



City of St. Helena
Ad Hoc Water/Wastewater Exploratory
Committee
Special Meeting
City Hall Main Conference Room, 1088
College Avenue, St. Helena
Thursday, February 1, 2024 @ 4:05 PM

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes. Members of the public and other parties are welcome to email their comments to publiccomment@cityofstheleena.org.

Page

1. CALL TO ORDER
2. ROLL CALL
Chair: Paul Dohring, Mayor
Vice Chair: Vacant
Members: Arlene Corsetti, Gary Matak and Garry Rose
Staff Liaison: April Mitts, Asst. City Manager
3. PUBLIC FORUM:
An opportunity for the public to directly address the Committee on items of interest to the public that are not listed on the agenda. Any person addressing the Committee should provide his or her name and address, and limit comments to four minutes. **Because of restrictions imposed by the Brown Act, the Committee may not engage in substantive discussion, nor take action on matters not described on the agenda.**
4. REPORTS BY STAFF AND COMMITTEE:
Reports by staff and/or committee on items of general interest. ***Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Committee.***
5. CONSENT CALENDAR:
Members of the Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.
 - 5.1. Committee Meeting Minutes of January 18, 2024 3 - 7
[01-18-2024 Minutes Ad Hoc Water Wastewater Exploratory Committee](#)
6. SCHEDULED MATTERS:
 - 6.1. Report out by committee members on research assignments from the regular meeting of January 18, 2024. 9 - 28
 - The assignment is regarding what other communities who have water/wastewater advisory committees do and how they are structured.

[Water and Wastewater Commissions 02-01-2024 Garry Rose](#)
[Summary Water and Wastewater Commissions 02-01-2024 Garry Rose](#)
[City of Santa Barbara Water and Waste Water Commission Gary Matak](#)
[Water Commission Role & Responsibility August 2023 Gary Matak](#)

- 6.2. Continued discussion on why a committee would exist and what the committee could be.

7. ADJOURNMENT

The next regular Committee meeting is scheduled for February 15, 2024 at 4:00 pm, City Hall Main Conference Room, 1088 College Avenue, St. Helena.

This agenda was posted at City Hall, 1088 College Avenue, St. Helena on January 31, 2024 at 11:00 am.

April Mitts, Asst. City Manager

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall at (707) 968-2742. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility.



Minutes
City of St. Helena
Ad Hoc Water/Wastewater Exploratory
Committee Regular Meeting
City Hall Main Conference Room, 1088 College
Avenue, St. Helena
Wednesday, January 18, 2024 @ 4:00 PM

1. CALL TO ORDER

2. ROLL CALL:

Chair: Paul Dohring, Mayor

Vice Chair: Lester Hardy, Vice Mayor

Members: Arlene Corsetti, Gary Matack and Garry Rose

Staff Liaison: April Mitts, Asst. City Manager

3. PUBLIC FORUM:

An opportunity for the public to directly address the Committee on items of interest to the public that are not listed on the agenda. Any person addressing the Committee should provide his or her name and address, and limit comments to four minutes. **Because of restrictions imposed by the Brown Act, the Committee may not engage in substantive discussion, nor take action on matters not described on the agenda.**

Written Public Comment Received from Gene Armstead.

4. REPORTS BY STAFF AND COMMITTEE:

Reports by staff and/or committee on items of general interest. ***Brief questions for clarification may be posed and answered, and Committee may request that items be placed on a future agenda. Except under certain circumstances, the Brown Act prohibits any other discussion or action by the Committee.***

None.

5. CONSENT CALENDAR:

Members of the Committee or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, on motion may be used to adopt all recommendation actions.

5.1 Committee Meeting Minutes of January 10, 2024

Garry Rose moved to approve the minutes, 2nd by Arlene Corsetti.

Ayes: 5

Nays: None

Minutes approved

6. SCHEDULED MATTERS:

6.1. Review and Discussion of Why a W/WW Advisory Group

Following the 1/10/24 meeting, the committee prepared individual reports detailing their thoughts on why they would want a permanent advisory group and next steps.

Prepared reports by committee members are included as Attachment 2.

Committee members discussed the various aspects of why have a permanent commission.

No public comment was received.

6.2. What are the next steps.

It was the consensus that committee members would research other communities who have water/wastewater advisory committees and report on what they do and how they are structured. Individual assignments are:

- Arlene Corsetti – Dais
- Garry Rose – Santa Cruz
- Gary Matack – Santa Barbara

No public comment was received.

7 ADJOURNMENT

The meeting adjourned at 5:30 pm.

