Fiscal Impact:** None to City. Staff time to prepare application will be reimbursed by Wildewood East Mutual Water Company.

---

**Purpose:**

To annex the Wildewood East Subdivision, located on the north side of Franklin Road west of George Washington Boulevard, at the request of the property owners.

**Background:**

The Wildewood East Subdivision is located on the north side of Franklin Road, west of George Washington Boulevard. The community includes 48 lots, each approximately one (1) acre in size. The Wildewood East Mutual Water Company (WEMWC) serves water to the subdivision through a private groundwater system, which is subject to regulation by the State Water Resources Control Board Division of Drinking Water (State Water Board). In 2014, the State Water Board implemented a lower maximum contaminant level for hexavalent chromium (CR6), which caused WEMWC's groundwater to be out of compliance.

WEMWC hired an engineering consultant to prepare a study to analyze options to gain compliance with the State Water Board's CR6 requirement. The study evaluated five options:

1. Abandon the WEMWC well and have Yuba City provide all domestic and irrigation water.
2. Maintain the WEMWC well for irrigation purposes only and have Yuba City provide domestic water.
3. Maintain the WEMWC well and blend water from Yuba City to reduce CR6 levels.
4. Maintain the existing WEMWC system and treat water with a central water treatment plant.
5. Maintain the existing WEMWC system and treat domestic water at each receiving home.

With Options 1 – 3, annexation to the City of Yuba City is a requirement of receiving City water.

The WEMWC shareholders, comprised of the majority of the property owners within the subdivision, held a meeting on August 23, 2016. The shareholders voted and selected to proceed with Option 2, which provided for a new City-maintained water distribution system throughout the subdivision, with domestic water service provided to every home.

On May 31, 2017, a Sacramento County Superior Court judgment invalidated the State Water Board's CR6 maximum contaminant level for drinking water. With that invalidation, WEMWC's groundwater was no longer out of compliance with the CR6 maximum contaminant level. WEMWC no longer needs to connect to City water. However, the property owners would like to proceed with annexation to the City. Attached are a Notice of Intent to Circulate Petition and a Landowner Petition signed by 44 of the property owners, as of September 2016.

**Analysis:**

In order to initiate annexation proceedings with LAFCo, staff needs to prepare an application. The application includes information related to land use, neighboring properties, boundaries of the proposed annexation, a plan for services, public services provided, property tax exchange, and environmental compliance. Staff is requesting authorization from the City Council to prepare the application. Once the application is complete, staff will return to Council to request formal approval to initiate the annexation proceedings with LAFCo.

**Fiscal Impact:**

There are no fiscal impacts associated with preparing the application. The WEMWC will reimburse the City for staff time and fees associated with the application.

**Alternatives:**

Do not proceed with the process to annex the Wildewood East Subdivision.

**Recommendation:**

Authorize the Public Works Director to prepare an application requesting the Sutter Local Agency Formation Commission (LAFCo) to initiate proceedings for the reorganization of territory.

**Attachments:**

1. Vicinity Map
2. Notice of Intent to Circulate Petition
3. Landowner Petition

Prepared by:

*/s/ Diana Langley*

Diana Langley  
Public Works Director

Reviewed by:

Finance

City Attorney

Submitted by:

*/s/ Steven C. Kroeger*

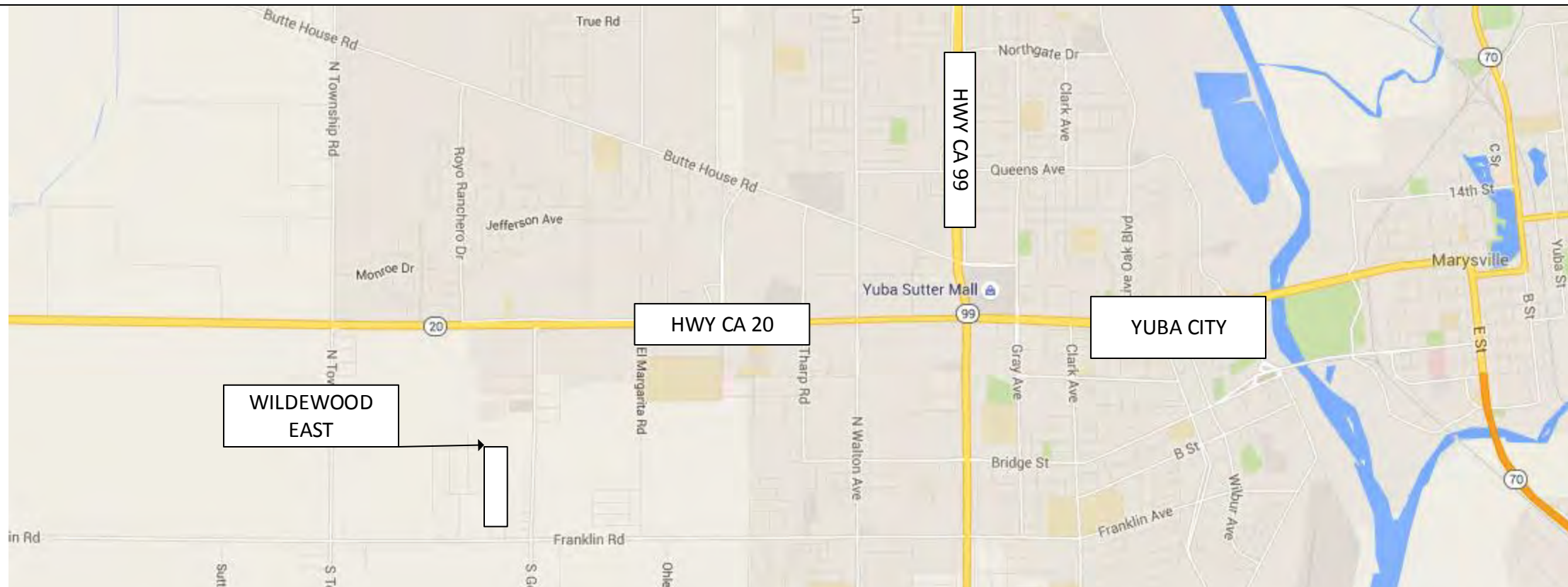
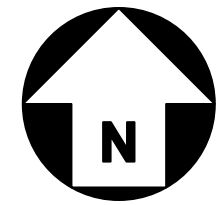
Steven C. Kroeger  
City Manager

