

Willowbank County Service Area (WCSA) Advisory Committee

Minutes of the Special Meeting Held November 16th, 2022

Meeting conducted as a Hybrid Meeting (In Person at Montgomery Public School and via Zoom, Hosted by Anne Todgham)

1.	Call to Order: Committee Chair Woods called the meeting to order at 7:10 PM
	Committee Members Present: Liz McCapes, Anne Todgham, Artie Lawyer, Brian Morrissey, and Olin Woods. <i>Two vacant positions (Oakside)</i>
	Note taker: Anne Todgham
2.	Invited Guests: District 4 Supervisor Jim Provenza, Deputy Supervisor Sheila Allen, Yolo County CSA Liaison Kim Villa, Yolo LAFCo Executive Officer Christine Crawford, Residents: 8
3.	<p>Consistent with New Legislation, Chair Woods recommends Adoption of the following language “The WCSA Advisory Committee authorizes remote (teleconference/videoconference) meetings by finding, per Assembly Bill 361, that local officials continue to recommend measures to promote social distancing as a result of the COVID-19 pandemic.”</p> <p>Motion to adopt the new language outlined above MSP (Lawyer, McCapes)</p> <p>Unanimously approved</p>
4.	Public Comments: None
5.	<p>Yolo County Report: District 4 Supervisor Jim Provenza</p> <p>Two items</p> <ol style="list-style-type: none"> 1) We did receive a grant from the State Library for close to \$9M for a South Davis library. The County is close to matching that amount of funding (total estimate of needed funds, \$18M). The second step is operation of the library and currently the County doesn't have the operating funds for a 7 day/wk library, so looking to start with fewer days per week and then ramping up. 2) Work has started on the Fremont Weir. There will be a notch in the weir to allow more water to enter the Yolo Basin Nov. through March to address issues with migrating salmon and sturgeon. It will allow better passage of these fishes. The MOU states that water would not continue past March 15th so the rice fields are not over flooded. A full time employee will monitor the program. <p><i>Public Comments: None</i></p> <p><i>Committee Comments:</i> Lawyer: Is \$18M enough? Provenza: It is close to what is needed and we have enough options to make it work. McCapes: Where will it be located? Provenza: It will be near Walnut Park. A location that has been planned for some time.</p>
6.	<p>Recap of Yolo LAFCo Staff's Municipal Service Review: Crawford Required by state laws to do Municipal Service Reviews. Currently doing County Service Area (CSA) reviews. Doing the review with the lens of good governance and efficiency.</p> <p>The WCSA was formed to provide water services but the WCSA hasn't provided services since mid-2000, when water began to be supplied by the City of Davis.</p>

LAFCo report recommends that the Willowbank CSA is dissolved and the community forms a Community Advisory Committee (CAC) in which the community could discuss all community issues beyond water. Therefore the CAC would have less legal constraints with talking about issues other than water services.

The LAFCo recommendation is just a recommendation and the County can do as it pleases with the recommendation. The purpose of the recommendation: to shed light on issues.

One other piece of the recommendation is the WCSA is 7 members and a CAC is typically only 5 members. The 7 members is a legacy of bringing three wells together. Could consider the CAC only have 5 members.

Crawford provided a table with a comparison between the CSA and a CAC. (Provided under separate cover)

Public Comments:

Discussion about if the water delivery pipes fail (the community paid to install the transmission system), who pays for replacement? City of Davis maintains the pipes but are they also responsible for replacement?

Concern that the City can back out of our water contract (would need to provide 2 years notice) and then the WCSA would be on its own to supply water. Crawford: LAFCo did not overlook this. The County would still oversee the delivery system. Woods: If the WCSA were to be dissolved and there was a problem, it could be resurrected if needed.

Crawford will put a call into the City to get a sense of who is responsible if the system has to be replaced. Villa indicated that she would be happy to check with the City Public Works Department to clarify with the City the arrangement for maintenance of the infrastructure in the event of a major failure.

Note:

1) Following the meeting, County CSA Liaison Kim Villa contacted Davis Public Works Utilities and Operations Director Stan Gryczko who confirmed that, while the language of the contract between the City of Davis and Yolo County does not specifically mention that the City is responsible for major repairs to the system, it is clear from the context of the language of the contract that, the City is basically responsible for repairs to the system that would be considered major. (Attached under separate cover is a copy of the e-mail exchange between Villa and Gryczko.)

2) Per the contract between the County and the City, (Agreement No. 99-142, Agreement for Water Service in the Willowbank County Service Area, Yolo Recorder's Office, recorded July 23, 1999), the contract stipulates that the WCSA retains title and ownership of the water system and its components. Also included in the contract, are the references mentioned above which support the conclusion that maintenance, including major repairs, as well as operations are the responsibility of the City.

