

LAFCO - Local Agency Formation Commission

Watsonville-LAFCO rift widens

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WATSONVILLE — The city and Local Agency Formation Commission are farther apart than they were a month ago on an agreement which would guide the controversial Franich annexation through public review, according to LAFCO Executive Director Pat McCormick.

The City Council's tinkering Tuesday night with the wording of a "memorandum of understanding" set up a situation where the city will either take the annexation "through the process without an agreement, or ... go to the state Legislature to supercede LAFCO," said County Supervisor Gary Patton.

At issue is a key clause of the memo which previously had been agreed upon by a negotiating committee of LAFCO commissioners Gary Patton and Bob Garcia, McCormick, City Manager John Radin and Administrative Services Director Chuck Comstock.

In a memo two weeks ago, Radin suggested the city move the paragraph to a new clause, which states the annexation "shall not be denied" if other alternatives cost the city more than the Franich property would.

The city has long maintained it needs to annex the aging 72-acre apple orchard on East Lake Avenue, which is owned by attorney Tony Franich, to provide land for housing, get an additional three acres for Joyce-McKenzie Park, solve the drainage overflow that floods into a neighboring retirement community and build a peripheral road to alleviate congestion on Holohan Road.

The city has sunk more than \$800,000 into drainage improvements in the area, and hopes to recoup the money from the property's developer.

An environmental impact report is being written which will try to assess the costs of the public improvements to the Franich property, as well as several alternatives.

McCormick said the quality of the EIR will be instrumental in the decision-making process. The commission is concerned the city will come up with the numbers to justify the annexation, according to McCormick.

Already, a dispute has arisen over how many alternatives will be looked at in the environmental document. LAFCO wants 15 options considered, but the city trimmed the list to seven, including reviewing sites at Buena Vista and Calabasas roads, Landmark Busi-

ness Park and other unidentified areas within the city.

The commission has already agreed that if the city can't find an adequate alternative site, the commission will agree to the annexation, McCormick said. "But the commission all along has been reluctant to sign away its authority," he said

Patton said the clause "went farther than our counsel wanted," but that the committee agreed to the language because of the "political situation.

"The City Council and Mr. Franich keep saying LAFCO is some sort of ogre that won't treat them fairly. We're trying to bend over backwards to show them we're negotiating in good faith," said Patton.

Although he agrees with the appellate court, which ruled in 1987 that alternatives have to be explored in full, Patton said he hasn't yet closed the door on discussions.

"But I'm getting to the place where I'm saying, 'Hey, look. We're not advancing.'"

McCormick said that based on the City Council's actions of Tuesday, "We're a lot farther apart than before."

Whether LAFCO will accept the latest changes is a big question mark in McCormick's eyes.