



AGENDA ITEM 6A

MEETING: September 20, 2017
TO: Humboldt LAFCo Commissioners
FROM: George Williamson, Executive Officer
SUBJECT: **City of Trinidad Request for Exemption – Extension of Water Service to 540 North Westhaven Drive**
The Commission will consider a request from the City of Trinidad to confirm whether an out of agency water service connection to 540 North Westhaven Drive (APN 515-151-063) qualifies for an exemption from LAFCo review and approval under Government Code Section 56133(e)(4).

Local Agency Formation Commissions (LAFCos) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving requests from cities and special districts to provide new or extended municipal services outside their jurisdictions under California Government Code (G.C.) Section 56133. Specifically, Section 56133(a) states: "A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundaries only if it first requests and receives written approval from the commission in the affected county". Additionally, Section 56133(e) lists several instances where service extensions are exempt from commission review and approval.

BACKGROUND

On August 17, 2017, LAFCo received a request from the City of Trinidad to confirm whether an out of agency water service connection to 540 North Westhaven Drive (APN 515-151-063) qualifies for an exemption from LAFCo review and approval under Government Code Section 56133(e)(4) which reads:

56133 (e) This section does not apply to any of the following:

(4) An extended service that a city or district was providing before January 1, 2001.

According to the City, the subject parcel received city water from 1976 to 1990 by connection from a service fronting an adjacent parcel. This service account was in the property owner's name (Mr. Richard Walter) until the parcel on which the service was located was sold in 1990. Mr. Walter states that while the City granted him approval to install an individual water service connection in 1990, he did not hookup due to financial reasons related to the connection fee. However, the City has decided to honor the offer to install service to Mr. Walter's property and requests that an exemption be granted to allow the service installation.

DISCUSSION

The subject property is 3.3 acres in size, is designated Rural Residential (RRC) in the Trinidad Area Local Coastal Plan (Volume II of the Humboldt County General Plan), and is zoned Rural Residential Agriculture (RA-2.5-M/R) with a 2.5 minimum parcel size and M-Manufactured Home combining zone. The site is currently developed with a manufactured residence that relies on a spring as the primary water source.

With regard to the provision of water service, the subject property is located outside of the City's urban limit line but within the City's mapped (water) service area boundary as identified in the Trinidad Area Plan. Specifically, Section 3.23 of the Trinidad Area Plan includes policies for extension of services outside the urban limit line, as provided below:

Section 3.23 Public Services – Development Policies for Extension of Services

... In addition, extension of water service outside of the Urban Limit Line as defined in the plan shall be permitted provided that:

- a. service along the extension will not remove capacity necessary to serve future development on undeveloped lots within the existing serviced areas, whether within the Urban Limit Line or not, to the uses permitted in the plan;

[The City has provided documentation of its available water system capacity for which it asserts that the City is utilizing less than half of their current capacity, as calculated for extreme drought conditions.]

- b. developments to be serviced are compatible with the plan;

[The subject property is developed with a single family residence and is consistent with the rural development policies included in the Trinidad Area Plan.]

- c. the extension of water service will be paid for only by the users of that service;

[The City will require a connection fee paid by the property owner for the water service connection.]

- d. the existing system is in no way degraded and that fire protection services are in no way impaired; and

[The City has indicated there is sufficient water system capacity and that no service upgrades are required for the proposed connection.]

- e. the proposed service is found to be in conformance with the resource protection policies of this plan.

[The subject property is not designated for resource protection and is already developed with a single family residence. No additional development is proposed.]

An existing water main is located within the Westhaven Drive right-of-way that fronts the property. The City has provided documentation of its water system capacity for which it asserts that the City is utilizing less than half of their current capacity, as calculated for

extreme drought conditions. The City is requesting exemption from LAFCo review and approval considering the City has adequate capacity and had been providing service to the subject property prior to 2001.

RECOMMENDATION

Staff recommends the Commission consider the City of Trinidad's request for exemption and move to confirm the proposed water service extension to 540 North Westhaven Drive is consistent with Government Code Section 56133 (e)(4).

