

V.C.F. ANNEXATION RP 1/18/89

Council discusses Franich agreement

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Watsonville and the Local Agency Formation Commission appear to be close to an agreement on how to proceed with the proposed annexation of the 72-acre Franich orchard along East Lake Avenue just outside the city limits, but several clauses of the latest document are still in contention.

Following a lengthy discussion on wording they would like removed or changed in the document, called a Memorandum of Understanding, or MOU, Watsonville City Council members postponed the matter until their next meeting, after LAFCO Executive Director Pat McCormick told them they were examining an earlier version of the document.

The most current MOU was not in their agenda packets, he said.

City Manager John Radin was identified as responsible for preparing the MOU packet, but he was home sick and no one else knew why the agreement was missing.

Despite the postponement, council members did indicate they would agree to some changes recommended by Radin and to others suggested by Tony Franich and his attorney, Tim Morgan.

Radin's recommendations included moving a certain paragraph referring to the costs of developing an alternative to the Franich annexation. LAFCO had placed that paragraph so it referred to minimizing the costs of an alternative development. Radin wants a guarantee

that developing some other piece of land would cost the city the same or less than developing the Franich property.

Radin had also recommended changes in the list of other possible parcels to be developed instead of the Franich annexation.

Franich and Morgan suggested deleting two paragraphs LAFCO recently added to the agreement, one of which would allow laws in existence when the agreement was signed to govern annexation proceedings.

The other paragraph Franich wanted deleted would have provided for the validity of the rest of the MOU if the courts ruled one of its provisions invalid. Council members said they were worried they could get stuck with an MOU that was missing a clause, taken out by the courts, which had been vital to their agreement to approve the document.

Wrangling over the MOU has gone on for months and Mayor Betty Murphy summarized it when she said at one point, "This has been going on forever."

The council will take up the matter again at Tuesday's meeting.

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Jacques and Joseph Montgolfier of Annonay, France, are credited with launching the first balloon flight when they sent up a small smoke-filled balloon about mid-November 1782.

Watsonville Annexation