Resident: Could we keep the WCSA in place if it is needed later in time but also form a CAC?
Provenza: Suggested that there might be Services that we want to add to the WCSA and pay for (e.g. road repair, street cleaning), providing support for keeping the WCSA. This would be at the discretion of the Board of Supervisors. El Macero has a yearly fee for roads, landscaping and street sweeping (\$180/yr per parcel). Villa: This is the assessed cost for El Macero from the 90s. Currently \$180/yr only pays for landscaping and street sweeping. Therefore, now the El Macero CSA is not collecting enough for the road maintenance. El Macero tried for an increased assessment (through a Prop 218) but it was not approved by the community.

	<p>Provenza: A CAC can do the day to day things that you are already doing. In terms of a CSA, are you interested in new services or do you want to bring the well back online? Those are the considerations Willowbank should discuss. CSA meeting could meet back to back with a CAC meeting and Jim would appoint the same people to both.</p> <p>Resident: Our current budget is designated for water. Villa and Crawford both confirmed that the WCSA can only use their budget for water services and not for other purposes (e.g. determining cost of road services).</p> <p><i>Committee Comments:</i></p> <p>Lawyer: Two water related issues he wants clarification. We have an ongoing debate with the City of Davis that our water rates are incorrect as they incorporate sewer improvements into the water rates, which is unfair to Old Willowbank residents. Would a CSA vs. a CAC have a different capacity to continue to negotiate this? Crawford: Not aware of a difference since the CAC would still be an advisory committee and it wouldn't change how residents pay their water bills (i.e. to the City rather than to the CSA). Lawyer: Second question – a couple properties on Drummond made an agreement with the City of Davis for sewage. Unclear about their sewage rates with the City of Davis. Resident: Historically, they are different from the WCSA because under the old system when each of the three subdivisions had its respective wells it was too difficult to bring water all the way to those properties.</p> <p>Lawyer: If both the CSA and the CAC are purely advisory, who actually makes the decisions? Crawford: The County Board of Supervisors. Provenza: The difference is that for a CSA you collect a yearly fee for your “services”. Lawyer: Does the County have a preference of a CSA or a CAC? Provenza: Up to the community to decide whether in the future there might be additional services that the WCSA might provide.</p> <p>Morrissey: What would the cost be to resurrect the CSA if it was disbanded? Also what would the cost be to add a service to a CSA? In terms of a Prop 218: For a new service, if it is health and safety service, silence is in support. If it is an assessment for a service that is unnecessary for health or safety, it is a majority of the ballots to approve. Crawford: The Board of Supervisors would then go to LAFCo to ask for a new Service or not, depending on the vote.</p> <p>Provenza: It will be harder to resurrect the CSA than to keep it. Crawford: Could also just have a Road District if the community wanted road services rather than need a CSA.</p>
<p>7.</p>	<p>Key Distinctions between a County Service Area (CSA) and a Community Advisory Committee (CAC) and Implications for Old Willowbank becoming a CAC: Villa</p> <p>Woods: Kim Villa is the County Service Area Staff Liaison for all the CSA's in Yolo County. Kim has been very helpful on a number of WCSA issues and processes.</p> <p>Villa: Approaching this decision from a staff point of view. As a CSA you pay an annual fee (\$35/yr) that goes to any WCSA activity with which Kim helps the CSA (e.g. electronically posting the WCSA's agendas and minutes, producing the budget, providing advice on a host of matters, etc.). As a CSA, the Willowbank CSA also pays for yearly County and State reports that need to be generated, per legal requirements.</p> <p>Under a CAC, help with an issue would go to the District supervisor's staff. Anything administrative (e.g. posting agenda to the Yolo County website) would also go to Jim's staff.</p> <p>Provenza: What would happen to the money that is currently in the CSA budget? Villa: The funding would go back to the property owners if the WCSA were to be dissolved. Crawford:</p>