Attachments:

Attachment A: Request for Exemption and supporting materials

Cc: Dan Berman, Trinidad City Manager
Gabriel Adams, Trinidad City Clerk
Richard Walter, Property Owner



REQUEST FOR EXEMPTION

TO: HUMBOLDT LAFCO, ATTN. COLETTE METZ, ADMINISTRATOR

FROM: DAN BERMAN, CITY OF TRINIDAD CITY MANAGER

SUBJECT: WATER SERVICE TO RICHARD WALTER, 540 NORTH WESTHAVEN DRIVE,
A.P. NO. 515-151-063

Dear Ms. Metz,

The city of Trinidad is submitting a request for an exemption pursuant to Government Code Section 56133 (e)(4) in order to install a water service to the above referenced parcel. This parcel received city water from 1976 to 1990 by connection from a service fronting an adjacent parcel. This connection was done with full knowledge of the city and was in fact done at the suggestion of former Public Works Director Tom Nelson. This service account was in Mr. Walter's name until the parcel on which the service was located was sold in 1990.

When Mr. Walter disconnected from that service, he states that he approached the Trinidad City Council and requested that he be granted his own service connection due to the above described circumstances, and that the request was granted. His former neighbor to whose service Mr. Walter was connected has submitted a letter verifying this sequence of events.

Mr. Walter states that he did not connect in 1990 due to financial reasons related to the \$5000.00 connection fee, but would now like to take advantage of the City's offer. The City has recently reviewed our water supply capacity in relation to another planned service connection (for Calfire) and those findings are enclosed. In brief, the City is utilizing less than half of our current capacity, as calculated for extreme drought conditions. After due consideration, the City has decided to honor the offer to install a service to Mr. Walter's property and requests that an exemption be granted to allow the service installation.

The subject parcel is within the Trinidad (water) service area boundaries as identified in the Trinidad Area Plan. As contemplated by the Trinidad Area Plan, extension of water service outside the Urban Limit Line would be permitted provided that "the extension did not remove service capacity for future development within the Urban Limit Line, was sized so as not to exceed that which would be necessary for domestic use and fire protection based on

the planned density for the area, and was limited to within the [water] service area (See Map 4).”