RB

TH via email

# ATTACHMENT 1

FIGURE 1  
PROJECT LOCATION



## ATTACHMENT 2

## NOTICE OF INTENT TO CIRCULATE PETITION

Before circulating any petition for change of organization, the proponent shall file with the Executive Officer a notice of intention that shall include the name and mailing address of the proponent and a written statement, not to exceed 500 words in length, setting forth the reasons for the proposal. (Government Code, § 56700.4.) The notice shall be signed by a representative of the proponent. After the filing the notice of intent, the petition may be circulated for signatures.

NOTICE IS HEREBY GIVEN OF THE INTENTION TO CIRCULATE A PETITION PROPOSING TO:

Annex the Wildewood East subdivision into Yuba City for the purposes of having Yuba City supply the properties in Wildewood East subdivision with domestic water supply. Wildewood East is a community in unincorporated Sutter County, just outside of Yuba City, California. The community includes 48 lots, each measuring approximately 1 acre in size. The community of Wildewood East encompasses Gabriel Avenue and Daniel Drive, as shown in Figure 1.

The purpose of the proposed annexation is to ensure the Wildewood East subdivision complies with newly amended Hexavalent Chromium standards which the State Water Resources Control Board Division of Drinking Water (State Water Board) adopted in 2014. Currently, the Wildewood East Mutual Water Company (WEMUC) provides groundwater to each parcel in the Wildewood East subdivision. However, the existing groundwater does not comply with the new, more stringent Hexavalent Chromium standards adopted by the State Water Board. The State Water Board is requiring WEMWC develop a compliance plan that will enable the delivery of water that meets the new water quality standards by 2020. The proposed annexation will facilitate compliance by having Yuba City deliver domestic drinking water to WEMWC.

Name of Proponent:

Frank Starmer  
Wildewood East Mutual Water Company Board President  
442 Gabriel Ave.,  
Yuba City CA 95993  
fstarmer@yahoo.com



Frank Starmer

9/15/16  
Date

Attachments: Map; Draft Petition

# ATTACHMENT 3



LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners

Date

Print Name

Address

Kay Gray Sept 18 KAY GRAY 368 Hobbs Lane

Paul Azzopardi 9-19-16 AZZOPARDI PAUL 590 Daniel Dr

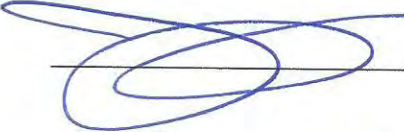
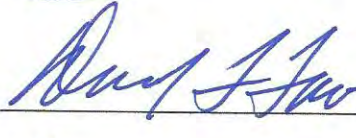
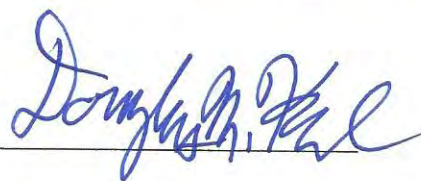
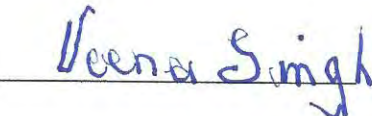
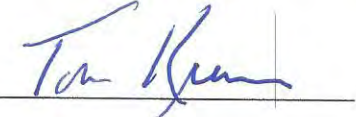

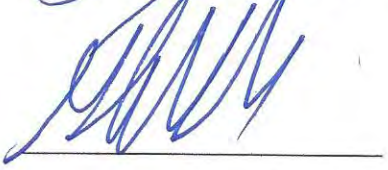

Raymond D. Buttacavoli 9/19/16 RAYMOND D. BUTTACAVOLI 416 GABRIEL DR.

