

PROCEEDINGS OF THE
LOCAL AGENCY FORMATION COMMISSION
SANTA CRUZ COUNTY

Wednesday, October 1, 2008
9:30 a.m.

701 Ocean Street,
Room 525,
Santa Cruz, California

The October 1, 2008 Santa Cruz Local Agency Formation Commission meeting is called to order by declaration of Chairperson, Jim Rapoza.

ROLL CALL

Present and Voting: Commissioners J. Anderson, Barrett, Pirie, Begun, Coonerty,
R. Anderson, and Chairperson Rapoza
Absent: Commissioner Campos
Alternates Present: Alternates Bell, Reilly, Estrada
Alternates Absent: None
Staff: Patrick M. McCormick, Executive Officer
Chris Cheleden, LAFCO Counsel
Debra Means, Secretary-Clerk

Chairperson Rapoza announces that Commissioner Roger Anderson, the public member, was recently elected Chair of CALAFCO.

Commissioner Roger Anderson thinks it is great that Santa Cruz can be represented on this board. It is an interesting group of people and he encourages his fellow Commissioners to run for the board. They meet quarterly. Their big tasks are organizing the annual conference, workshops, and various types of CALAFCO University activities. They have a legislative program to deal with bills that primarily affect the operation of individual LAFCOs. He has enjoyed being on this board for about six years.

Alternate Bell commends Commissioner Roger Anderson for his dedication to the CALAFCO board. He has spent many hours away from his regular job to deal with CALAFCO business both locally and statewide.

Alternate Reilly thanks Commissioner Roger Anderson. She is hoping that CALAFCO will have a major role in the evolution of blueprinting statewide. She asks if that is likely.

Commissioner Roger Anderson answers that it is possible. One of the problems with the LAFCO

organization is that it is county-based. Much of the blueprinting, the AB 375 issue, has to do with more regional planning. The CALAFCO board is split on AB 375. They supported the legislation because they asked for changes and the changes were made. When a group that works with the legislature is asked for their opinion, and they get what they want, they have to support what happened. AB 375 is OK at the present time, as far as LAFCOs are concerned. There are still county and city members that are concerned.

Alternate Reilly says that this issue is being discussed at AMBAG. She thinks those regional governmental groups will continue to talk about it. She thinks it is important for the LAFCOs to weigh in too. This was talked about at the CALAFCO conference last year when she attended.

Commissioner Roger Anderson says that CALAFCO is a player at the State level. The legislature listens to their suggestions, and that is an advantage for them.

MINUTES

August 6, 2008

MOTION AND ACTION

<p>Motion: Pirie Second: Coonerty</p>	<p>To approve the August 6th minutes. Motion carries with Commissioners Begun, Barrett, and J. Anderson abstaining.</p>
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EXTRATERRITORIAL WATER SERVICE FROM SOQUEL CREEK WATER DISTRICT TO TROUT GULCH MUTUAL WATER COMPANY

LAFCO No. 926

Mr. McCormick reports this application was submitted by the Trout Gulch Mutual Water Company (TGMWC) to receive emergency water service from Soquel Creek Water District (SCWD). TGMWC is adjacent to Soquel Creek. The connection point would be on Valencia Road near Aptos School Road. This would be service outside the boundary of SCWD to a private party. The TGMWC used to be the Mar Vista Water Company and has been acquired by a new mutual. They have approximately 186 connections. They are dealing with the normal operating problems of a small water company and need to take one of their two wells offline to make major repairs. Having an agreement with the SCWD will allow them to maintain supply during the repairs.

Staff has done an environmental review and has issued a categorical exemption. No further review is required under CEQA. He has submitted the proposal to other public agencies. There are letters of support from the Aptos/La Selva Fire Protection District and the County Environmental Health Department.

Commissioner Jim Anderson asks if this is similar to the proposal that was approved at the end of Redwood Drive off of Trout Gulch.

Mr. McCormick answers that it is similar to the PureSource application. This current proposal is easier because the connection point is right across the roadway, so it is a simple engineering matter.

Commissioner Roger Anderson asks about the ability of the water situation in Soquel Creek. He asks what their present capacity is in these dry weather conditions and what the possible implications are. The agreement says it is subject to availability.

Mr. McCormick agrees that it is subject to availability. Water would be available today if there was an emergency. Soquel Creek's supply is real close to their demand. They are not in a moratorium. They are taking steps to conserve water and develop additional sources such as the high-profile item they are co-studying with the City of Santa Cruz to build a desalination plant. Soquel Creek would use the water during normal years and Santa Cruz would use the water during drought years.

Commissioner Begun asks, if a new development happens and they use Soquel Creek water, will they have to supply some equivalent water savings. He also wants to know what the ground level of the water is and whether it is decreasing.

Mr. McCormick replies that he gets periodic reports and he has not looked at them in about six months. He does not know what the groundwater levels are. SCWD has an aggressive conservation policy. If there is new development, they have to buy offsets to conserve water elsewhere in the district, so that there is no net increase in water usage for any infill development.

Commissioner Begun asks if it would be appropriate to ask for the amount of water that is transferred to be replaced when their well is fixed.

Mr. McCormick says probably not. It is such a small amount of water. The connection is being designed to flow one way.

Commissioner Pirie adds that this is not a new development or new water. They are drawing from the same aquifer. It is just a matter of switching the source. There is no increase in water usage.

Jim Brownson, the president of Trout Gulch Mutual Water Company, says that last week, a representative from Santa Cruz County asked if they could measure the groundwater level in both of the wells. One of the wells has data from 23 years ago, 7 years ago, and last week. The water level has only dropped four feet. The two previous data points are early in the summer versus last week. On an annual basis, there would be some drop in the water level. It has basically stayed the same over the 23-year period. The other well has only dropped a few feet more. The water table in their area is staying fairly stable with a minimum number of data points.

He adds that Trout Gulch initially offered to sell the water back to SCWD. SCWD declined to have it two-way because it would require a pumping station and it would need a more complex

interconnection. SCWD will be charging Trout Gulch their highest tier rate. This water will cost approximately nine times more than their current rate that they are charging their customers. The water will only be for emergencies such as fire protection, repairs on a well, or some other disaster.

MOTION AND ACTION

Motion: Pirie Second: R. Anderson	To approve the application, as recommended by staff. Motion is carried with a unanimous voice vote.
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RESOLUTION IMPLEMENTING DISAPPROVAL OF FORMATION OF BONNY DOON FIRE PROTECTION DISTRICT AND DETACH BONNY DOON FROM COUNTY SERVICE AREA 48 (COUNTY FIRE)
LAFCO No. 913

Commissioner Pirie says there is a memo from Commissioner Campos asking if this item could be postponed because he cannot be here to vote on it.

MOTION AND ACTION

Motion: Pirie Second: J. Anderson	To continue this item until November 5 th . Motion is carried with a unanimous voice vote.
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Commissioner Estrada says that early on there were some dates that had to be met and one of them was October 1st. There had to be a response back to the Grand Jury. He asks if this item is postponed, will it delay the response on the October 1st date.

Mr. McCormick answers that the Commission authorized the Grand Jury's response at the August meeting. The Chair sent the proper letter.

Chairperson Rapoza says there is written correspondence from Peter Herzog from Orange LAFCO. He received an email that the governor has signed SB 375.

MOTION AND ACTION

Motion: Barrett Second: Pirie	To adjourn. Motion carries with a unanimous voice vote.
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Meeting adjourns at 9:47 a.m. The next meeting is scheduled for Wednesday, November 5, 2008.

CHAIRPERSON, JAMES W. RAPOZA

Attest:

Patrick M. McCormick, Executive Officer