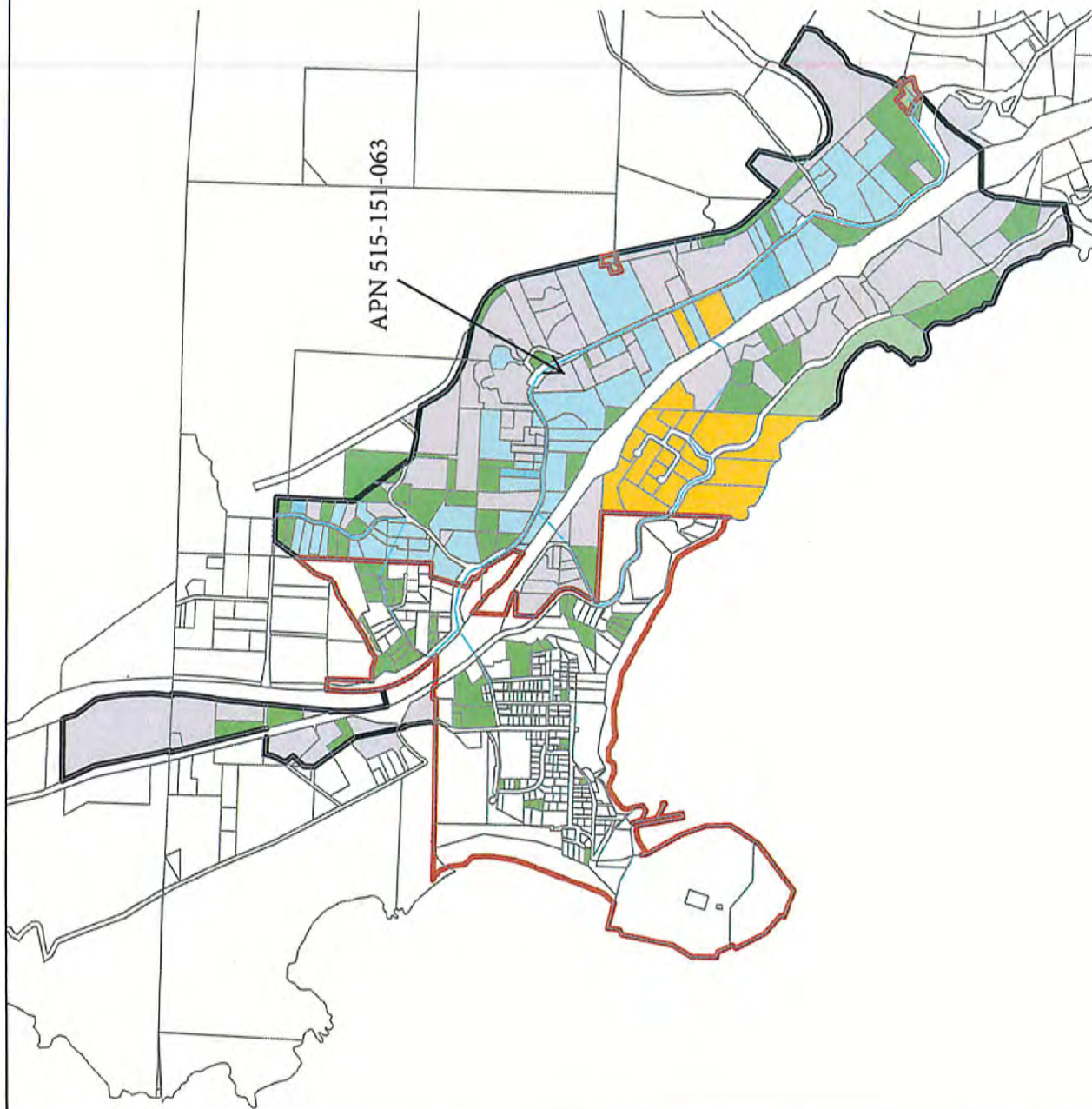
Please find supporting documentation relating to this case enclosed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan Berman", written over a horizontal line.

Dan Berman, Trinidad City Manager

8/17/2017



LEGEND

WATER SERVICE CATEGORIES

- CITY
- CITY (PROBABLE)
- TRINIDAD RANCHERIA (CITY)
- VACANT
- PRIVATE
- NOT APPLICABLE

BOUNDARIES

- TRINIDAD CITY LIMIT
- CITY SERVICE LIMIT
- WATER MAIN LINE

Sources:

1. Humboldt County Assessor's Office Parcel Information, October 2001.
2. Trinidad Water Billing Information (Meter Reading Worksheet, February 2002).
3. City of Trinidad General Plan, Environmental Research Consultants, Inc., 1978.
4. Humboldt County General Plan, Volume II, Trinidad Area Plan of the Humboldt County Local Coastal Program, March 1990.

Note:

Only vacant parcels shown within main City Limit.

STREAMLINE
Planning Consultants
1562 G Street Suite 1 Arcata, CA 95521
(707)823-5785 Fax (707)823-5786

PRICE
GEOGRAPHIC
CONSULTING
2004 Adobe Trail - Placerville, California 95667
Office (939) 636-1564 - apride@calweb.com

City of Trinidad
GENERAL PLAN
WATER SERVICE
Humboldt County, California

Trinidad City Clerk

From: Trinidad City Clerk <cityclerk@trinidad.ca.gov>
Sent: Monday, June 12, 2017 3:09 PM
To: Trever A. Parker
Subject: FW: Rick Walters, 540 Westhaven Drive
Attachments: Rick Walters H2O Request.pdf

-----Original Message-----

From: Trinidad City Clerk [mailto:cityclerk@trinidad.ca.gov]
Sent: Friday, June 09, 2017 1:11 PM
To: 'Administrator' <administrator@humboldtlaftco.org>
Cc: citymanager@trinidad.ca.gov
Subject: Rick Walters, 540 Westhaven Drive

Hi Colette.

