

## AGUA DULCE TOWN COUNCIL

### Regular Meeting of Wednesday, January 13, 2010 MINUTES

#### Agua Dulce Women's Club

33201 Agua Dulce Canyon Road, Agua Dulce, CA

Council Members Present: Don Henry (DH) -President, Lianne Swanson (LS) -Secretary, David Aiello (DA) -Treasurer, Annette Fortuna (AF), Lorene Cangiano (LC), Alan DiFatta (AD)  
 Council Members Absent: Donal MacAdam DM)  
 Community Members: About 7 people in attendance

#### ADMINISTRATIVE MEETING: Regular Council Operations: 6:00 PM

	Motions	Decision
1. Call to order: 18:04 by DH		
2. Agenda: Approval of Agenda: Correction: Change Dec 13 to Dec 9 <sup>th</sup> meeting	M:LC	6-0-1
3. MSP: Move to accept agenda with changes	S:DA	
4. Minutes: Approval of Regular Meeting of December 9, 2009: Corrected spelling of Facebook.	M:AD	6-0-1
5. Regular Meeting: MSP: Move to approve as corrected	S: LS	
6. Council Reports		
7. President Report		
8. Incoming Correspondence		
a. Byron Betts, Acton Town Council: 12/24 PUC Decision on Tehachapi Renewable Transmission Project and SEQA briefing. Discussion of issues, no immediate action.		
b. George Runner Town Hall Correspondence – will mention at Community Meeting		
9. Outgoing Correspondence		
a. Janet Delgado, Environmental Health: Comments on Draft Ordinance for Non-Conventional Onsite Wastewater Treatment Systems (NOWTS)		
10. Assoc of Rural Town Councils (ARTC)- no meeting Dec, so no report. AF and possibly AD attending next mtg.		
11. Tax Exempt application process- No response received yet		
12. Secretary Report- Discussion of possibility of dividing Secretary job, no action taken.	M:LC	6-0-1
13. Incoming Correspondence: Semi-annual Airport Letter.	S:DA	
i. MSP: Move to amend agenda to include Airport Letter under New Business		
14. Treasurer Report- Starting balance \$5320.61, Expenses to 1/31/10 \$0.00, Final balance \$5320.61	M:DA	6-0-1
i. MSP: Motion to reimburse Gary Hebdon for plaque presented to Mary Johnson at last meeting	S:DH	
15. Committee Reports		
a. Election Committee – Nothing reported		
b. Water Committee-		
16. Discussion of possibility of combined meeting with ATC for discussion of Hauled Water policy with the county representatives and EH. March is a possibility for this meeting. We can also have a separate later meeting if additional dialogue is required. Will ask the community tonight.		
a. Land Use/CSD Revision Committee-		
17. OVOV-FDEIR comment period extended to February 1,2010. RPC Hearing continued to February 24, 2010. Will bring to community's attention at Community Meeting.		