Paul Jamison Dohring

April Mitts, Asst. City Manager

Attachment 1 – Written Public Comment: Gene Armstead

January 16, 2024

To: The *ad hoc* Water/Wastewater Committee

From: Gene Armstead, St. Helena, CA

I am interested in the workings of the City Council's *ad hoc* Water/Wastewater Committee, particularly focused on the effects the committee's deliberations or product might have on City staff and the efficient operation of the City functions.

As to my *bona fides*, I was Administrative Director for the City of Lincoln, Nebraska, for over six years before coming to St. Helena as City Administrator for over nine years. I have worked with numerous city department heads over those years, and my observation is that when they achieve that level of organizational responsibility within a governmental structure, they would consider it a significant demotion in their role in the city to have additional oversight imposed on them.

Among the concerns that I've heard mentioned leading up to the proposal to form an oversight committee is the amount of staff turnover over the past few years resulting in a loss of "institutional memory," or formerly planned projects being forgotten because of that turnover. To the extent that is true, it obviously needs to be addressed with some specificity.

It seems to be generally recognized that since City Manager Anil Comelo was hired, City staff have been very aggressive in resolving both acute and long-standing problems that have been identified. Mr. Comelo has essentially bragged that he got Joe Leach to come to St. Helena as Public Works Director, and he has had similar success with other City staff functions. In particular, he has mentioned Mr. Leach's commitment to stay with the city for at least several years.

I have heard it described the city needs to have a group of citizens looking over the shoulder of the City Manager and department heads. I think we already do; they're called City Council members. It's their job to see that the city is running efficiently, and they do that by hiring staff in whom they have confidence. It's true that they have a lot of other things to do besides checking up on water and wastewater, but they are always open (or one might say, subject) to comments from their constituents. And, of course, they also personally turn on the tap, flush the toilet, and pay their utility bills just like the rest of us.

From suggestions I've heard or seen of a proposed oversight committee for the water and wastewater operations, I'm concerned what impact the formation of an oversight committee might have on staff. Using Mr. Leach as a hypothetical case (I have not talked with him, so I don't actually know his thoughts), he was hired to come to St. Helena to be in charge of, among other functions, the water and wastewater divisions. For a committee to be appointed with some as-yet-defined duties or authorities over him and his operations could have a serious impact on his devotion to St. Helena and result in the very thing that some are concerned about: turnover.

I hope that before the Committee gets too far long in your considerations of the form for a proposed standing committee, the reasons for such a committee as articulated. My impression is that although many people are concerned, they are not always concerned about the same things. Many people are frustrated by some situation or other, but unless and until the problems to be addressed are defined, I don't see how the parameters for any oversight can be established.

The "Whys" needs to be established by more than the feeling on the parts of some individuals that *something needs to be done*. When the "Whys" have been established, then the need for an oversight committee can be defined.

Attachment 2

Arlene Corsetti - WHYS AND WHAT FOR WATER AND WASTEWATER COMMISSION

1. Why a permanent Water and Wastewater Commission

- To give a voice to Ratepayers questions and issues
- To provide continuity to the running of the Water and Wastewater Enterprise
- Provide consistent oversight to the Water and Wastewater Enterprise financials, CIP, rates and operational adequacies
- Provide a necessary group to look into the future water issues such as recapture and conservation

2. What will a permanent Water and Wastewater Commission do on a regular basis

- Provide a monthly forum for Rate payer to ask questions and voice issues
- Pursue, along with staff opportunities for grants and funding of the Enterprise
- Oversight of Enterprise operations including financials, CIP, rates and operational issues
- Work with other Napa County and City organizations to look at best practices for the conservation of water
- Provide continuity of historical information
- Advisory Board to City Council on all matters pertaining to the Water and Wastewater Enterprise
- On a five year basis advise on Water and Wastewater rates and during the intervening years make sure that the Enterprise is following that rate plan

Garry Rose - WHY the St. Helena City Council wants a Water and Wastewater Commission?

Provides additional resources for technical and financial advice to the city council and city staff.

- Accesses potential talent of local citizens to supplement city staff expertise.
- Provides a formal interface between the citizens of St. Helena and the City Council for all aspects of the St. Helena Water and Wastewater Enterprises.
- Allows for more in-depth analysis of issues associated with Water and Wastewater.
- Potential for building public trust in city council decisions that are advised by a formal citizen's commission.
- An on-going commission will potentially attract members with expertise in Water and Wastewater issues. This adds substantial and important local knowledge when working with any necessary consultants.
- Provides suggested solutions to Water and Wastewater issues in lieu of the present system of only listening to complaints of poor decisions.
- Increases institutional knowledge when changing city council members or changing city staff.
- Potential for increased interface and communications with other water/wastewater organizations and boards. (Napa LAFCO, Napa County Groundwater Sustainability Agency, etc.)

