



Water Department

**Water Commission
Minutes
7:00 p.m. – Monday, November 5, 2012
Council Chambers
809 Center Street Santa Cruz**

Minutes of a Water Commission Meeting

Call to Order Chair D. Meyers called the meeting to order at 7:00 p.m. in Council Chambers.

Roll Call

Present: D. Baskin, M. McClellan, G. Mead, D. Meyers (Chair), A. Schiffrin and W. Wadlow.

Absent: B. Fouse, absent with notice.

Staff: L. Almond, Deputy Water Director; P. Harmon, Principal Management Analyst; B. Kocher, Water Director; D. Paul, Administrative Assistant and L. Rossiter, Management Analyst.

Others: Fourteen members of the public.

Presentation There were no presentations.

Statements of Disqualification There were no statements of disqualification.

Oral Communications

Oral and written communications were made by S. Mcgilvray. A copy of the written materials will be included in the original papers.

Announcements There were no announcements.

Approval of Minutes

Oral Comments were made by S. Mcgilvray.

The Commission requested that staff check with the City Clerk and the City Attorney regarding City protocol on commission minutes in responding to Mr. Mcgilvray concerns.

Commissioner W. Wadlow moved approval of the October 1, 2012 Water Commission minutes as submitted. Commissioner D. Baskin.

VOICE VOTE MOTION CARRIED

AYES: D. Baskin, M. McClellan, D. Meyers (Chair) and W. Wadlow.

NOES: None.

ABSENT: B. Fouse.

ABSTAIN: G. Mead and A. Schiffrin.

Consent Agenda

Item 6. Correspondence dated 10/23/2012 from D. Stevens was removed for discussion.

Commissioner A. Schiffrin moved approval of the Consent Agenda as amended. Commissioner D. Baskin seconded.

VOICE VOTE MOTION CARRIED

AYES: D. Baskin, M. McClellan, G. Mead, D. Meyers (Chair), A. Schiffrin and W. Wadlow.

NOES: None.

ABSENT: B. Fouse.

Items Removed from the Consent Agenda

6. Correspondence dated 10/23/2012 from D. Stevens.

Director Kocher responded to Commission questions.

Commissioner A. Schiffrin moved approval of Consent Agenda item 6. Correspondence dated 10/23/2012 from D. Stevens as submitted. Commissioner D. Baskin seconded.

VOICE VOTE MOTION CARRIED

AYES: D. Baskin, M. McClellan, G. Mead, D. Meyers (Chair), A. Schiffrin and W. Wadlow.

NOES: None.

ABSENT: B. Fouse.

General Business

1. Loch Lomond Use Study

Management Analyst L. Rossiter provided the staff report and introduced M. Craig, Blue Point Planning who presented the Loch Lomond Use Study. A copy of the PowerPoint presentation will be included in the original papers.

Public Comments

Oral comments were made by B. Proffitt, M. Los Huertos, J. Griffith and A. Morgan.

Commission Comments

In many ways, this study reads like a master plan. It is hard to understand how it differs from a master plan. It is not clear why it cannot be treated as a master plan and appropriate environmental review initiated. After approval, the detailed implementation plan can be developed.

“Policies” need to be developed and thoroughly discussed. This is a very important water source that must be protected. This plan should not compete with the Watershed Plan.

Concern was expressed over the potential for allowing private boating. If the inspection program for invasive species fails it is irreversible and no amount of revenue can repair the damage. More visitors at the recreation area poses more risk to the water supply for our 92,000 customers.

Concern was also expressed about providing ADA compliance. An ADA transition compliance plan should be prepared as soon as possible in order to address legal requirements for accessibility.

Commissioner D. Baskin moved that the Water Commission receive the Loch Lomond Use Study and recommend to Council that it be used as the basis for the development of a Master Plan that includes an ADA Transition Plan to determine location and feasibility for new activities, if any. During this time, the Water Commission requests that staff proceed with a comprehensive fee study in order to consider fee revisions for existing activities and initiate an ADA Compliance Plan for the existing facility and current uses until a Master Plan is completed and adopted. Commissioner W. Wadlow second.

Further discussion ensued and Commissioner D. Baskin withdrew the motion and Commissioner W. Wadlow withdrew the seconded.

Commissioner D. Baskin moved that the Water Commission table the Loch Lomond Use Study and ask that staff provide 1) a written response to Commissioner D. Baskin's written communication; 2) request that the Parks and Recreation Department along with ranger staff provide comments; and 3) include a discussion of how a short term ADA compliance plan could be accomplished as a high priority item. Commissioner W. Wadlow seconded

VOICE VOTE MOTION CARRIED

AYES: D. Baskin, M. McClellan, G. Mead, D. Meyers (Chair), A. Schiffrin and W. Wadlow.

NOES: None.

ABSENT: B. Fouse.

2. Water Commission Work Plan – Public Education and communication Plan

Chair D. Meyers reported that this item was generated by the Water Commission based on discussions with the Mayor that our community needs to understand as much as possible about our current water supply and how to maintain a safe and adequate supply in the future. It is in no way intended to be public relations campaign for a desalination plant.