18. Discussion of letter of support to Congressman McKeon for HR4332 (Cemex Mining Agreement). LC noted that we have not yet polled the community on the issue, so cannot issue a letter of support. Will add Community Input on this issue to New Business on February Agenda.		
19. CSD Revision Status. County will hold two more community forums on the CSD and if there are no objections, the CSD will be in its final phase of approval by the County Board of Supervisors. If there are issues or objections, it may be “a long time” before it will be revisited. Will bring issue before Community Meeting tonight for informational purposes.		
20. Disaster Planning- Nothing reported		
21. Parks and Trails – Nothing reported		
22. Ways and Means- DA mentioned that he discussed getting a new slurry seal on Agua Dulce Cyn Rd from Escondido to Sierra Hwy County will be coming out to inspect road, and then will report.		
23. Charter/Bylaws-Nothing reported		
24. Film - Nothing reported		
25. Acton/Agua Dulce School Board Liaison-Nothing reported		
26. Adjournment of Administrative Meeting: Motion to Adjourn MSP: Motion to Adjourn Administrative meeting at 18:45 pm	M:LC S:DA	6-0-1
<b>COMMUNITY MEETING: Reports and Presentations: 13:00 PM 60 community members present</b>		
1. Call to order—Pledge of Allegiance DA		
2. Agency Reports		
A. California Highway Patrol/COPS Team: Officer Burton- last mo lower stats, total 16 traffic collisions, w/6 injury. no fatals, 1 DUI collision. reminder to be on the lookout.		
B. Los Angeles County Sheriff's Deputy: Deputy Scott Short-no stats this month, be on the lookout for thieves stealing catalytic converters from Toyotas, local shoplifting, still problems with motorcycles offroad, reminder that homeschooled children must be home during school hours or they are truant. Rowher Flats still open.		
C. Los Angeles County Fire Dept/Community Service Rep: Stephanie English- Described LAFD task force team send to Haiti. In Dec: no structure fires, 2 mobile, 14 rescues. 4 false alarms. Good news.		
3. 5 <sup>th</sup> District Report: Rosalind Wayman - no report, just here for community comments on water issues.		
4. Committee Spotlights		
A. Committees other than Water Committee:		
1. CSD (LC) report: County is bringing CSD back out to community in outreach for comments Mar 3rd, draft CSD is at DRP website. This is the final stage. If challenged by community at this point, it will not be revisited for a long time. Summary of CSD given, audience also referred to web site for documents.		
2. Disaster Planning (GH) kicking off Ham Radio operator program in February. All are invited. Go to the Committee's website. Meeting will be noticed, but is scheduled for Weds Jan 27th.		
B. Water Committee: Hauled Water Report: Potential affects to all private well owners After open forum discussion of hauled water, a meeting with EH will be scheduled, possibly March for a special meeting.		
1. Don Henry gives a Water Committee report that summarizes where the dialogue with the County is right now, and some of the history of the issue. Jan 2003 County policy prohibits use of hauled water for new construction affecting rural agencies. Properties where hauled water is being used several 100 single-family residences also in county. lacking adequate sources for groundwater. residents say that letting		

some use hauled water and some not is illegal and tantamount to condemnation of properties. Hauled Water Task Force met for more than a year and issued report Nov 2009. Task force identified more than 35 000 lots that could be developed using hauled water. Task force says EIR should be prepared in advance of any change. DH read Antonovich motion on this Task Force and public outreach.		
5. Open Forum: a. Annette thanks community for support for our troops b. LS mentions the ADTC can now be found on Facebook, Please become a fan...notified of meetings, issues c. Public Comment on the Hauled Water issue. See Attachment 1 for summary of comments.		
6. Unfinished Business: ADTC Communications - ADTC Facebook page up and running		
7. New Business: A, Request from LC to agendize our Town Council Web Site for discussion at February Meeting. B. Airport Letter required by permit semi-annually, to ask the Town Council if we want to agendize the airport. MSP: Move to respond with similar letter sent earlier, stating no need to agendize them at this time.	M:LC S:DA	Consensus  6-0-1
8. MSP: continue administrative meeting at 6:00 pm and regular meeting 7:00 PM, move announcements concerning things of interest but not immediately in our CSD jurisdiction to just before the Open Forum, so that the public will be aware of these things.		Consensus
9. Announcements a. High Speed Rail News b. Soledad Cyn resurfacing c. Runner Business Regulation Town Hall Meeting d. T-Mobile Lost Cyn Facility e. Ninth Disaster Recovery Report f. Disaster Early Detection System BOS Agenda Item g. SCE Proposal BOS Agenda Item h. SCE Tehachapi Renewable Transmission Lines i. IRS Letter RE: Tax Exemption Application – received and in process j. Davenport Rd Safety Audit k. Skyline Ranch l. Oak Tree Ordinance, Santa Clarita m. HR4332 Soledad Cyn High Desert n. Letter re: Disney Presentation to ADTC – scheduled for March o. Chase Bank Letter – change in signatories p. Sweetwater Café CUP Public Hearing update q. ARTC rep on TAC for EH		
10. Future Agenda Items		
a. Lafferty Project Presentation: Umbria Estates—Project Update on 30 unit residential development on 70 acres near Agua Dulce Airport- February b. Town Council Web Site (see 6a) - February c. Disney Presentation-March d. Continuing dialogue with Environmental Health		
11. Adjournment: LS, AD 21:20	M:LS S:DA	6-0-1

Appendix 1: Summary of the public input taken at the Community Forum on Water Issues, held during the Open Forum. Approx 60 participants.

Martin Brill - there has been a concerted effort to get all of us in these communities out of here. Who wants us go? Not anyone we know. Let's try to engage an investigative reporter in this. We will not be able to even sell our properties because of all the fees, etc on water. Only well that wasn't safe was the county well. If we don't stop this we will lose everything we have.

