



**LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY**

701 Ocean Street, #318-D
Santa Cruz, CA 95060
Phone Number: (831) 454-2055
Website: www.santacruzlafco.org
Email: info@santacruzlafco.org

REGULAR MEETING AGENDA

**Wednesday, January 8, 2020
9:00 a.m.**

**Board of Supervisors Chambers
701 Ocean Street, Fifth Floor (Room 525)
Santa Cruz, California**

1. ROLL CALL

2. ADOPTION OF MINUTES

The Commission will consider approving the minutes from the November 6th meeting.

Recommended Action: Approve the minutes as presented with any desired changes.

3. WELCOME NEW LEGAL COUNSEL

The Commission will welcome Daniel H. Zazueta as LAFCO's new legal counsel.

Recommended Action: No action required; Informational item only.

4. ORAL COMMUNICATIONS

This is an opportunity for members of the public to address the Commission on items not on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on an off-agenda item(s) unless authorized by law.

5. PUBLIC HEARING

Public hearing items require expanded public notification per provisions in State law, directives of the Commission, or are those voluntarily placed by the Executive Officer to facilitate broader discussion.

a. "Hidden Valley Road/Ponza Lane Extraterritorial Service Agreement" with County Service Area 26 (LAFCO Project No. ESA 20-01)

The Commission will consider the extraterritorial service request from County Service Area 26 to provide road maintenance towards an evacuation route connecting Hidden Valley Road and Ponza Lane.

Recommended Action: Adopt the draft Resolution (No. 2020-01) approving the extraterritorial service agreement involving CSA 26 to provide road maintenance towards an evacuation route connecting Hidden Valley Road and Ponza Lane.

6. OTHER BUSINESS

Other business items involve administrative, budgetary, legislative, or personnel matters and may or may not be subject to public hearings.

a. Appoint Chair and Vice-Chair for 2020

The Commission will consider electing its new Chair and Vice-Chair on LAFCO.

Recommended Action: Elect Chair and Vice-Chair for the 2020 calendar year.

b. Extension of Office Lease

The Commission will consider the lease extension for LAFCO's current office space in the County Governmental Center.

Recommended Action: Direct the Executive Officer to coordinate with the County General Services Department and execute the two-year extension option under the current lease.

c. 2019 Sanitation Service and Sphere Review – Status Update

The Commission will receive an update on findings and recommendations considered as part of the October 2019 Comprehensive Sanitation Service and Sphere Review.

Recommended Actions:

- 1) Discuss the information provided in the Executive Officer's report;
- 2) Continue discussions between the City of Santa Cruz and CSA 10; and
- 3) Provide direction to staff on further action(s); if any.

d. Focus Agriculture Class of 2020 Application Request

The Commission will consider approving a one-time tuition payment for LAFCO staff to participate in the upcoming Focus Agriculture 2020 Session.

Recommended Action: Approve the \$1,000 tuition fee.

7. WRITTEN CORRESPONDENCE

LAFCO staff receives written correspondence and other materials on occasion that may or may not be related to a specific agenda item. Any correspondence presented to the Commission will also be made available to the general public. Any written correspondence distributed to the Commission less than 72 hours prior to the meeting will be made available for inspection at the hearing and posted on LAFCO's website.

a. CALAFCO Documents

The Commission will receive an update on documents shared by CALAFCO.

Recommended Action: No action required; Informational item only.

8. PRESS ARTICLES

LAFCO staff monitors newspapers, publications, and other media outlets for any news affecting local cities, districts, and communities in Santa Cruz County. Articles are presented to the Commission on a periodic basis.

a. Press Articles during the Months of November and December

The Commission will receive an update on recent LAFCO-related news occurring around the county and throughout California.

Recommended Action: No action required; Informational item only.

9. COMMISSIONERS' BUSINESS

This is an opportunity for Commissioners to comment briefly on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission. No discussion or action may occur or be taken, except to place the item on a future agency if approved by Commission majority. The public may address the Commission on these informational matters.

10. ADJOURNMENT

LAFCO's next regular meeting is scheduled for Wednesday, February 5, 2020 at 9:00 a.m.

ADDITIONAL NOTICES:

Campaign Contributions

State law (Government Code Section 84308) requires that a LAFCO Commissioner disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from an applicant, any financially interested person who actively supports or opposes an application, or an agency (such as an attorney, engineer, or planning consultant) representing an applicant or interested participant. The law also requires any applicant or other participant in a LAFCO proceeding to disclose the amount and name of the recipient Commissioner on the official record of the proceeding.