Attachment 2 (continued)

Gary Matack - AD Hoc Water Committee Notes

Requirements – why have a permanent water/waste water commission Water/Waste Water Mission:

- City water/waste water requirements, while being met, are in need of improvement.
 - Poor water availability during dry conditions requiring extreme rationing
 - Insufficient water storage with city assets
 - Emergency fire requirements being met by critical city water (Bell Canyon)
 - Provision of outside water sources not under city management
 - Poor water quality (high sediment content, poor taste, etc.)
 - Expensive delivery when compared to other nearby jurisdictions
 - Pump station, effluent management, processing and recover challenges
- Provides collaborative technical guidance, continuity and understanding regarding all water projects to city staff.
 - This is a collaborative effort where at times tasks may be performed supporting the staff
 - As in calling a company for financial technical details for city staff evaluation
 - Or getting technical inputs from suppliers regarding proposed solutions (as in Concrete Water Tank/Epoxy repair).
- Provide technical evaluation for merit, that projects and proposals meet their intended performance targets; financially and technically.

General Functions (what's to be done)

Advise the City Council regarding the following:

- **Advise** the City Council regarding management, extension and operation of the Water Resources Division and water and wastewater facilities of the City, including the development, production, distribution and use and reuse of water, the construction, improvement, installation, maintenance and operation of all reservoirs, wastewater collection system, wastewater treatment plant, structures, equipment, utilities, appliances and facilities relating to the Water Resources Division.
- **Recommend** to City Council plans, rules and regulations pertaining to the above, including fixing rates, charges or other payments.
- Consider the annual Water Resources budget and **make recommendations** to the City Council and City Administrator.
- **Recommend** to City Council regarding acquisition, disposition or repair of facilities, equipment and supplies relating to the water system and wastewater systems.
- At the direction of the City Council, **makes studies** of long-range plans for securing sources of domestic water supply for the city reporting its recommendations to the City Council. This to include all water sources; desalination, reclamation, storage and conservation.

City of Santa Cruz

GOVERNMENT

The City of Santa Cruz was incorporated as a town in 1866 and received its first charter as a city in 1876. In 1948, the city adopted a new City Charter. This charter established a council/manager form of government, with the Mayor and six Councilmembers setting policy for the city, and city manager serving as chief administrator of those policies.

WATER COMMISSION

Mission

Established by Resolution No. NS-22 in 1948, and reestablished by Ordinance No. 87-10 in 1987, the Water Commission advises the Council in all matters pertaining to the Santa Cruz Water System and its maintenance and management. The Commission also makes studies of long-range plans for securing sources of domestic water supply for the city and reports to the City Council its conclusions and recommendations for the improvement and extension of water systems, including sources, storage, transmission and distribution of water to consumers.

Bylaws

Under the applicable statutes of the State of California and the City Charter of the City of Santa Cruz California the By-laws of the Water Commission set forth the rules and regulations governing the organization and procedures of the City Water Commission.

[By-laws of the Water Commission](#) - Updated December 14, 2021.

Meetings

The Water Commission meets in the Santa Cruz City Council Chambers, 809 Center Street, on the first Monday of each month, at 7:00 p.m. For more information on meeting procedures and how to participate, see: [Meeting Information](#)

2.40.070 ESTABLISHMENT OF WATER COMMISSION.

There is hereby established a commission of the city of Santa Cruz to be known as the water commission.

2.40.071 QUALIFICATION OF MEMBERS.

The water commission shall be comprised of seven members. Six members of the water commission shall be qualified electors of the city, and one member of the water commission shall be a qualified elector of the county who resides outside of the city limits but within the city's water service area. Members shall be appointed according to the procedures set forth in Section [2.40.011](#).

2.40.072 POWERS AND DUTIES.

The water commission shall have power and be required to:

- (a) Act in an advisory capacity to the city council in all matters pertaining to the Santa Cruz water system and the maintenance and management thereof;
- (b) Make a study of long-range plans for securing sources of domestic water supply for the city, including re-examination of prior reports thereon to ascertain the value thereof, if any, at this time; report to the city council from time to time their conclusions and recommendations for the improvement and extension of the water system of the city, including sources, storage, transmission and distribution of water to the inhabitants, and all subjects related thereto, including estimated costs of carrying out such recommendations.

City of Santa Barbara

GOVERNMENT

City Council's duties under the City Charter include approval of the Annual Budget and oversight of the financial affairs of the City. The City Council has the power to adopt ordinances and resolutions, make appointments to advisory boards and commissions, establish policy and approve programs, act on program and administrative recommendations of City staff, appropriate funds and approve contracts, and respond to concerns and needs of residents. The Mayor presides over the City Council meetings, which are held weekly in open public session in the Council Chambers. Together, the City Council and the Mayor establish policy, approve programs, and oversee the financial affairs of the City to govern Santa Barbara. They also appoint the City Administrator and the City Attorney, as well as serve as the Board Members of the Redevelopment Agency.

