



CITY OF

NEWPORT BEACH

City Council Staff Report

July 22, 2025
Agenda Item No. 4

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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PREPARED BY: Mark Vukojevic, Utilities Director

TITLE: Ordinance No. 2025-12: Revision to Municipal Code Chapter 14.10
Cross-Connection Control Program

ABSTRACT:

Chapter 14.10 of the Newport Beach Municipal Code outlines property owners' responsibilities to protect the City of Newport Beach's public water supply from potential and actual contamination. The Utilities Department manages the program which is currently made up of 4,000 backflow devices. Recently, the State Water Resources Control Board adopted new standards for all public water agencies related to backflow prevention and cross-connection control. Staff is presenting the City's Cross Connection Control Management Plan and requesting City Council approval of the updated Municipal Code.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Waive full reading, direct the City Clerk to read by title only, and introduce Ordinance No. 2025-12: *An Ordinance of the City Council of the City of Newport Beach, California, Replacing in its Entirety Chapter 14.10 (Cross Connection Control Program) of the Newport Beach Municipal Code to Comply with State Law*; and pass to a second reading on August 26, 2025; and
- c) Receive and file, City of Newport Beach Cross Connection Control Management Plan.

DISCUSSION:

An important management function of the City's water system is the prevention of contamination that could occur if water were to backflow from a water users' connection into the City's water system. The Utilities Department administers the program to prevent such contamination, officially known as the Cross-Connection Control Program, but commonly known as the Backflow Program. Over time, approximately 4,000 private backflow devices have been permitted and installed and they are monitored by staff for annual compliance.

New devices are added as new development or redevelopment occurs. Newport Beach Municipal Code Chapter 14.10, originally established in 1988, sets forth the City's regulatory and compliance requirements for cross-connection control.

The State Water Resources Control Board recently adopted new standards for backflow protection and cross-connection control entitled the "Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems." All public water systems, including the City of Newport Beach's system, must be in compliance with the new standards. Further, a task force of local Orange County water agencies including Newport Beach staff worked together to develop a model user manual, known as the Cross-Connection Control Management Plan. (Attachment B). Staff then further customized the model plan with specific information regarding the City's water system. The Management Plan is a key document to be used by City Staff, property managers and developers.

The attached ordinance contains the amendments necessary to update Chapter 14.10 of the Newport Beach Municipal Code to reflect the state's new regulatory requirements. The revised ordinance shifts many of the specific regulatory details to the new Management Plan. While the plan is based on a lengthy State Policy Handbook, it is generally consistent with the City's existing program. The major changes include updated definitions, the implementation of a new Hazard Assessment to be conducted by the Utilities Department over the next several years, updated recordkeeping forms and requirements, and new State reporting requirements. The revised program will continue to be administered by the Utilities Department, with an initial focus on completing the Hazard Assessment. As new development or redevelopment occurs, the Community Development Department will continue to review projects for backflow code compliance during plan checks and construction. All newly added backflows are then monitored by the Utilities Department.

FISCAL IMPACT:

The adopted budget in the Water Enterprise Fund includes sufficient funding for the staff time associated with the revisions to the City's cross-connection program.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Ordinance No. 2025-12, Amending Chapter 14.10 Cross Connection
Control Program

Attachment B – City of Newport Beach Cross-Connection Control Management Plan