Kashmir Singh 9/30/16 KASHMIR SINGH 618 GABRIEL AVE

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners	Date	Print Name	Address
	9/16/2016	Jesse I. Santana	379 Gabriel Avenue Yuba City, CA 95993
	9/16/2016	DAVID FAVRO	367 DANIEL AVE YUBA CITY, CA 95993
	9/16/2016	Douglas M. Koch	358 Daniel Dr. Yuba City, CA 95993
	9-16-16	Veena Singh	415 Daniel Dr. Y.C. CA 95993
	9/16/16	TOM KEENE	319 DANIEL DR. Y.C.
	9/16/16	Lynn Baker	454 Daniel Dr.
	9/16/16	Glenn Hilbers	482 Daniel Dr
	9/14/16	Ed McConnell	560 Daniel Dr

LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners	Date	Print Name	Address
<u>Russell B. Clark</u>	<u>9-16-16</u>	<u>Russ Clark</u>	<u>631 DANIEL DR.</u>
<u>Andy Gundershaw</u>	<u>9/16/16</u>	<u>Andrew Gundershaw</u>	<u>659 Daniel Dr</u>
<u>[Signature]</u>	<u>9/16/16</u>	<u>Sue HADFIELD</u>	<u>687 DANIEL DR</u>
<u>Tracey Allen</u>	<u>9/16/16</u>	<u>Tracey Allen</u>	<u>688 Gabriel Ave</u>
<u>Pepper Coln Robert</u>	<u>9/16/16</u>	<u>Pepper Coln Robert</u>	<u>660 GABRIEL AVE</u>
<u>Joanne Spano</u>	<u>9/16/16</u>	<u>Joanne Spano</u>	<u>638 Gabriel Ave.</u>
<u>Tony Marefos</u>	<u>9/16/16</u>	<u>Tony Marefos</u>	<u>628 Gabriel Ave</u>
<u>Chieko Tokunaga</u>	<u>9/16/16</u>	<u>Chieko Tokunaga</u>	<u>560 Gabriel Ave</u>

LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners                      Date                      Print Name                      Address

Lucy Suen                      9/17/16                      LUCY SUEN                      603 Daniel Dr.

Robert Spencer                      9/17/16                      Robert Spencer                      575 DANIEL DR YC CA 95992

Fred Tiff                      9/17/2016                      Fred Tiff                      441 Daniel

Jim Richmond                      9-17-16                      Jim Richmond                      301 Daniel Dr.

Mike Paul                      9/17/16                      MIKE PAUL                      343 DANIEL DR.

Robert B. Dowd                      9/17/16                      Robert B Dowd                      320 Gabriel

Michael J. Faucher                      9/17/2016                      Michael J. Faucher                      344 Gabriel Ave

Dan Little                      6-17-16                      Dan Little                      474 Gabriel Ave.

LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners

Date

Print Name

Address

Frances Lane 9-17-16 FRANCES LANE 392 GABRIEL AVE

John J Green 9/17/16 John J Green 413 GABRIEL AVE

Bechini 9/17/16 Dean W Bechini 488 Gabriel

Kathleen Morrison 9-17-16 Kathleen Morrison 504 Gabriel

Robert A. DelPero 9/17/16 Robert A. DelPero  
525 Gabriel Ave

Walt Hysinger 9/17/16 Walt Hysinger 591 GABRIEL AVE

Beverly Krause 9/17/16 BEVERLY KRAUSE 521 DANIEL DR.

Franc Starover 9/17/16 FRANC STAROVER 472 GABRIEL AVE

LANDOWNER PETITION

The undersigned landowner(s) hereby petition(s) the Local Agency Formation Commission of Sutter County for approval of a proposed change of organization or reorganization, specifically, by signing this petition, the signing petitioner confirms it is a resident in the Wildewood East subdivision and is petitioning for annexation to Yuba City for the purposes of providing domestic water supply.

Signature of Petitioners

Date

Print Name

Address

J Kopp

9-17-16

JACK KOPP

522 Daniel Dr  
YC CA 95993

Wayne Beutler

9-17-16

Wayne Beutler

455 Gabriel Ave

Don Nickel

9/18/16

DON NICKEL

495 DANIEL DR

Julie Gill Shuffield

9/18/16

Julie Gill Shuffield

561 Gabriel Dr

Carole Thomas

9/18/16

Carole Thomas

648 Gabriel Ave.

Benton Strickman

9/18/16

BENTON STRICKMAN

588 GABRIEL 95993

Kathleen Lefever

9/18/16

Kathleen Lefever

467 Daniel Dr.

Larry Bains

9/18/16

Larry Bains

325 Gabriel.