WATER COMMISSION

Mission

The Water Commission is a five member group who advise the City Council regarding management, planning, and operation of the Water Resources Division. The City Council created a City Water Commission headed by Eugene Sheffield in 1900 to administer water services.

Bylaws

The City Council Advisory Groups may develop guidelines or rules and regulations, i.e., bylaws, provided that the bylaws are within the City Council Advisory Group's powers and duties established by the City Council and are consistent with the requirements of these guidelines. The bylaws shall include the regular meeting day, time, and place of meeting. A City Council Advisory Group's bylaws are subject to approval by the City Council.

Meetings

The Commission meets on the third Thursday of each month at 9:00 a.m. in the David Gebhard Public Meeting Room which is located at 630 Garden Street. Time Involved: Approximately 4 hours per month for meetings and related activities.

Section 813. Board of Water Commissioners. Powers and Duties.

There shall be a Board of Water Commissioners consisting of five (5) members which shall have the power and duty to:

- (a) Recommend and act in an advisory capacity to the City Council in all matters pertaining to the management, extension and operation of the Water Department and water facilities of the City, as the same may now or hereafter exist, including the development, production, distribution and use of water, the construction, improvement, erection, installation, maintenance and operation of all buildings, dams, Section 814 (Santa Barbara Supp. No. 2, 3-19) C-30 reservoirs, structures, accessories, equipment, utilities, appliances and facilities relating to the said Water Department and water facilities thereof.
- (b) Recommend to the City Council plans, rules and regulations pertaining to any of the matters listed in (a) above, or to the fixing of rates, tolls, fees, rents, charges or other payments to be made to or by the City in connection with said Water Department or water system or the use or operation thereof or of anything accessory thereto or connected therewith including the distribution, use and consumption of water.
- (c) Consider the annual budget for the Water Department during the process of its preparation and make recommendations with respect thereto to the City Council and City Administrator.

- (d) Make recommendations to the City Council regarding the desirable qualifications and duties of the Superintendent of Water Works, or other head of the Water Department.
- (e) Make recommendations to the City Council concerning the acquisition, disposition or repair of equipment, facilities, equipment and supplies relating to the Water Department or water system.
- (f) Perform such other functions or duties, not inconsistent with this Charter, as may be prescribed by ordinance.

City of Davis

GOVERNMENT

Davis operates under the Council-Manager form of government with a five-member council, elected by district by city residents. The City Manager serves as the administrative head of city government overseeing the departments of Fire, Police, Parks and Community Services, Administrative Services, Community Development and Sustainability, Public Works Engineering and Transportation, and Public Works Utilities and Operations.

WATER COMMISSION

Function

To recommend rate setting principles and reserve policies for Davis utilities; annual or multi-year adjustments to the City's utility rates; and technologies, pilot programs and initiatives for City Council consideration and potential staff evaluation.

To consider applicable City goals and policies and incorporate them into utility policies; costs associated with providing utility services; utility customer needs and satisfaction with utility services; short and long term factors and consequences identified in rate studies; information provided by city utility managers, the City Council, and City advisory commissions, especially the Natural Resource Commission (NRC) and Finance and Budget Commission (FBC); current and potential future state regulations and policies, industry experience and best practices.

To evaluate and compare options to improve utility service and/or change the scope and methods of service delivery; social and economic equity effects of utility service and rate options on different segments of the Davis community; utility rates and rate structures of other communities to assist with informing policies for Davis; and long-term strategies to achieve service value and efficiency, resiliency, environmental sustainability, and other City objectives.

Additional Information

(Hyperlink and Attached)

[Resolution Establishing the Utility Rate Advisory Commission \(PDF\)](#)

[Resolution Revising the Purpose and Changing the Name to the Utilities Commission \(PDF\)](#)

RESOLUTION NO. 16-173, SERIES 2016

**RESOLUTION ESTABLISHING THE CITY OF DAVIS
UTILITY RATE ADVISORY COMMISSION**

WHEREAS, the City Council relies on Boards, Committees and Commissions to provide advice and information on subjects within their respective scopes; and

WHEREAS, the City Council approved Resolution No. 13-156, establishing a Utility Rate Advisory Committee to review the City's utility rates annually and to make comprehensive recommendations on utility policy and related matters to the City Council; and

WHEREAS, the City Council approved Resolution No. 14-022, amending the structure of the Utility Rate Advisory Committee to extend Council-appointed member terms; and

