


To: Olin Woods, Chair, and Members of the
Yolo Local Agency Formation Commission

From: Elizabeth Castro Kemper, Executive Officer 

Date: October 25, 2010

Subject: Request continuance of public hearing for Wild Wings County Service Area
Municipal Service Review and Sphere of Influence.

Recommended Action

After review of the status update for the Wild Wings County Service Area Municipal Service Review and Sphere Influence Study (LAFCO № S-035), continue the public hearing to December 13, 2010.

Reason for Recommended Action

Staff continues to analyze comments and concerns provided by members of the Wild Wings CSA community. Additional time will allow accurate and appropriate responses and amendments to the draft Wild Wings County Service Area Municipal Service Review and Sphere Influence Study based on information received too late to amend the draft document for this date.

Background

Residents of the Wild Wings community have provided a variety of input concerning the draft MSR/SOI study prepared for their county service area. Staff has revised the existing draft to address several of the concerns expressed. However, some comments require additional review and investigation to determine accurate amendments. In addition, LAFCO

COMMISSIONERS

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★ County Member Matt Rexroad, Vice Chair ★

★ City Members Stephen Souza, Skip Davies ★ County Member Helen M. Thomson ★

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★ Executive Officer Elizabeth Castro Kemper ★ Assistant Executive Officer Elisa Carvalho ★

★ Commission Clerk Terri Tuck ★ Commission Counsel Robyn Truitt Drivon ★

October 25, 2010

staff only recently received the written comments from the Advisory Committee concerning the MSR/SOI.

Attached are an index and the written comments, letters and questions received to date concerning the draft studies.

Wild Wings CSA MSR/SOI Comments & Question Index

1. email comments – Rick Fenaroli, August 5, 2010
2. email comments – Dawn Wigeri van Edema, August 5, 2010
3. email comments – Leanne Gardner, August 11, 2010
4. email comments – Dawn Wigeri van Edema, August 11, 2010
5. List of individuals providing form letter (38) concerning Wild Wings CSA studies, with copy of one of form letters, received September 17 and October 14, 2010
6. email comments – Rick Fenaroli, October 7, 2010
7. Letter from Paul Mari Petrowsky, October 12, 2010
8. Letter from Wild Wings CSA Advisory Committee, September 14, 2010, received October 15, 2010

From: Rick Fenaroli [borgotaro@sbcglobal.net]
Sent: Thursday, August 05, 2010 7:41 AM
To: Terri Tuck
Cc: Elizabeth Kemper
Subject: Wild Wings MSR

Ms. Kemper & Ms. Tuck,

In review of the MSR a statement appears regarding the conversion from a CSA to a CSD. The MSR states that conversion cost would be 30-50% higher to a CSD (page 23). Could you please provide the source of this information?

A previous study by the CSA Advisory Committee has indicated that costs would be comparable as the County currently charges \$20,000 - \$35,000 annually for services. In addition, contrary to the report, there is virtually no accountability by County Staff in the management of the CSA. The best evidence of this is that it took nearly 4 years to accurately determine residential water use and bill customers based on usage. Failure to correctly bill has cost the CSA and it's customers an estimated \$150,000 to date.

Thanks,

Rick Fenaroli

From: Rick Fenaroli [borgotaro@sbcglobal.net]
Sent: Thursday, August 05, 2010 3:59 PM
To: Elizabeth Kemper
Cc: Terri Tuck
Subject: RE: Wild Wings MSR

Ms. Kemper,

I would just like to know if the source of the comment was County Staff. It would be in their best interest to have the area remain as a CSA (covers overhead, provides more control, etc.) rather than convert to a CSD. Are you able to provide the source (some state-wide study, historical info, etc.)?

Thanks,

Rick Fenaroli

--- On Thu, 8/5/10, Elizabeth Kemper <Elizabeth.Kemper@yolocounty.org> wrote:

From: Elizabeth Kemper <Elizabeth.Kemper@yolocounty.org>
Subject: RE: Wild Wings MSR
To: "Rick Fenaroli" <borgotaro@sbcglobal.net>
Cc: "Terri Tuck" <Terri.Tuck@yolocounty.org>
Date: Thursday, August 5, 2010, 7:26 PM

Thank you for your comments. We will clarify the answers to your questions in the next version of the study.