I thought I sent this back in March, but I looked through my sent emails and can't find a record of it ever leaving my inbox. Because Mr. Walters is anxious to move forward on this, I wanted to make sure LAFCO was in the loop on the City's intent to work with him.

Earlier this year we were approached by Rick Walters at 540 Westhaven Drive in Trinidad of his intent to follow up on a commitment the City made to him many years ago to provide a water connection for his property. I requested that he put his narrative in writing for both the City and LAFCO to both understand and consider (see attached). His property just outside the city limits on Westhaven Drive along the City's main supply line.

Although my records research did not produce any formal written agreements to support his case, his account of the way the situation unfolded is consistent with how the City conducted business during that time period. The City has, however, records of his water service account for the 14 years he was a customer - from water supplied by adjacent neighbor Walt Ricks, as explained in his letter.

It is highly unlikely that the City will prioritize a full-fledged application to LAFCO on Mr. Walters behalf, but I must note that the City intends to consider - in good faith - following through with a verbal commitment made back in 1990. It is our understanding that he would like the meter set before the end of summer.

Please advise if you have any objections.

Thanks for your time.

Gabriel Adams
Trinidad City Clerk
P.O. Box 390
409 Trinity Street
Trinidad, CA 95570
707.677.0223
www.trinidad.ca.gov

RECEIVED

MAR 20 '17

CITY OF TRINIDAD

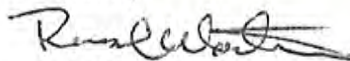
To: City of Trinidad

From: Richard Walter

Subject: Synopsis of events regarding application for water service for 540 North Westhaven Drive

In 1976 I purchased my property on Westhaven Drive outside the Trinidad City Limits. At that time I asked City of Trinidad Public Works Director Tom Nelson if I could have a water service installed as the City's water line fronts my property. He said that I could connect and to come down to the Town Hall and pay the connection fee. Within one or two days after this conversation Tom drove up to my property in the City truck acting nervous. He told me that the City Council had passed a moratorium on water services outside the City Limits at the Council Meeting the previous evening, so I could not have a service installed. He then told me that as an option I could approach my neighbor, Mr. Walter Ricks, who he knew had a water service on the parcel next to mine, and see if Walt would allow me to connect to that service. I contacted Walter Ricks who agreed to let me connect. I had a meter installed and registered the account in my name with the City. Tom Nelson was aware of this arrangement, in fact he was the one who suggested it. Without his input I would not have known this other service even existed. In 1990 Walter Ricks sold the parcel with the service I was connected to. I disconnected from that service and went to a Trinidad City Council meeting where I explained the circumstances, noting that I had been paying City water bills for 14 years and had been connected with the City's knowledge, and requested that I be allowed to have my own new service installed. After a brief Council discussion I was told to come on down and pay the installation fee and I could obtain a service. The next day I discovered that the fee was now \$5000.00. At that time I did not have that kind of money to spare so I dug out a spring on my property and utilized the water from that spring. At this time being much older and tired of dealing with a questionable water source I have approached you to exercise my permission to have my own water service. I have provided you with a letter from Walter Ricks who was at the Council meeting when I was granted permission to connect. You also have an index card from your files with my name on it showing that I had my own water account. Please do the right thing and honor my right to connect at this time.

Sincerely,



Richard Walter

RECEIVED

FEB 12 1997

Gabe Adams :

Walter R. Ricks
2691 North North Bank
OTIS OR 97368

My name is Walter Ricks and I am contacting you in regards to a conversation I had with the City of Trinidad Council about 30 years ago. When the City installed the new water system in Luffenholtz creek, they offered water meter installations to residents along North Westhaven Drive. I had two meters installed on my property, one on the south and one on the northside of my 12 acres. When Rick Walter bought his property, being a good neighbor, I let him use my north meter. About 10 years passed and I sold the north 5 acres to George and Cathy Dodge. Rick Walter then went to get a meter himself. The city first refused him. In a council meeting that followed, the city council was largely in favor of keeping it's offer. No time limit was given at this time. I don't believe he should be denied a meter now.

Sincerely
Walter R. Ricks

An offer once made should be
honored forever.