WHEREAS, the City Council now desires to re-establish this advisory body as a regular City Commission, with membership structure and terms consistent with all other commissions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby establish the Utility Rate Advisory Commission as follows:

1. ESTABLISHMENT AND PURPOSE

- A. The Utility Rate Advisory Commission is hereby established as set forth herein. The general purpose of the commission is to advise the City Council on the City's utility rates, assumptions and programs, and related utility matters as directed by the City Council.
- B. As an advisory body of the Davis City Council, the commission is established and guided by the following documents, except as otherwise prescribed in this resolution:
 - i. Davis Anti-discrimination ordinance; and
 - ii. Commission Handbook; and
 - iii. Commission Policy Guidelines

2. MEMBERSHIP

The Utility Rate Advisory Commission shall consist of seven (7) members, with one (1) alternate. All voting members of the Utility Rate Advisory Commission, regular and alternate, shall be appointed by a majority vote of the Council.

- A. Each Utility Rate Advisory Commission member must be 1) a City resident; 2) a City utility ratepayer, or; 3) an individual whose residence or business is geographically located such that the individual or business is directly impacted by Davis utility rates. Members may include, but are not limited to, residents, business owners, students located in County areas receiving any City utility services through a county service area or other county special district or through direct agreement with the City for utility services.
- B. Individual Utility Rate Advisory Commission members may have demonstrated professional level experience in any or all of the enterprise utilities provided by the City. This professional level experience may consist of engineering, science, management, legal or financial experience directly tied to water, sewer, stormwater or solid waste utilities.

Resolution No. 16-173

The alternate member shall not vote except upon one of the following conditions:

- A. Absence of one (1) or more of the regular members of the commission.
- B. Disqualification of a regular member of the commission because of an expressed conflict of interest.

3. TERMS OF OFFICE

Members of the commission shall serve a term of four (4) years, or until their successors are appointed by the City Council. For purposes of establishing staggered terms, appointments may be for terms varying between one (1) and four (4) years as the Council may decide. No members shall serve for more than two (2) consecutive terms, except under special circumstances.

4. TERMINATION OF APPOINTMENT

- A. The term of appointment of any member of the Utility Rate Advisory Commission who has been absent from three (3) consecutive regular meetings, or who has missed more than 1/3 of the meetings in a 12-month period, without the approval of the City Council shall automatically be terminated.
- B. Members of the Utility Rate Advisory Commission serve at the pleasure of the Council, and may be removed from office by a majority vote of the Council.

5. VACANCIES

All appointments made to the Commission shall be by action of the City Council. Vacancies on the commission shall be filled for the unexpired term in the same manner in which regular appointments are otherwise made.

6. OFFICERS OF THE COMMISSION

The members of the Utility Rate Advisory Commission shall annually select one (1) of its members as Chairperson and one (1) of its members as Vice Chairperson. No chairperson or vice chairperson shall serve more than two (2) consecutive years as chair.

- A. THE CHAIRPERSON of the commission shall call the meetings to order at the appointed time, shall appoint all sub-commissions, subject to the approval of the commission, shall have all the powers and duties of the presiding officer as described in "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century," and shall perform such other duties as may from time to time be prescribed by the commission.
- B. THE VICE CHAIRPERSON of the commission shall have all the powers and perform all the duties of the Chairperson in the case of absence or inability of the Chairperson to act. The Vice Chairperson shall perform such other duties as may from time to time be prescribed by the commission or the Chairperson.

7. MEETINGS OF THE COMMISSION

The Utility Advisory Commission shall establish a regular time and place of meeting and shall hold regular monthly meetings. Special meetings of the commission may be called by the Chairperson, or by any four (4) or more voting members of the commission, or by the City Council. Notice for regular and special meetings shall be given in accordance with the Ralph

Resolution No. 16-173

M. Brown Act. The Public Works Department shall administer the Utility Rate Advisory Commission's activities with support from the City Attorney as may be necessary.

8. QUORUM

For the purpose of transacting business, a quorum of the Utility Rate Advisory Commission shall consist of four (4) of the seven (7) members.

9. DISCLOSURE

Commission members shall be required to comply with the City's Conflict of Interest Code and file in accordance with Disclosure Categories 1, 2, 3 and 4, and with conflicts in Category 4 specific to operations, financing, maintenance and construction of utilities and utility-related activities.

