

Annexation ball lands in City Council's court

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SANTA CRUZ — After more than a month of negotiation with the Local Agency Formation Commission, it's now up to the Watsonville City Council to decide if the controversial Franich annexation will be decided locally or at the state Legislature.

Voting 4-1 Wednesday, with Watsonville Mayor and LAFCO Commissioner Betty Murphy against, LAFCO decided to send a memorandum of understanding to the City Council, outlining the steps that need to be taken to consider the Franich annexation.

The next step will be for the City

Council to decide whether the LAFCO guidelines meet the city's goals.

A quick read of the city's and LAFCO's positions indicates the two sides have come to terms on many of the major issues covering the procedure that needs to be followed to consider the annexation. One of the major stumbling blocks remains whether the city can claim the entire parcel.

In the agreement, the city has suggested the following: "If less than the whole property is annexed, LAFCO will establish the boundary of the urban service area to include the entirety of the Franich property. Thereafter, provided the city shall have adopted a capital improvement program for urban facilities, utilities and services, the City Council shall be the conducting authority for reorganization proceedings involving any remainder of the ... property and LAFCO shall not review any such reorganization.

Another question is whether the agreement will be politically acceptable.

If the city and LAFCO don't come to agreement, a bill pending in the state Legislature will likely be passed that will accomplish the annexation without having it reviewed by LAFCO.

County Supervisor Gary Patton, a LAFCO commissioner, called the bill an "unprincipled attempt" to

accomplish the annexation and accused Watsonville of having "no interest in entering a MOU (memorandum of understanding)."

"We're down in the count here, in terms of the state Legislature, and we should show an abundance of good faith," Patton said.

Patton offered a number of amendments to the agreement which met the city's concerns over time lines for processing the annexation. But he insisted on adding language that "nothing in the memo eliminates or modifies any applicable state law. We can promise the world, but we can't violate state law," Patton said.

Murphy was clearly angered by some of Patton's comments. "No way, no place did the city of Watsonville ask this commission to do anything illegal," said Murphy. "We didn't ask for any pre-commitments. There are local policies we've asked you to waive, but that's within your purview."

Murphy said the city wants LAFCO to agree to explain why anything less than the full amount of the property should be considered.

Murphy also said she was upset the city's position hadn't been made public with the LAFCO version of the agreement.

But LAFCO Executive Director Pat McCormick said he had been specifically asked by city officials not to disclose the city's position.