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| SCH2O_Logo_RGB_300dpi | Water Commission**7:00 p.m. – Monday, April 6, 2015****Council Chambers****809 Center Street, Santa Cruz** |

**Minutes of a Water Commission Meeting**

Call to Order –Chair D. Baskin called the meeting to order at 7:06 p.m. in the City Council Chambers.

Roll Call

**Present:** D. Baskin, G. Mead, D. Schwarm, A. Schiffrin, D. Stearns and L. Wilshusen.

**Absent:** W. Wadlow, (with notification)

**Staff:** R. Menard, Water Director; T. Goddard Administrative Services Manager; G. Rudometkin, Administrative Assistant III; and N. Dennis, Principal Management Analyst.

**Others**: Approximately 5 members of the public.

Presentation –There were no presentations.

**Statements of Disqualification** –There were no statements of disqualification.

## **Oral Communications –**There were no oral communications.

## **Announcements** **–**There were no announcements.

**Consent Agenda**

1. City Council Items Affecting Water
2. Approve the March 2, 2015 Water Commission Minutes
3. Approve the March 3, 2015 Joint City Council / Water Commission Study Session Minutes

**Items Removed from the Consent Agenda**

Commissioner A. Schiffrin moved the Consent Agenda as amended. Commissioner G. Mead seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

ABSTAINED: NONE

ABSENT: W. Wadlow

Commissioner A. Schiffrin moved the consent agenda. G. Mead seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

G**eneral Business**

1. Martha Lennihan - Water Rights 101 Presentation

R. Menard, Water Director introduced M. Lennihan, Water Rights Counsel who provided the presentation and responded to Commission questions.

Commission Questions/Comments:

* Historically the County, not state has jurisdiction on groundwater; small private domestic wells were left out of the new legislation passed last September, the Groundwater Sustainability Act. .
* Does the Governors proclamation give him the authority to suspend CEQUA; does the governor have the authority to suspend state law? Answer: Yes.
* What is the TUCP? Answer: The city has a temporary urgency change petition approved which reduces but does not eliminate the bypass and release flow requirements at Newell creek reservoir because of the drought.
* As far as the HCP and water rights it seems like NOA and Fish & Wildlife are able to set limits on our ability to take from the streams that may compromise our ability on what we could otherwise take out due to our water rights, is this correct. Answer: Yes, they have the authority to implement the state and federal endangered species act it’s always a question of what the biological analysis is, of what the fish need and there are some variations on that within those acts but they are very strong laws.

Public Comment

* No Comment.

2. 2015 Water Supply Outlook

T. Goddard, Administrative Services Manager who provided the presentation and responded to Commission questions.

Commission Questions/Comments:

* How do the north coast streams currently compare to 2014 and what is going on in terms of negotiations with the regulatory as in the amount of water that we will be able to divert. Will the amount of water be the same, higher or lower? Answer: The same amount of water from the North Coast, more from Loch Lomond, less from San Lorenzo and the same amount from Beltz well.
* In order to implement Stage 3 will the department need the same major ramp up time and money as last year or is there a differential in there to help in terms of the budget? Answer: Certainly the policy and procedure work done last year put the department in good shape to make a more smooth transition for implementation, which we are recommending would start on the May 1, 2015. The staffing impacts, to work with customers, for water school, exceptions, etc. we are expecting going in that we will have the same amount of impact as we did last year. We will be staffing with temporary employees so we can adjust as we go along.
* Was staff going to recommend the stage 3 restrictions regardless of what the state did? Answer: Staff came together and came to this decision. As said before our current condition is a little better than last year but the circumstances are still very uncertain and we need to take a conservative view on our storage, especially thinking about next year.
* Can you explain how we were able to pump up our water supply using Felton Diversion? Answer: It was the perfect conditions for operating the Felton Diversion after it stopped raining around Christmas, the river settled down, the flow was enough so that we can meet the bypass requirement that we had, plus operate the Felton Diversion and we were able to operate it for about 60 days this year, which is an unprecedented number according to a recent chart viewed we have only used this diversion for one other year as much as this year. We were able to put in 250 million gallons of water into Loch Lomond.

Public Comment

* No Comment

Commissioner A. Schiffrin moved the staff recommendation. Commissioner G. Mead seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

3. Ordinance Amendments to Chapter 16.01of the Santa Cruz Municipal Code Pertaining to Water Shortage Regulations and Restrictions

 T. Goddard, Administrative Services Manager who provided the presentation and responded to Commission questions.

Commission Questions/Comments:

* If there are penalties, as the Water Director don’t you have the ability to waive it or give an exception for special circumstances? Answer: Last year, procedurally we set it up so that you would get a one-time free pass to go to water school and then have your penalty waived. The structure of the process is that the procedure gets set and then we stick to it.
* Where in the ordinance is water school? Answer: Water School is not in the ordinance because it is not a regulation. We don’t need authorization or authority to do water school, what you are suggesting is that we codify it because it is a good idea.
* Is there somewhere in the statute where you can put in a section on waivers and have it say that the department can establish an administrative procedure for waivers of penalty? Answer: Yes.
* How do we determine residency for vacation rentals? Answer: We don’t, the standard allotment under stage 3 is ten units of water because during one week a rental home could have 20 people in the home and the following week they could have none, the following week 3 people, we cannot operate at that time scale. If you had 20 people in your home for an entire month then you can ask for additional units.

Public Comment

* Member of the public expressed concern over multi-family mixed meters/master meters because last year people were told you that if you do not turn off your irrigation meters or you are going to pay penalties because the baseline allocation allotment for multi-family units was lower than for single family residents and I was wondering if that was going to be addressed in the allocations for this year.

Commissioner A. Schiffrin approved the staff recommendation with the additional direction to add a section in 16.01.040 that would allow the department to develop administrative procedures for the waiver of penalties plus the changes the chair has proposed. Commissioner L. Wilshusen seconded.

VOICE VOTE: MOTION CARRIED

AYES: All.

NOES: None

**Subcommittee/Advisory Body Oral Reports** No items.

1. WSAC Update (Oral Report)
* Discussed editorial in Santa Cruz Sentinel
* Lessons are being learned about water supply planning and the issues involved in doing water supply planning. To no one’s surprise people are learning the limitations of our system in meeting peak season demand during dry years and particularly if there are numerous dry years. Add to that the things that we are learning about climate change, it is telling us that we are likely to have more dry years and that they will be drier and of greater frequency, that combined with HCP is going to provide greater challenges. At present we don’t have a solution for that challenging sequence but the information on the alternatives is being developed and I expect we will have a solution in the next few months.
* Discussed various working groups, symposium, and enrichment sessions during the month of April concerning water issues.

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

1. Monthly Status of Water Supply (to be distributed at meeting)
* Discussed creating a subcommittee with members of WSAC and Water Commission to discuss financial analysis and the operating budget.

**Adjournment**  **Meeting adjourned at** 9:00pm. The next regular meeting of the Water Commission is scheduled for May 4, 2015 at 7:00 p.m. in Council Chambers.

Respectfully submitted,



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Staff