10. FUNCTIONS OF THE COMMISSION

The Utility Rate Advisory Commission shall have the responsibilities as provided in this section and such other duties as the Council may, from time to time, determine:

- a) To recommend adjustments to the City's utility rates after careful review of the facts and key information pertaining to the City's utility systems and infrastructure as required in the rate setting process.
- b) To consider costs associated with providing utility service(s) that include, but are not limited to: operations and maintenance, repair and replacement, large capital projects, debt service payments and reserve requirements, enterprise utility fund reserves, customer demand forecasts and assumptions, demand side management programs, financing options, utility billing issues, customer notification, and regulatory compliance.
- c) To consider both short and long term factors and consequences when recommending annual and/or multi-year adjustments to the City's utility rates.
- d) To advise Council concerning the positive and negative impacts of one year versus multi-year utility rates and to recommend rate policies to the Council.
- e) To consider the utility rates and rate structures of other communities as appropriate to provide sound recommendations to the Council.

PASSED AND ADOPTED by the City Council of the City of Davis this 20th day of December, 2016, by the following vote:

AYES: Arnold, Frerichs, Lee, Swanson, Davis

NOES: None


Robb Davis
Mayor

ATTEST:


Zoe S. Mirabile, CMC
City Clerk

RESOLUTION NO. 19-121, SERIES 2019

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS REGARDING THE
PURPOSE AND NAME OF THE UTILITY RATE ADVISORY COMMISSION**

WHEREAS, the City Council relies on Boards, Commissions, and Committees to provide advice and information on subjects that are important to the community; and

WHEREAS, the City of Davis provides critical services to its citizens including the provision of utility services, including water, wastewater, stormwater management and solid waste services (through contract); and

WHEREAS, the City of Davis recognizes the necessity of having a Commission to focus on advising the City Council on future utility rates and related matters, which results in the best public policy and involves the community in the process; and

WHEREAS, the Utility Rate Advisory Commission was formed in 2016 to address this charge; and

WHEREAS, the Utility Rate Advisory Commission has requested modifications to the Commission function from that formation; and

WHEREAS, this resolution supersedes Section 10 of Resolution No. 16-173, titled, Functions of the Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby resolve that the function of the Commission shall be revised to read:

10. FUNCTIONS OF THE COMMISSION

The Utility Rate Advisory Commission shall have the responsibilities as provided in this section and such other duties as the Council may, from time to time, determine:

- a) To recommend rate setting principles and reserve policies for Davis utilities; annual or multi-year adjustments to the City's utility rates; and technologies, pilot programs and initiatives for City Council consideration and potential staff evaluation; and
- b) To consider applicable City goals and policies and incorporate them into utility policies; costs associated with providing utility services; utility customer needs and satisfaction with utility services; short and long term factors and consequences identified in rate studies; information provided by city utility managers, the City Council, and City advisory commissions, especially the Natural Resource Commission (NRC) and Finance and Budget Commission (FBC); current and potential future state regulations and policies, industry experience and best practices; and

Resolution No. 19-121

c) To evaluate and compare options to improve utility service and/or change the scope and methods of service delivery; social and economic equity effects of utility service and rate options on different segments of the Davis community; utility rates and rate structures of other communities to assist with informing policies for Davis; and long-term strategies to achieve service value and efficiency, resiliency, environmental sustainability, and other City objectives.

BE IT FURTHER RESOLVED that the Utility Rate Advisory Commission shall be renamed the Utilities Commission. All other functions and structures of the Commission will remain as previously formed.

PASSED AND ADOPTED by the City Council of the City of Davis on this 30th day of July, 2019, by the following vote:

AYES: Arnold, Carson, Frerichs, Partida, Lee

NOES: None



Brett Lee
Mayor

ATTEST:



Ede S. Mirabile, CMC
City Clerk

SUMMARY
of
Example Cities Powers and Duties

CITY OF SANTA CRUZ

The water commission shall have power and be required to:

- (a) Act in an advisory capacity to the city council in *all matters* pertaining to the Santa Cruz water system and the maintenance and management thereof; ... (emphasis added)

CITY OF SANTA BARBARA

There shall be a Board of Water Commissioners consisting of five (5) members which shall have the power and duty to:

- (a) Recommend and act in an advisory capacity to the City Council in *all matters* pertaining to the management, extension and operation of the Water Department and water facilities of the City, as the same may now or hereafter exist, ... (emphasis added)

CITY OF DAVIS

To consider applicable City goals and policies and incorporate them into utility policies; costs associated with providing utility services; utility customer needs and satisfaction with utility services; short and long term factors and consequences identified in rate studies; information provided by city utility managers, the City Council, and City advisory commissions ...

COMMON POINTS for possible Incorporation into a St. Helena Water and Wastewater Commission

- Act in an advisory capacity to the city council
- ALL MATTERS relating to the Water and Wastewater Systems
- Permanent or “On-going” as opposed to ad hoc
- Require member qualification: *City of Davis* - ... Commission members may have demonstrated professional level experience in any or all of the enterprise utilities provided by the City. This professional level experience may consist of engineering, science, management, legal, or financial experience directly tied to water, sewer ...