Elizabeth Kemper

From: Terri Tuck on behalf of R-CAO LAFCO
Sent: Friday, August 06, 2010 8:42 AM
To: Elizabeth Kemper; 'Elizabeth'
Cc: Elisa Carvalho
Subject: FW: 8-5-10 Draft Wild Wings County Service Area Municipal Services Review and Sphere of Influence LAFCO 35

FYI

From: Dawn Wigeri van Edema [mailto:dwigeri@sbcglobal.net]
Sent: Thursday, August 05, 2010 8:58 PM
To: R-CAO LAFCO
Cc: Helen Thomson; Matt Rexroad - Dist. 3; Jim Provenza; skip.davies@cityofwoodland.org; olinwoods@sbcglobal.net
Subject: 8-5-10 Draft Wild Wings County Service Area Municipal Services Review and Sphere of Influence LAFCO 35

I am a resident of Wild Wings and I have some concerns about the draft Wild Wings County Service Area Municipal Service Review and Sphere of Influence Report LAFCO No.035

On page 14 under the heading Water Services, Supply and Distribution Systems 2003 Baseline Specifications minimum manganese contamination and arsenic concentration levels were noted. The data provided for the 2009 Actual Specifications on page 15 do not indicate whether or not our wells are in compliance with current minimum manganese and arsenic concentration levels. Specifically, in 2009 water quality regulations reduced the arsenic levels from 50 ppb down to 10 ppb. Readings from the Canvasback well in August 2009 were between 11 and 15 ppb and the Pintail well was reading 8 ppb. There is also some discussion that the levels will be reduced even further to 5 ppb. In order to comply with the reduction in arsenic levels, the Canvasback well was transferred to standby and used for irrigation leaving the Pintail well for fresh water purposes. So based on the current status of the wells, Wild Wings fresh water supply is dependant upon one well, that is in itself very close to exceeding the allowable ppb limit for arsenic concentrations. The CSA has applied for a \$600,000 grant for the treatment of arsenic but has not gotten a response. The 2009 Consumer Confidence report sent to Wild Wings residents on June 24, 2010 detailed the arsenic issues and the efforts to remedy the situation.

On page 16, under the heading Capacity, data from 2008-2009 is provided. Specifically, the report indicates that the Pintail well was producing 107.5312 million gallons and that the actual residential usage was 91.424 million gallons. This number does not include water use by the golf course that now includes a clubhouse and small restaurant. The number also does not include the water usage at the pool/pool area maintained by Wild Wings HOA. Additionally, the golf course was closed for a portion of 2008 and 2009. There were and still are empty and/or bank owned homes in Wild Wings and not all backyards have been landscaped. The buildout of Wild Wings may be complete but the 2008-2009 actual residential usage is not a fully occupied residential water usage number and more importantly does not include the golf course use.

On page 18 under the heading capacity, a processing rate of .50 million gallons a day is indicated, however the report does not indicate the time period that this data was collected. Any report of excess capacity at this point in time is premature. The properties that surround Wild Wings are not comparable domestic water connections to the Wild Wings lots. Yolo Fliers club is a heavy water user and the

8/11/2010

surrounding rural properties if connected could begin farming activities that may become water intensive. There are property owners that have approached our CSA to allow additional connections that would allow them to develop their rural properties, yet their future development plans have not been disclosed and the general plan designates no changes to the surrounding land use. The public services for Wild Wings were sized for the planned development but there has been a steady push to expand connections by both adjacent property owners and within the CSA. The CSA would like to fund the purchase of land for a driving range using additional waste water connections as a revenue source.

I fear that these entities are stretching the definition of excess capacity in order to further their own interest possibly at the expense of the Wild Wings residents that must live within the restrictions of the CC&R's and rules enacted by the Wild Wings HOA. If water and sewer services become stretched by adding more connections prematurely, it will be the Wild Wings residents that will get squeezed by the CSA and the HOA. Both the CSA and the HOA have already discussed changing the allocation of 250,000 gallons annually per resident. If the CSA and the HOA have complaints that the residents are overwatering, how can LAFCO declare that we have excess capacity. It is premature to make a determination of excess capacity with 2008-2009 data. It would be most prudent to allow Wild Wings occupancy to stabilize and for the golf course to stabilize before declaring that there is excess capacity for expansion, especially in light of the fact that the report finds that the need for extension of services is not now identified.

The report seeks to add the adjacent properties, including those properties that have expressed an interest in service extension to the Wild Wings Sphere of Influence. Specifically, the report seeks to hold open the possibility of extending service for health and safety issues. My fear is that this is simply a back door for those adjacent property owners to report that their wells have exceeded water quality levels for arsenic and declare their poor water quality to be a health and safety issue hence opening the door to request service extension. If we have excess capacity to meet their needs then of course we want to accommodate the need. However, the determination of excess capacity should be determined with solid data and I don't feel that enough data exists at this point in Wild Wings history to make that determination. Additionally, I would like LAFCO to identify the parameters of health and safety issues that would permit connections to Wild Wings public services.