WR



Memorandum

30 March 2017

To	Dan Berman, Trinidad City Manager		
Copy to	Trever Parker, City Planner, Streamline Planning Consultants		
From	Rebecca Crow, PE	Tel	707-267-2244
Subject	Waterline Extension to CalFire	Job no.	01063/07001/11054

Introduction

The purpose of this memo is to provide an update on the feasibility of connecting the Cal Fire Trinidad Station (fire station) to the City of Trinidad's water system. The existing Cal Fire station water supply has routinely failed water quality tests, and has been determined to be not safe for human consumption, according to testing done by Cal Fire. This memo evaluates the potential demand from the fire station, available water supply from the City of Trinidad, and the ability for the City to meet the demands at the Cal Fire Station.

Estimated Fire Station Water Demand

Fire station water use is not metered. However, station personnel estimate water use during peak summertime staffing of the station ranges between 700 and 1000 gallons per day (gpd). Additionally, water use was calculated based on literature values for additional support for water demands from the station. The facility consists of a 2,500 square foot operations building, a 1,500 square foot foresters building, and a 2,100 square foot engine bay. Altogether there are 2 bathrooms, 1 shower facility, and 1 washing machine (used weekly for linens) located at the site.

Peak summer staffing includes 10 to 14 fire staff who are onsite 24 hours per day 7 days per week. There are also 4 foresters that staff the forester building for 8 hrs per day 5 days per week. Visitors to the facility are rare. If potable water can be extended to the site, the station would continue to use the existing water supply for irrigation, fire suppression, and fire truck tank fill-up and truck maintenance, thus limiting the potable water demand to indoor water use.

Table 1 below shows the estimated water demand of the fire station under average conditions and peak demand conditions expected to occur during the summer months. Water use estimates were taken from published literature as cited below.

The total average daily water demand was estimated at 1,000 gallons per day, at peak staffing with high fire activity levels and all 40-hour staff present. The water demand varies during the day with peaks in the morning and evening and lows during the middle of the night. For calculating the instantaneous hourly water demand, a peaking factor of 4 was applied to the average day demand, which is common for small facilities.

This results in a peak hourly demand of 164 gallons per hour or approximately 2.75 gallons per minute (gpm) for a period of one-hour. These figures will be compared to the available Trinidad Water Supply in the last section of this memo to determine if the City can supply the fire station demand. The next section presents the City of Trinidad's available supply.

Table 1 Cal Fire Average and Peak Water Demands

Description	Number of Persons	Estimated Demand (gallon per capita per day) ²	Estimated Average Daily Demand (gallons per day)	Daily Peak Demand (gallons per day) ³	Peak Hour Demand (gallons per hour) ⁴
Forestry Staff 40-hr/ week staff ¹	4	16.25	65	130	10.8
Maximum Cal Fire 24/7 staff ¹	14	66.25	927.5	1855	154.6
Total	-	-	992.5	1985	165.4
TOTAL Rounded			1000	2000	1685

¹ Staffing estimated from Department of Forestry and Fire Protection Memo, Dated September 28, 2016. Forestry staffing updated based on personal communications with Cal Fire Battalion Chief Trinidad, Joshua Bennett

² Per capita demand estimated from Wastewater Engineering Treatment and Reuse, Metcalf & Eddy Inc., 2003, typical office employee for 40-hr/week staff and 4 person household for 24/7 staff. Wastewater flow rate assumed to be 80% of water demand.

³ Peak Daily demand equals average daily demand time the peaking factor of 2 to account for increased daily use during warm dry summer months

⁴ Peak hourly demand equals average daily demand times the peaking factor of 4 to account for increased daily use during warm dry summer months and hourly variations in water use during the day

City of Trinidad Water Supply System

The City's water system consists of an infiltration gallery located 10 feet below Luffenholtz Creek connected to a wet well. Pumps in the wet well supply pressure to move water from the creek through, a rapid settler to remove sediment is the raw water. From the rapid settler a second set of pumps supplies pressure to move water through three parallel sets of roughing and polishing filters then after chlorination onto the City's two 150,000 redwood water storage tanks.