	<p>Clarified that LAFCo would have stipulations as to where the funding would go. Would work with the County to determine where it would go.</p> <p>Provenza: Could the Board of Supervisors return the current WCSA budget to the new CAC if the CSA was dissolved. Crawford: Suggests that the Board of Supervisors keeps the funding to help pay for any of the administrative costs associated with the new CAC.</p> <p>Provenza: On a different subject, the City of Davis is now also doing an assessment for surface road/stormwater runoff into the Drainage Canal. The City feels that Willowbank should be assessed for the drainage canal, despite the fact that city residents use the drainage more than Old Willowbank does. There are a few residents from Willowbank that have pipes into the Drainage Channel, but otherwise, there doesn't seem any other source of drainage from the Old Willowbank community into the drainage. The County is representing Old Willowbank on the issue and has asked the City to prove that water from Willowbank is draining into the drainage. The City has not been able to provide this.</p> <p><i>Public Comments:</i></p> <p>Resident: We are blessed with incredible aquifers below our Willowbank Community. Our water also has less minerals.</p> <p><i>Committee Comments:</i></p> <p>Lawyer: Question about whether the survey of the neighborhood as to how we wanted our garden waste picked up was handled by the CSA. Woods: The WCSA provided opportunities for the <i>Ad Hoc</i> Waste Committee to make updates to the neighborhood. The Questionnaire was handled by Marissa Juhler at Yolo Landfill. Villa: WCSA is already working as a CAC because you discuss things beyond water.</p>
<p>8.</p>	<p>WCSA Committee to Solicit Input from District 4 Supervisor's Office & Consider Response to LAFCo Staff Recommendations: Provenza/Allen/Members</p> <p>Woods commented that it is appropriate at this time in the meeting for the public and the Committee to take the time to discuss the issues on the table in terms of whether or not a Water CSA is necessary going forward and, if it is determined that it should remain in place, are there new services to consider adding in the future.</p> <p><i>Public Comments:</i></p> <p>Resident: Important to know who is responsible for water delivery system</p> <p>Resident: Request that if we form a CAC that there is a Montgomery specific subcommittee since the issues on Montgomery are quite different from the internal Willowbank roads. Woods: Also recommended that a Montgomery resident could be on the WCSA Advisory Committee, as in the past.</p> <p><i>Committee Comments:</i></p> <p>Woods asked each Committee member to provide their thoughts on keeping the WCSA and/or forming a CAC.</p> <p>Morrissey: Likes the shared group of opportunities and needs of the WCSA. Water brought us together and now it is important to have a democracy in action. Wants to make sure we continue to help our District Supervisor.</p>

	<p>McCapes: Leaning towards having them both. Perhaps add some services like street sweepers and road maintenance. Likes the idea of having a CAC to discuss other pertinent issues.</p> <p>Lawyer: Appreciated all the discussions in this meeting as well as the last meeting. Also feels like having both a CSA and a CAC seems like a good idea since it sounds like resurrecting a CSA would be difficult. Questions about what the current budget could be used for if we dissolved the CSA. Crawford: It should legally be spent for why it was collected, i.e., for water.</p> <p>Todgham: Thinks we should become a CAC, although doesn't see a problem with having both.</p> <p>Woods: As Chair, summarized the Committee members' perspective, as a group, of supporting a hybrid format which would keep the current CSA and add a CAC. This would allow the Committee to continue its practice of addressing water issues as well as other matters of importance to the WCSA community.</p> <p>Then, Woods asked for a show of hands among the public present re. how many would consider favorably having a road repair service on a 15-year cycle if the cost were, say \$300 per year. No hands were raised. No one felt there was enough information to respond to Woods' question as there wasn't enough information in terms of costs and benefits to make an educated guess. Woods also expressed curiosity, if the public and the Committee Members might wish to explore an additional service of some kind, what the process involved would be and its cost.</p> <p>Villa: Returning to the matter of the cost of road repair service itself, Villa indicated the expense of a slurry seal just for the Oaks (small condominium complex in El Macero) was \$64K. (Since Road Repair is already included among the services already in place in the El Macero CSA, costs were limited to the road work alone.)</p> <p>Provenza: If the community is interested in exploring a road service, then the WCSA would need to form a subcommittee to explore the option of a road service.</p> <p>Provenza: Has asked for Willowbank to be moved up on the list of road maintenance by the County.</p> <p><u>Note: In a follow up to the meeting, the County Acting Public Works Director advises that, re. the schedule of Residential Area Projects, Willowbank has been moved up in line from 2043 to 2031. However, it should be pointed out that such work, per County policy, is limited to low cost repair systems, such as seal coats and microsurfacing. In the view of some, what is called for in Old Willowbank is not a seal coat, but major reconstruction.</u></p>
<p>9.</p>	<p>WCSA Advisory Committee Member Comments.</p> <p>Morrissey: No Comment McCapes: No Comment Lawyer: No Comment Todgham: No Comment Woods: At the January Meeting we have elections. We don't have a Vice Chair and Woods has been in the Chair's job for five years.</p>
<p>10.</p>	<p>Adjournment (8:50pm) to the Next Regularly Scheduled WCSA Advisory Committee Meeting: Tuesday January 24th, 2023, 7PM.</p>