City of St. Helena
Ad Hoc Water/Wastewater Exploratory Committee
Special Meeting
Thursday, February 1, 2024
Item 6.2

THOUGHTS

1. Do we agree that we want to propose a Water and Wastewater Commission to the St. Helena City Council for consideration?
2. If the answer to 1 above is No, what is the next step for this Committee?
3. If the answer is Yes, I would suggest the following as a start or rough draft for discussion.
 - a. Name of the Commission.
 - b. Powers and Duties.
 - c. Resolution or Ordinance to establish an On-going Commission.
 - d. Suggested Number of Members and terms of service (i.e. 2 or 4 years, staggered).
 - e. Qualifications to be appointed (resident of St. Helena / ratepayer of water service)
 - f. Professional qualifications?
 - g. Quarterly update reports to city council.
 - h. OPTIONAL: Rough draft of by-laws.
4. Any and All other ideas?

POSITIVES FOR THE CITY COUNCIL

- Additional resource for long term enterprise planning.
- Peer review of city staff proposals.
- Peer review of outside consultant input.
- Formal, documented interface between the public and the city council.
- Established procedure for follow-up of Commission reports and findings.
- Improved public trust of city council.
- Advisory ONLY.
- Non-Confrontational.

NEGATIVES FOR THE CITY COUNCIL

- Potential city staff resistance

POSITIVES FOR CITY STAFF

- Resource to potentially decrease consultant costs
- Potential to reduce city staff unscheduled time.
- Increase transparency between city staff and public.
- Non-confrontational peer review of staff proposals (if requested by city staff)

NEGATIVES FOR CITY STAFF

- Perceived “telling the staff what to do”.
- Increased staff time to support the commission.
- What else? Let’s ask city staff.

City of Santa Barbara, CA Water/Waste Water Commission

Summary

Gary Matak

2/1/2024

Water Commission – City of Santa Barbara CA

The City Council created a City Water Commission headed by Eugene Sheffield in 1900 to administer water services.

Since that time, the City has

- constructed and operated Gibraltar Dam and Mission Tunnel;
- is a major user of water from Lake Cachuma;
- has drilled and operates a number of water wells and treatment plants;
- has constructed a recycled water system and desalination facility;
- participates in the State Water Project, operates a comprehensive water conservation program;
- and has constructed and operates an extensive wastewater collection, treatment, and ocean-discharge system.
- The City's diverse water supply system reflects the potential for periodic extended drought conditions in Santa Barbara.

The Water Resources Division is responsible for managing the City's water supply, and operating and maintaining the water and wastewater systems.

General Functions

Advise the City Council regarding the following:

- **Advise** the City Council regarding management, extension and operation of the Water Resources Division and water and wastewater facilities of the City, including the development, production, distribution and use and reuse of water, the construction, improvement, installation, maintenance and operation of all reservoirs, wastewater collection system, wastewater treatment plant, structures, equipment, utilities, appliances and facilities relating to the Water Resources Division.
- **Recommend** to City Council plans, rules and regulations pertaining to the above, including fixing rates, charges or other payments.
- Consider the annual Water Resources budget and **make recommendations** to the City Council and City Administrator.
- **Recommend** to City Council desirable qualifications and duties of the head of the Water Resources Division.
- **Recommend** to City Council regarding acquisition, disposition or repair of facilities, equipment and supplies relating to the Water Resources Division or water system and wastewater systems.
- At the direction of the City Council, **makes studies** of long-range plans for securing sources of domestic water supply for the city reporting its recommendations to the City Council

Commission Functions

Membership: 5 Members

Qualifications: Must be qualified electors of the City.

Meeting Schedule: The Commission meets on the third Thursday of each month at 9:00 a.m. in the David Gebhard Public Meeting Room which is located at 630 Garden Street (please enter at the side entrance by the parking lot).

Time Involved: Approximately 4 hours per month for meetings and related activities.

Financial Disclosure Requirement: Members must file a Statement of Economic Interests upon appointment, annually and when leaving the advisory group.

Ethics Training Requirement: The City of Santa Barbara requires members of this commission to take City ethics training within one year after member is appointed or reappointed.

Compensation: None.

Staff: Water Resources Division, Public Works Department, (805) 564-5393.