The City completed a water system upgrade project in 2014, which included a new raw water pumps, rapid settling filtration system, new intermediate pumps, new chlorine contract system, and upgrades to the backwash system. The City maintains two wet well pumps capable of delivering 175 gallons per minute individually. The system is designed to operate with one pump running and both pumps have variable frequency drives to reduce flows if needed. With one pump running the City can produce 252,000 gallons per day (gpd).

Current City Water Use

The City of Trinidad has supplied an average of 68,400 gallons of potable water per day over the last 4 years to meet the demands of the City's water service area. The peak month demand during the summer period reaches an average of approximately 90,600 gpd, and typically occurs in the month of August. Peak monthly demand was estimated from 2013-2016 monthly data. Peak day demand of 123,100 gpd and peak hour demand of 7,700 gallon per hour were estimated using peaking factors of 1.8 times average day use and 2.5 times maximum day use respectively.

Water Storage

The City currently operates two 150,000 gallon storage tanks, for a total of 300,000 gallons of storage. Out of the total storage, approximately 180,000 gallons is reserved for fire flows (estimated as 2 hours of supply at 1500 gpm). Ideally, this volume would be kept in storage for availability during a fire.

During peak water use in the summer, demands can be met by the maximum feed rate supplied by the pumps. It is not anticipated that storage would be a limiting factor to connection of the fire station to the City's water system.

Luffenholtz Creek Supply

The City sole raw water supply is Luffenholtz Creek. The City is allowed to extract a maximum of 0.56 cubic feet per second (cfs) (251 gallons per minute) from Luffenholtz Creek. The City's water right permit stipulates that when the flow in Luffenholtz Creek is lower than 0.86 cfs, the City must leave at least 0.15 cubic feet per second in the creek, including enough for the 0.0054 cfs worth of water rights downstream from the City, resulting in a total of 0.1554 cfs or approximately 70 gpm that must bypass the City's water intake.

During the drought period of 1977, the flow in Luffenholtz Creek was recorded to drop to 0.62 cfs (278 gpm). This is considered the lowest recorded flow conditions for Luffenholtz Creek. At this flow the City could still divert up to 208 gpm or 299,520 gpd, which is significantly more than the City's current peak day demand. The City is currently working to install flow monitoring on Luffenholtz Creek to track water right bypass compliance.

Trinidad Water Supply Summary

Table 2 below presents a summary of the City of Trinidad's water system capacity and estimate of available capacity beyond existing demands.

Table 2 Summary of City Water Demands and Availability

Conditions	Flows	Comments
Current City Treatment System Capacity	252,000 gpd	Current Maximum Production Capacity
Raw Water Available (worst case drought conditions)	299,520 gpd	Maximum Diversion under Existing Water Rights and 1977 drought conditions
2014-2016 City Peak Day Demand	123,100 gpd	Current Peak Day Demand
Available System Capacity	128,900 gpd	Available capacity equals treatment capacity minus peak day demand

Conclusions

A comparison of the fire station water demand (Table 1) to the available Trinidad water system capacity (Table 2) shows that the fire station's estimated average demand during periods of high facility use are less than 1% of the available capacity. During a peak day the Cal Fiore facility's demand is approximately 1.5% of the available system capacity. The peak hourly demand is 1.6% of the City's treatment system production capacity of 175 gallons per minute. Thus, the City has the capacity to provide potable water to the fire station.

References

Department of Forestry and Fire Protection Memo, Dated September 28, 2016

Metcalf and Eddy, Inc. (2003) Wastewater Engineering: Treatment and Reuse, 4th ed., McGraw-Hill, New York.

Personnel Communication Trinidad Water Plant Operator, Bryan Buckman, March 31, 2017 for Updated City Water Use Data

Personnel Communication Cal Fire Battalion Chief Trinidad, Joshua Bennett, April 4, 2017

Winzler & Kelly (2003) City of Trinidad Proposition 204 Water Supply Feasibility Study, Winzler & Kelly, Eureka, CA.

WALTER, RICH & DEBRA
P.O. Box 432
Trinidad, California
95570

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CC

This is from a
card index file at
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