Kim Fahey - Is anyone here in litigation? (audience: yes 4 yrs) I'm 3.5 years. It's a takeover of your land. The people with the gold make the rules. Wanted to put up turbines and they wanted 11K for each turbine for a permit, so I waited and they dropped fee from 11K to \$98. Arbitrary. Hall of Records laws only go to 2006, not to 2010...they lie, cheat, don't uphold the law. Court appointed counsel says "plead guilty." they won't help, they are like a family with the DA. Wells are a land grab. They just have to have 51% of the property, then they can have the rest...Wells are expensive: the pipes, the plumbing. Are they going to pay for it if you have to pull your pump to prove something? How can you prove your existing septic? They want to take our money, they want giant builders. No density, no rights.

Gary Hebdon - Concerns about draft. issue on rebuilding after a fire, pain and anguish. County needs to put in a fast track for that. before we have another disaster, one of the issues should be streamlined for emergency. What about hauled water in emergency?. Not discussed. Needs to be.

Letter from Jim Duzick. Over 40 homes in AD in preforeclosure. 10 homes foreclosure. Many if not all are hauling water right now. Wells ran dry. Can't finance many of these homes. No data that hauled water causes sickness or disease, contaminated storage tanks. Water quality tested. Vendors for hauled water have their wells tested. County has never tested domestic wells. No compelling reason for mandates. Maybe we should put some effort into developing a federal/state grant program to help homeowners deal with the burdens.

Handcount:	Hauled water should be allowed	60
	Hauled water should be regulated/disallowed	0
	How many have hauled water at any time?	most of attendees. probably seven-eights.

Whiteboard ideas: Concerns:  
Getting local water rights from us  
Does the county have a right to charge us fees to haul water?  
No documented incident of any illness  
Can't pass their own standards.  
It's about development  
County control  
What is their ultimate goal?  
no disaster plan  
property values  
business values  
County deaf to our concerns  
What is the county gain? (Is county doing this is an income source or to drive out owners in favor of smaller lots/more taxes)  
No needs assessment or cost/benefit analysis  
Selective enforcement of water standards (bottled water???)  
Fees and equipment vs accountability  
Bigger than just Hauled Water - it's wells.  
Dealing with the county is a waste of time because they change laws.  
Enforcement  
Taxation without justification

How realistic are these estimates?

Is this a political issue? (i.e. Malibu doesn't want growth so no hauled water....)

Mentions Audra Strickland presented a bill to state assembly that prevents counties from having jurisdiction over wells/septic serving <4 people.

Solutions proposed:

Request County do a cost/benefit study

Abandon requirements

Secede from LA County

Go to state to ask for help

Form a water district

Spend our money on a lawyer

Become part of Santa Clarita

Why aren't we looking at water issue as a whole?

Put in a low pressure system ourselves

Organize our community

Petition - circulate

Unanimous support of combining our meeting with Acton's meeting in March but not calling it a "combined" meeting.

No other counties in the state besides LA County that regulates hauled water.

Additional public comment:

Nazir Kahn: says that the County has a lead agency so EH can defend its regulation in the cloak of "health"

You may have to litigate. On Hauled Water you might win. A political show of force is needed.

They will pay attention to a show of force. So more numbers, a petition.

Suggest delaying...In LA County unemp is in excess of 12% - suggest all regulations with economic impact be delayed until unemp drops back to 6%..Tthe motive for the county is revenue...taxes need a vote, regulatory fees do not.

Pacific Legal Foundation has been effective, consider supporting them.

Nazir can invite them.

Mary Johnson: Good idea to combine? Almost have to...well yield tied to hauled water. Water treatment devices, same thing. It's intertwined whether they want it to be or not.

Poll regarding whether it is one issue (hauled water) or a combined water policy issue.

Majority agreed all issues are combined. \

Dissenter says we have a better chance of winning the smaller battle first, and we should just address hauled water separately..

**NOTE:** The Agua Dulce Town Council serves as a meeting place for the free expression of community views, for the coming together of diverse opinions into a consensus, and to review public and private proposals that may affect the community. Participation by the public, civic groups and private organizations is welcomed. The ADTC conducts all business in an open fashion and relies on donations for its nominal expenditures. The Agua Dulce website is: [www.aguadulce-ca.com](http://www.aguadulce-ca.com)