Last but not least there is a 17 acre parcel donated for public use and access to Cache Creek that has not been developed. The director of the Cache Creek Conservancy has inquired about the status of that property. It is highly recommended that the CSA consult with the Cache Creek Conservancy on possible use and maintenance of the property to minimize any invasive species introduction to Cache Creek or possible erosion issues.

Dawn Wigeri van Edema
18189 Mandarin St
Woodland, CA

Elizabeth Kemper

From: Terri Tuck on behalf of R-CAO LAFCO
Sent: Wednesday, August 11, 2010 2:03 PM
To: Elizabeth Kemper
Subject: FW: CSA

FYI

From: Leanne Gardner [mailto:sonbather33@sbcglobal.net]
Sent: Wednesday, August 11, 2010 12:35 PM
To: R-CAO LAFCO
Cc: Dawn Wigeri van Edema
Subject: CSA

To Whom it may concern;

I live at Wild Wings and I want to express my concern of our CSA trying to leave the umbrella of the county. I am against it. There are special interest that over ride the interest of the community. If The county were to be cut out and The CSA were independent, we would have run away spending and extensions of our water to our own detriment. I am also against extending our water to outside Wild wings. We don't know what new water regulations are on the horizon and we already have one well shut done to the changes in the arsenic levels. Thank You for your attention.

Sincerely,

Leanne and Jack

18279 Gadwall

Gardner

Street



Elizabeth Kemper

From: Terri Tuck on behalf of R-CAO LAFCO
Sent: Thursday, August 12, 2010 8:33 AM
To: Elizabeth Kemper; 'Elizabeth'
Subject: FW: Wild Wings DRAFT MSR/SOI 8-11-10

FYI

From: Dawn Wigeri van Edema [mailto:dwigeri@sbcglobal.net]
Sent: Wednesday, August 11, 2010 4:12 PM
To: R-CAO LAFCO
Subject: Re: Wild Wings DRAFT MSR/SOI 8-11-10

Dear LAFCO Staff Representative,

I have previously commented on the Wild Wings Draft MSR/SOI report, but would like to make additional comments in advance of the public hearing scheduled for September 27, 2010.

Pursuant to page 8, the Sphere of Influence Guideline #4

"Territory not in need of urban services, including open space, agriculture, recreational, rural lands or residential rural areas **shall not** be assigned to an agency's sphere of influence, unless the area's exclusion would impede the planned, orderly and efficient development of the area."

The adjacent properties fit the description 'territory not in need of urban services'. Page 27 paragraph 2 indicates 'the county general plan designates no changes to surrounding land use and that the need for service extension is not now identified. Therefore exclusion of the adjacent properties from our sphere of influence would not impede the planned, orderly and efficient development of the area. Pursuant to LAFCO's own guidelines the adjacent property should be excluded from our sphere of influence because exclusion is not impeding any planned development.

Previously, I have commented that the data used to determine that Wild Wings has excess capacity is not current and is incomplete. A determination that Wild Wings has excess capacity is premature because not all homes are occupied, not all backyards are complete and the report did not include water usage by the golf course. The need for additional service extension has not been identified. If a health or safety concern does occur in the future, those adjacent property owners should approach the county at that time.

The properties surrounding Wild Wings are primarily rural houses, barns, outbuildings and native grassland. The rural properties are not irrigated with the exception of Yolo Flyers Club. Should LAFCO extend the Sphere of Influence, the adjacent property owners will see this as an open invitation to develop, irregardless of any health and safety concern? With enough pressure, the words emergency, health and safety will disappear and 'excess' capacity will rule the day. Wild Wings residents will no longer be surrounded by rolling land. We could eventually be surrounded by houses, additional buildings, and active farming. And we will all wonder, how did this happen.

Assuming that it is a foregone conclusion that the Wild Wings Sphere of Influence will expand, what safeguards can LAFCO provide the Wild Wings residents to ensure that these surrounding properties

10/13/2010

won't just submit a request that their wells have exceeded the arsenic levels or that their septic systems are inadequate or that they have no wells or septic systems, tie into our service and then submit plans for development or to start farming. What protections do we have that we will keep our 250,000 gallon allotment of water and that the CSA won't drain the golf course ponds in order to sell our water? What guidelines if any will the County provide for determining how many additional tie ins will be allowed and guidelines or limitations to how much water can be sold? Does the County even have any involvement after additional tie ins have been approved? Given that Highway 16 is a 2-lane road, the adjacent properties starting with Yolo County Flood District and WCD sit in a blind curve and that a significant hay storage operation exists on the south side of Highway 16, do we want any additional development in this Highway 16 corridor? There are already instances where residents have to wait several minutes just to get onto Highway 16 because of the casino and farm traffic.

