

EXHIBIT A
SANTA CRUZ LAFCO RESOLUTION NO. 801-D
ADOPTED BY LAFCO
12/7/94

**RULES AND REGULATIONS GOVERNING FUNCTIONS AND SERVICES OF
SPECIAL DISTRICTS**

I. AUTHORIZATION

As provided in Government Code Section 56450 et seq., the Commission adopts these rules and regulations governing the functions and services of special districts and orders the representation upon the Commission of independent special districts.

II. DEFINITIONS

The following definitions shall apply under these rules and regulations:

- a) "Commission" means the Santa Cruz Local Agency Formation Commission.
- b) "District" means an agency of the State as defined by Section 56036 of the Government Code which is wholly or partially located in Santa Cruz County.
- c) "Executive Officer" means the executive officer appointed by the Commission or the County officer acting as the executive officer.
- d) "Function" means any power granted by law to a local agency or a county to provide designated governmental or proprietary services or facilities for the use, benefit, or protection of persons or property (Gov. Code 56040).
- e) "Legislative body" means the legislative body or the governing board of a district as defined in these regulations.
- f) "Proceedings" means proceedings taken pursuant to these regulations.
- g) "Proposal" means a request or statement of intention made by a resolution of application of a legislative body proposing proceedings for the provision of additional functions or services.
- h) "Service" means a class established within and as a part of a single function, as hereinafter provided by these rules and regulations of the Commission (Gov. Code 56074).

III. POWERS OF THE COMMISSION

The Commission may:

- a) classify the various types of service which customarily are or can be provided within a single function of a special district (Gov. Code 56451).
- b) require existing districts to file written reports with the Commission specifying the functions or classes of service provided by such districts (Gov. Code 56451).
- c) identify the nature, location, and extent of any functions or classes of service provided by existing districts (Gov. Code 56451).
- d) determine that, except as otherwise authorized by such rules and regulations, no new or different function or class of service shall be provided by any existing district (Gov. Code 56451).

These rules and regulations shall not apply to the extension or enlargement, within the boundaries of an existing special district, of any function or service which the

Commission, pursuant to this Article has determined is currently being provided by such special district.

These rules shall not apply to any function or service which a district is specifically mandated to provide under state law.

IV. CLASSIFICATION OF FUNCTIONS AND SERVICES

The following classifications of functions and services are hereby established:

FUNCTION	SERVICES
Cemeteries	Cemeteries
Fire and All Emergency Medical Services	Fire Protection First Response, Basic Life Support First Response, Paramedic Service Patient Transport Hazardous Materials (Including administration and response) Rescue Services Disaster Planning and Response Weed Abatement
Flood Control	Flood Control
Harbor	Harbor facilities and services Public access Safety Visitor Services
Parks and Recreation	Park Acquisition Development Operation and Maintenance Recreational and Educational Activities
Pest and Vector Control	Pest and Vector Control
Police	Police Security Patrols
Public Transportation	Land Transportation
Roads, Streets and Highways	Road Improvement Road Maintenance Road Landscaping School Crossing Guards
Sewer	Sewage Collection Sewage Transportation Sewage Treatment Sewage Reclamation Sewage Disposal Septic Tank Maintenance
Soil Conservation	Soil Conservation
Solid Wastes	Waste Collection Waste Disposal Recycling

	Litter Control Graffiti Control
Street Lighting	Street Lighting
Water	Water Supply Water Treatment Water Distribution
Water Management	Groundwater Management Surface Water Management Conservation and Education

V. REQUIREMENTS OF SPECIAL DISTRICTS

Upon the adoption of these regulations, each special district shall, at the request of the executive officer, provide, to the satisfaction of the Commission, the following materials within 30 days of such request:

- a) a report of which functions and services are currently being provided by that district;
- b) a reference to the state code section or sections which authorize the rendering of such functions and services;
- c) if specifically required by the executive officer, a map, showing the boundaries of the district and the location(s) where functions and services are provided.

For purposes of these rules and regulations, a district shall be deemed to be providing a function or service if bonds have been authorized therefore; if substantial sums have been expended; if property, facilities, or equipment have been acquired or constructed for such purpose; or if the district is actually exercising its powers to provide such function or service for the benefit of lands or inhabitants within the district.

