

Water Supply - 1980-1989

# SC Council Delays Decisions On Zayante Dam, Warehouse

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The most notable action was the lack of action Tuesday by the Santa Cruz City Council on its two biggest agenda items — an environmental impact report on the proposed Zayante dam and whether an illegally-built Santa Cruz Schools District warehouse building should come down.

Councilmembers John Laird, Mardi Wormhoudt, Bruce Van Allen and Mayor Mike Rotkin voted again to put off officially hiring a consulting firm to develop a scope of work for the Zayante reservoir project and complete the first phase of an environmental impact report.

They again maintained their belief that future water planning should be done in cooperation with other water agencies, including the county and the San Lorenzo Valley Water District.

To move ahead with the Zayante report would not be taken as a gesture of good faith in the negotiations with the other agencies that the council majority hopes will result in the formation of a joint powers agency for water planning.

To that end, the council majority voted Jan. 12 to ask the state Water Resources Control Board to grant a one-year extension on the deadlines for the dam and reservoir water rights applications.

Such an extension, not yet approved, would give the city more time to work out a cooperative plan with the other water agencies before having to make a final decision on the Zayante EIR.

The proposed joint powers agency, Laird explained, would both study future water needs and develop sources. "The City Council should not take unilateral efforts which go against those efforts," Laird said. Cooperation, he said, "is a fragile thing and we must show our good faith."

Laird and the other three councilmembers voted to direct staff to meet with the proposed consultant and report back at the next council meeting with a revised scope of work to include a review of water supply and demand and alternatives for new sources of supply.

The council then will take that proposal to the next joint water meeting on Feb. 22 for comments before making a decision whether to proceed.

The new council majority has made it clear it doesn't believe the city should be locked into the Zayante dam as a means of securing additional water which the water department says will be needed to meet needs by 1990.

Councilmembers John Mahaney, Spiro Mellis and Joe Ghio favor proceeding with the Zayante project.

Proceeding with the study, they say, will not hinder efforts at cooperating with other agencies because the data collected will be useful to all.

Moreover, said Mahaney, "We've got to protect our own customers. We're trying to cooperate, but I think we're going to be the major water purveyor, anyway."

He tried for a compromise, seeking a vote to proceed with hiring the consultant to study demands, needs and possible future sources of water without specifically mentioning the Zayante project. That proposal lost on a 4-2 vote, with Ghio absent.

"I'd rather approach the other agencies with such a study rather than confronting them with such a study," countered Rotkin.

He agreed with Mahaney and Mellis that somebody must take the lead in getting a water study started, but said the city should not take the lead by being a "bully."

A large contingent of neighbors was on hand Tuesday night as it has been many times before in the past year to

protest the existence of an illegally-built warehouse building behind Bay View School.

But, as has happened before, they learned they would have to return again to get a decision on the issue when the council delayed action on the knotty problem.

The City Schools District built the 27-foot high, prefabricated warehouse a year ago without first obtaining the necessary use and building permits. A warehouse is not a permitted use in such a residential neighborhood.

The City Council last reviewed the building on July 28 and decided the application could not be approved, but gave the district six months to try to solve the use and permit problems.

The district then resubmitted plans to the Zoning Board, proposing to change the use of the building to part storage and part classrooms and office space, and to remove maintenance machinery which has been stored in the red-roofed building.

In an attempt to overcome neighborhood objections, the district also proposed to construct a 10-foot-tall masonry fence around the building and to change the traffic access to the building off Palm Street by seeking an easement — either through purchase or condemnation — around the Palm Center shopping area to Mission Street.

By a 5-0 vote, the Zoning Board rejected the proposal and the School District appealed to the City Council.

But, before a planned hearing began, school attorney Lloyd Williams asked for and was granted a delay on the appeal so a new traffic circulation plan for the building may be drafted.

The council voted, with Van Allen dissenting, to allow the appeal to be withdrawn and allow the district to present a reworked proposal to the Zoning Board. But, the council also voted that regardless of the decision of the Zoning Board, it would make the final determination.

Speaking to that decision, Mahaney said he did not want to delay action again, but added, "every time we delay it, they (school district) come back with better design changes. I'm willing to delay it again to see what they come up with."