Lastly, page 24 item 3 indicates that the residents of Wild Wings are fiscally responsible and can adequately finance the costs of their services. Wild Wings residents may be facing additional infrastructure costs for our wells if the standards for arsenic levels are reduced even further. The community is facing a cost of living increase for our water and sewer services for the coming tax year. We are facing increased costs to support the acquisition and operation of the golf course. We are facing a special tax to cover the operational losses of the golf course for 2009-2010 and 2010-2011. The economy has not rebounded, so although we are adequately funded today, that picture could be reversed in as little as 6 months time.

Dawn Wigeri van Edema
18189 Mandarin St

34 form letters received from residents of Wild Wings CSA on Sept 17, 2010 concerning expansion of sphere of influence and impact on water services:

1. Sally & Richard Dantzler, 18260 Gadwall Street
2. Paul Kaz (illegible last name), 33323 Merganser Court
3. Jordan K. Durbin & Gregg A. Lies, 33203 Pintail Street
4. Illegible signature, 34004 Pintail Street
5. Illegible signature, 33988 (illegible Street)
6. Kim Miranda, 33959 (No street name)
7. Gustano Solorzano, 34146 Pintail Street
8. Sebastian Schreiber, 33546 Wildwing Drive
9. Lea Ann Luckner, 34800 Mallard Street
10. Ashley Moreland & Daniel Medina, 33463 Canvasback
11. Nancy Wolford, 33287 Pintail Street
12. Charles & Lisa Velesaris, 34021 Pintail Street
13. Norman & Joyce Pennycootre, 34320 Canvasback Street
14. Lloyd Turek, 18139 Mallard Street
15. Kevin Lewis, 18040 Blue Winged Court
16. John & Lois Uhlig, 18367 Mandarin Street
17. Lorelee Cox, 18368 Ring-Necked Court
18. Susan & Richard Lundquist, 18118 Mallard Street
19. Patricia Hand & Michelle Cline, 18288 Mandarin Court
20. Kimberly & Lee Nerli, 34200 Canvas Back Court
21. illegible signatures (2), 18417 Mandarin Street
22. Cathy & James Wolpert, 18300 Mandarin Street
23. Kellie Bruton, 18368 Ring-Necked Court
24. Rosemary D'Amico, 18368 Gadwall Street
25. Dan Walburn(?), 18383 Gadwall Street
26. Jeanne Gardner, 18279 Gadwall Street
27. Duane & Joyce Jarnagin, 18271 Gadwall Street
28. (illegible signature), 18401 Gadwall Street
29. (illegible signature), 33324 Merganser Court
30. Blanca Eversall, 18297 Gadwall Street
31. Denise Tabor, 18268 Gadwall Street
32. Coralie Munro, 18355 Gadwall Street
33. Bob Takhar, 18344 Gadwall Street
34. Joan & Greg Tolle, 18210 Harlequin

4 form letters received from residents of Wild Wings CSA on October 14, 2010 concerning expansion of sphere of influence and impact on water services:

1. Gregory Boyd, 18250 Mandarin Street
2. illegible signature, 18247 Mandarin Street
3. Lachi Richards, 18111 Mallard Street
4. Georgia Sirard, 18237 Mallard Street

All letters are available for review at Yolo LAFCO Office, 625 Court Street, Suite 203, Woodland, CA

Yolo County LAFCO
625 Court Street, Suite 203
Woodland, CA 95695

Regarding: Wildwings CSA water expansion

Dear Olin Woods,

Unfortunately, we are unable to attend the Wildwings portion of your September 27, 2010 meeting in Woodland at the Yolo County Courthouse. Therefore, this letter is to address our concerns. The expansion of the Wild Wings sphere of influence is premature.

At this time, we have a large number of unoccupied homes as well as non-landscaped backyards. It seems prudent to consider our empty homes and their unfinished backyards, in conjunction with our well situation before expanding our sphere of influence.

Our Canvasback well does not meet standards for human consumption. It exceeds the California State acceptable levels for arsenic used for any household activity. The well on Pintail will not be tested for arsenic until the summer of 2011. In 2008 the Pintail well was tested and came in just under the state's allowable level for arsenic.

Expansion of our sphere of influence, without addressing the water usage and resolving the wells arsenic situation jumps ahead without solving current problems. This action is shortsighted and problematic.

Thank you in advance for your time and consideration.