If by December 7, 1884, an agency has adopted a resolution of intention to draft a groundwater management plan pursuant to AB 3030 (Water Code Section 10753), that agency is considered to be providing a groundwater management service. If the plan is not subsequently adopted within two years, the agency will no longer be classified as providing groundwater management services. Three years or more after a groundwater management plan has been adopted, if the Commission has information that an agency has not implemented the plan, the Commission may prepare an analysis and schedule a public hearing to consider whether to withdraw the classification of the agency as a provider of groundwater management services. The Commission shall not withdraw the classification unless it can find that the agency has not implemented one or more elements of the plan.

VI. COMMISSION DETERMINATION

Following the receipt of such materials from a district as provided for in Section V. the Commission shall determine:

- a) to approve with or without amendment, wholly or partially or to disapprove the report on the functions and services currently being provided by the district and the location (where such functions or services are being provided),
- b) to refer the report back to the district having submitted it and request modification of such report; the Commission shall set a reasonable date for the re-submittal of such

modified report.

VII STUDY BY COMMISSION

In the event the Commission disapproves a report on the functions and services, the Commission may make its own study and report on the functions and services being provided by a district; the Commission shall, at the request of the affected district, consider its report at a public hearing with no less than 30-day notice prior to making a final determination on same.

VIII COMMISSION APPROVAL

By approving the report of a special district as provided in Section V or by making its own report on the functions and services of a district as provided in Section VII, the Commission shall thereby identify the nature, location, and extent of the functions or services provided by such a district.

IX REGULATION OF NEW SERVICES

At such time as the Commission has identified the nature, location, and extent of the functions and services of any district, such district shall not provide any new or different function or class of service except as authorized by these regulations. This rule shall not apply to the extension or enlargement, within the boundaries of an existing special district, of any function or service which the Commission, determined at the time these regulations were adopted, or subsequently pursuant to the procedures in these regulations, was being provided by such special district.

X PROVISION OF ADDITIONAL FUNCTIONS AND SERVICES

Any district making a proposal to provide a function or service in addition to those identified by the Commission pursuant to these regulations shall file with the Executive Officer a resolution of its governing board making application for the provision of additional functions and/or services.

XI RESOLUTION OF APPLICATION

A resolution of application shall be in such form as the Commission may prescribe and shall be accompanied by:

- a) a statement of the nature of the proposal and the reasons therefore;
- b) a description of the territory which is the subject of the proposal;
- c) a map showing the boundaries of the subject territory;
- d) such additional data and information as may be required by the executive officer, pertaining to any of the matters or factors which may be considered by the Commission;
- e) the name of the officers or persons, not to exceed three, who are to be given mailed notice of hearing.

XII HEARING

Upon the filing of a resolution of application, the executive officer shall set the matter for hearing by the Commission.

- a) The date of the hearing shall not be more than 90 days after such filing.
- b) The executive officer shall cause notice of hearing to be published in a newspaper of general circulation within the area for which the provision of additional functions

and/or services are proposed, as specific in Government Code Section 56061.

c) The executive officer shall also cause notice of such hearing to be mailed at least fifteen days prior to the date of hearing to 1) the district adopting the resolution of application, 2) each city or district within three miles of the subject district, and 3) each person who is designated in the application to receive notice or any person who has filed a written request for special notice with the executive officer.

d) Such hearing may be continued from time to time for a period not to exceed 70 days from the original date of such hearing. The conduct of such hearing shall be governed by the provisions of Section 56840 et seq, of the Government Code and by the Rules of the Commission. At any time not later than 35 days after the conclusion of the hearing, the Commission shall adopt a resolution making determinations approving or disapproving the provision of additional functions and/or services by the District.

XIII DISAPPROVAL

If the Commission wholly disapproves any proposal involving the provision of such additional functions and/or services by the subject district, no proceeding shall be taken for the provision of such additional functions and/or services by the subject district for a period of one year after the date of such disapproval unless said period is waived by the Commission.

XIV APPROVAL

If the Commission approves the provision of additional function(s) and/or service(s), the executive officer shall, within 30 days of such approval, forward to the subject district a copy of the Commission's resolution.

XV AMENDMENT PROCESS

These rules and regulations governing functions and services of special districts may be amended by a process that is initiated by the Commission or by any interested party completing an application and paying an application fee as specified in the Commission's Schedule of Fees and Deposits. The Executive Officer shall send the proposed amendment to all independent and dependent districts in the county. The Commission will not use "minor change" procedure specified in Government Code Section 56457. The Commission will only use the noticed, public hearing procedure specified in Government Code Sections 56458-56460 to consider amending these rules.

XVI STATE LAW

The procedures provided by these rules and regulations shall be generally guided by the provisions of Chapter 5 (commencing with Section 56450) of Part 2, Division 3, Title 5 of the Government Code.