Reference: City Charter Sections 800 - 805, and 813; Municipal Code Sections 2.08.020.K and 14.06.010; Resolution No. 95-158

Water Commission Roster

Water Commission

Member's Name/Category	Appointed	Term Ends
Lindsay Coony	12/8/2020	12/31/2023
Arturo Alejandro Keller	11/12/2019	12/31/2023
Jeffrey Young	11/12/2019	12/31/2023
David Davis	12/8/2020	12/31/2024
Cora Kammeyer	6/29/2021	12/31/2024

What is the cleanest water in California? ^

Only **Point Loma Lighthouse in San Diego County** and **Bean Hollow State Beach in San Mateo County** received the highest marks for water quality all year, the report said, having “zero bacterial exceedances all year under all conditions.” Jun 14, 2023



latimes.com

<https://www.latimes.com> › california › story › the-dirtiest...

What city in California has the best water quality? ^

More California cities were featured in different categories as well. The Best Purified Drink Water category went to: Ophora Hyper-Oxygenated Water, **Santa Barbara, California.**

Jun 9, 2021



iheart.com

<https://www.iheart.com> › content › 2021-06-09-these-cal...

Gary Matak

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Role and Responsibility of Water Commission

The following information was generated to provide clarity to the City Council, the Water Commission, and staff on what subjects require a Council briefing/discussion ahead of Water Commission meetings. In addition, several additional actions were also agreed upon to enhance the effectiveness of the Water Commission. This effort was initiated in September 2016 between the Water Commission's Chair and Vice-Chair, and the Mayor and Council Liaison to the Water Commission. This document was agreed to be updated annually at the Water Commission Work Session.

Summary of Discussion:

Items to Water Commission for input, information, or policy recommendations to Council:

- Water use regulations
- Budget development and Capital Improvement Plan
- Water and wastewater rates
- Water and wastewater capacity fees
- Water and wastewater operational changes that significantly alter water quality
- Water Distribution Program updates:
 - meters
 - reservoirs
 - pump stations
 - mains
- Gibraltar Pass-through Agreement
- Supplemental water purchases
- Cachuma Master Contract Renewal
- Public outreach
- Recycled water production and plant operations
- Water supply planning (i.e., long-term water supply planning updates)
- Water and wastewater infrastructure planning
- Permit violations – fineable offenses
- Sewer Lateral Inspection Program – program development and enhancements
- Interagency water negotiation collaboration

Routine Work Items that will not go to Water Commission but require Council action:

- Renewal of Recycled Water User Agreements
- Easements for water and wastewater infrastructure
- Routine contracts for services (chemicals and materials)
- Authorizations to apply for grants
- Authorization to apply for loans

Items to Water Commission after written briefing sent to Council:

- Desal status
- Desal expansion
- State Water Rights Order
- Biological opinions
- Cachuma Pipeline Extension

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Role and Responsibility of Water Commission
 August 17, 2023
 Page 2

Items to be addressed with Council directly:

- Any potential or active litigation

Enhanced Water Commission Effectiveness:

- The Council Liaison will attend Water Commission meetings as often as possible.
- A representative from the City Attorney's Office will be in attendance at Water Commission meetings.
- The Water Supply Manager/Water Resources Manager will provide a regular briefing to the Water Commission on Central Coast Water Authority (CCWA), Cachuma Operation and Maintenance Board (COMB), and Cachuma Conservation Release Board (CCRB) issues.
- Hold monthly briefings with the Council Liaison and the Water Commission Chair and Vice-Chair for enhanced discussion and improved succession planning.
- Items covered in drought updates to Council will be in accordance with the communication strategy outlined above.
- Two-person Water Commission Ad-Hoc groups for enhanced engagement as needed by staff.
 - Examples:
 - Water and Wastewater Rates
 - Long-Term Water Supply Plan
 - Cachuma Contract Renewal
- For Administrative Items that are heard at Water Commission before a Council action and that receive from the Commission a detailed motion, both the vote and the motion will be included in the Council Agenda Report under a special section and heading labeled "Water Commission Recommendation."
- Incorporation of a detailed motion by the Water Commission in a Council Agenda Report will require a delay in the current report routing schedule. Council Agenda Packets are published on Thursdays, the same day as Water Commission meetings. Therefore, staff will strive to schedule Council items for the second Tuesday Council meeting after the Water Commission meeting. This will ensure sufficient time for staff to add the detailed motion of the Water Commission to the Council Agenda Report.
- In the case where there is a staff presentation to Council, a slide summarizing the Water Commission's motion will be included.
- In special cases where the item is unable to be delayed to the second Tuesday after the Water Commission meeting, staff will inform the Water Commission as part of the staff presentation and encourage Commissioners to attend the Council meeting to convey their comments. Staff will also send an email to Council containing the detailed motion as voted upon by the Commission prior to the Council meeting.
- If no detailed motion is provided, a simple summary of the vote will be included in the Council Agenda Report per the current practice.
- Designate a Commissioner to attend the Council meeting if needed to explain the Commission's recommendation.