Name: Gregory Boyd 10/27/2010
Greg Boyd

Address: 10250 Mandarin St, Woodland CA 95695

Elizabeth Kemper

From: Rick Fenaroli [borgotaro@sbcglobal.net]
Sent: Thursday, October 07, 2010 11:41 AM
To: Terri Tuck; Elizabeth Kemper
Cc: Georgia Cochran; borgotaro@sbcglobal.net
Subject: LAFCO - Wild Wings MSR - Public Comment
Attachments: LAFCO Report Comments - CSA Mtg.doc

Ms. Tuck & Ms. Kemper,

Attached are my comments and those from members of the Wild Wings community in response to the Wild Wings MSR.

Those members of the community that I have contacted are in appreciation for your review and support the increased sphere of influence recommended by LAFCO. We would also like to comment our continuing disapproval and frustration with operating Wild Wings as a CSA versus a CSD or other form of administration. Contrary to what County Staff would say, there is virtually no accountability for the management of the CSA. The Advisory Committee has no authority and Staff has a history of only presenting their recommendations to the Board of Supervisors.

Supervisor Chamberlain has been loathe to act on any recommendations from the Advisory Committee over the years. He has left vacant 1 seat on the Advisory Committee for over a year. It's been suggested that the HOA be allowed to hold one seat on the CSA Advisory Committee and this suggestion might be worth consideration.

The County currently charges about \$64,000 for management of the CSA. Considering what services are provided, this amount is excessive. In addition, there are still water meters still do not work correctly after 5 years. The accuracy of the water balance report is questionable as well. Water usage statements to residents were supposed to be provided every 2 months. After 5 years, this still hasn't happened. During these past 5 years the County has failed to bill and collect over \$150,000 in usage fees for water.

Wild Wings should be a CSD. There should be direct accountability. The County has done a very poor job of managing the CSA and with tight budgets, they want to maintain control to insure another revenue stream to support staff.

Again, thank you for your diligence in preparing the Wild Wings MSR.

Regards,

Rick Fenaroli
530.304.7149

10/13/2010

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OCT 15 2010

YOLO LAFCO

Paul Mari Petrowsky
33880 State Highway 16
Woodland, CA 95695
October 12, 2010

Olin Woods, Chair, and Members of the
Yolo County Local Agency Formation Commission
625 Court Street, Room 206
Woodland, CA 95695

Dear Mr. Woods and Members:

Please accept this letter as my statement of support for the proposed Sphere of Influence boundary as outlined in the Wild Wings County Service Area Municipal Services Review and Sphere of Influence document dated July 26th, 2010. The availability of consolidated domestic services to the parcels immediately south and adjacent to the Wild Wings subdivision seems logical and beneficial to all involved parties.

I would be happy to answer any questions you might have and provide additional comments.

Sincerely,



Paul Mari Petrowsky

pmp@cadmasters.com
(530) 979-0033

RECEIVED

OCT 15 2010



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

YOLO LAFCO **John Bencomo**
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

September 14, 2010

Elizabeth Castro Kemper, LAFCO Executive Officer
Elisa Carvalho, LAFCO Senior Management Analyst
625 Court Street, Room 202
Woodland, CA 95695

SUBJECT: Wild Wings County Service Area (MERCESA) Municipal Services Review (MSR) and Sphere of Influence (SOI) Study Comments by CSA Advisory Committee

The Wild Wings County Service Area Advisory Committee has reviewed the Wild Wings County Service Area MSR/SOI as a collective body and has had the opportunity to formulate a list of comments and questions regarding the report. This list is outlined below.

1. Page 28, last paragraph. What is meant by the expansion would be strictly to provide for a possible emergency contingency? Are we only going to put in fire hydrants or are we going to completely hook them up to our water and sewer system in case the wells and/or septic systems they have fail in the future?
2. Page 16, under Capacity. The math comes out to 180,000 gallons per domestic water connection if allowed 89 homes to connect and just using the pintail well. Also calculations of 617,000 gallons with both wells operating and allow 244 connections. Don't understand the numbers because residents are allowed 250,000 gallons before overages are charged. Is the average usage at Wild Wings 180,000 gallons per household per year?
3. Page 18, WWTP Capacity should be .055? Can 350 connections truly be supported? The treatment plant is optimized at 80-85% of capacity.
4. Page 23, other matters.... The statement that forming a CSD would result in 30-50% cost increase does not include supportive data. What data was used to support this statement?

As previously noted, CSA Staff and Wild Wings CSA Advisory Committee appreciate the efforts of LAFCO staff in developing the study and providing the Wild Wings CSA MSR/SOI for CSA Advisory Committee review and comment. Please contact me at (530) 666-8725 if you have any questions regarding the above comments.

Sincerely
Regina Espinoza, County Service Area Manager