Deputy Director L. Almond provided the staff report and responded to Commission questions.

Public Comments

Oral Communications were made by J. Aird, R. Pomerantz, C. Gunderson, C. Kirven J. Griffiths, S. McGilvray, J. Karwin and S. Pleich.

Oral and written comments were made by J. Bentley, P. Gratz. Written comments will be included in the original papers.

Commission Comments

It is important to have factual information available for the public in order to understand the water system and its current and future challenges and sustainability

Concern was expressed that this could have the appearance of being politically motivated and should be tabled indefinitely.

It is premature to move forward this this plan before the environmental impact report (EIR) is complete. The EIR will provide objective factual information on the project along with other alternatives.

It was discussed given the City's contracting process by waiting for the EIR to be complete the opportunity for education will be shortened.

If you look at this only from a political standpoint you will see it politically, but providing factual information to the community in order for everyone to be equally well informed is not political.

The request for proposals lacks information on budget and should receive legal review.

This could be considered a duplication of the efforts being done by scwd² Desalination Program.

It is the duty of the Water Commission to make sure that our ratepayers are educated on the water system and on the decision that they are going to be asked to make in the future. The Water Commission has no intent of being part of the political process.

Commissioner D. Baskin stated the he wanted to include comments for the record on several things stated in the public comment period. *“Mr. Gratz has suggested that this only exists for Measure P but in reality our City Council has decided that there will be a public vote on whether or not to proceed with a desalination plant and that will happen whether or not Measure P passes or fails. It is in that context, recognizing that the public will be making this decision, it is important that they are informed and educated so they can. There was also a comment that the desalination project will be one of the largest projects that the County has ever seen and the reality is that components of our water system and the related public works system are the largest projects that the City has. The Commission spends a lot of time dealing with our Capital Improvement Program and the different components exclusive of desal, dwarf desalination by a significant factor. I am as concerned as anyone that whatever we do not be done at excessive costs and comments like that demonstrate a lack of understanding of the scale and dimensions of what the Water and Public Works department does and what it really means to provide services like water to a City the size of Santa Cruz and the related area of Live Oak that we provide service to. If anything, these comments emphasize the need for an adequate public education program because they are just not factual. There has been a constant complaint we heard it tonight, about spending 14M on desalination. As though we don't actually have an electoral process and a City Council that has been elected to make these decisions defined on how it meets the public welfare and as though other alternatives have not been explored. When, what is frankly the Santa Cruz way, every alternative has been explored, discussed and considered. There is a reason why a succession of City Councils and Water Commissions has put us on a particular path and it's not because they don't want there to be another alternative. I personally do not want a desalination plant but that does not mean that I may not recognize the need for one and those are very different things. I do not know of a person who has been involved with this process in a responsible decision making capacity who hasn't ultimately found themselves in that situation of having to make a reluctant decision to proceed with a project that they would prefer that we didn't need.”*

Commissioner D. Baskin moved to table this item and request that staff to return with a budget and an opinion from counsel whether or not this is appropriate as an action for the Water Com-

mission and for this to be ultimately recommended to Council as a way to proceed. Commissioner M. McClellan seconded.

VOICE VOTE MOTION CARRIED

AYES: D. Baskin, M. McClellan, D. Meyers (Chair), and W. Wadlow.

NOES: G. Mead and A. Schiffrin.

ABSENT: B. Fouse.

Subcommittee/Advisory Body Oral Reports

1. City of Santa Cruz/Soquel Creek Water District Desalination Task Force

Commissioner Schiffrin reported that at the October Task Force meeting the Intertie Report along with recommended approach was approved and the preliminary cost estimate was presented. The November agenda includes the EIR schedule.

2. Public Outreach and Education Program Subcommittee

There was no report.

Director's Oral Report No action shall be taken on this item.

1. Monthly Status of Water Supply

Director Kocher presented the water status report. Water restrictions have been lifted.

2. Desalination Program

There was nothing further to report.

3. Fiscal Policy- Status Update

Director Kocher reported that the White Paper has been provided and will be an agenda item at the December meeting.

4. LAFCO Process on Extending Water Service to UCSC

Director Kocher reported that LAFCO consideration of this item has moved out to December 5, 2012.

Media Articles No action was taken on this item.

1. News Article – Santa Cruz Sentinel – 08/23/12
2. News Article – Santa Cruz Sentinel – 09/05/12
3. News Article – Santa Cruz Good Times – 09/18/12

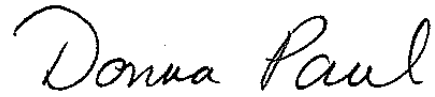
Items Initiated by Members for Future Agendas

Informational materials on the Habitat Conservation Plan (Flow Analysis)

Adjournment

The meeting was adjourned at 10:08 p.m. until the next meeting of the Water Commission scheduled for December 3, 2012 at 7:00 p.m. in Council Chambers.

Respectfully submitted,

A handwritten signature in cursive script that reads "Donna Paul".

Staff