The Commission prefers that the disclosure be made on a standard form that is filed with the Commission's Secretary-Clerk at least 24 hours before the LAFCO hearing begins. If this is not possible, a written or oral disclosure can be made at the beginning of the hearing. The law also prohibits an applicant or other participant from making a contribution of \$250 or more to a LAFCO Commissioner while a proceeding is pending or for 3 months afterward. Disclosure forms and further information can be obtained from the LAFCO office at Room 318-D, 701 Ocean Street, Santa Cruz CA 95060 (phone 831-454-2055).

Contributions and Expenditures Supporting and Opposing Proposals

Pursuant to Government Code Sections §56100.1, §56300(b), §56700.1, §59009, and §81000 et seq., and Santa Cruz LAFCO's Policies and Procedures for the Disclosures of Contributions and Expenditures in Support of and Opposition to proposals, any person or combination of persons who directly or indirectly contributes a total of \$1,000 or more or expends a total of \$1,000 or more in support of or opposition to a LAFCO Proposal must comply with the disclosure requirements of the Political Reform Act (Section 84250). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information may be obtained at the Santa Cruz County Elections Department, 701 Ocean Street, Room 210, Santa Cruz CA 95060 (phone 831-454-2060).

More information on the scope of the required disclosures is available at the web site of the Fair Political Practices Commission: www.fppc.ca.gov. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).

Accommodating People with Disabilities

The Santa Cruz Local Agency Formation Commission does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The Commission meetings are held in an accessible facility. If you wish to attend this meeting and you will require special assistance in order to participate, please contact the LAFCO office at 831-454-2055 at least 72 hours in advance of the meeting to make arrangements. For TDD service the California State Relay Service 1-800-735-2929 will provide a link between the caller and the LAFCO staff.

Late Agenda Materials

Pursuant to Government Code Section 54957.5 public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be available to the public at Santa Cruz LAFCO offices at 701 Ocean Street, #318D Santa Cruz CA 95060 during regular business hours. These records when possible will also be made available on the LAFCO website at www.santacruzlafo.org. To review written materials submitted after the agenda packet is published, contact the LAFCO Secretary-Clerk at the LAFCO office or in the meeting room before or after the meeting.



PROCEEDINGS OF THE
LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY

Wednesday
November 6, 2019
10:00 a.m.

Supervisors Chambers, Room 525
701 Ocean Street
Santa Cruz, CA 95060

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The November 6, 2019 Santa Cruz LAFCO meeting is called to order by declaration of Chairperson Jim Anderson.

ROLL CALL

Present and Voting:	Commissioners R. Anderson, Lather, Leopold, and Chairperson Jim Anderson
Absent:	*Estrada, Friend
Alternates Present:	Hunt
Alternates Absent:	Banks, Brooks, Coonerty
Staff:	Joe A. Serrano, Executive Officer Jason Heath, Acting LAFCO Counsel Debra Means, Secretary-Clerk

MINUTES

MOTION

Motion: Leopold	To approve August 7 th minutes with a minor correction.
Second: Lather	Motion carries with a unanimous voice vote.

ORAL COMMUNICATIONS

Counsel Heath reports that the new LAFCO Counsel will be introduced at the January meeting. He has enjoyed being acting LAFCO Counsel over the last six months.

PUBLIC HEARING

SERVICE AND SPHERE REVIEW FOR THE MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

Mr. Serrano notes that Stefan Jaskulak, Chief Financial Officer for Midpeninsula Regional Open Space District (Midpen), is in attendance and was very helpful in completing this service review.

Midpen was formed in 1972 to preserve open space lands in Santa Clara County. Over the past 48 years, it expanded into Santa Cruz and San Mateo Counties. Since Midpen is a multi-county district, State law designates one principal LAFCO to oversee boundary changes, including annexations. This designation is based on assessed land value for the service areas in each county. Santa Clara LAFCO is the principal LAFCO because that county's assessed land value is the largest between the three counties at \$177 billion. San Mateo County's assessed value is \$74 billion and Santa Cruz County's is about \$660,000.

Staff's analysis focused on Midpen's service area in Santa Cruz County. The parcels within the District's boundary in Santa Cruz County were annexed in 1992 to align with Long Ridge Open Space Preserve. A sphere was also adopted and included 11 parcels, 10 of which were part of the annexation. The remaining parcel is currently owned by a branch of the Boy Scouts of America.

* Commissioner Estrada arrives.

In September, LAFCO met with Midpen to discuss the draft service review and see if the district would like to annex the remaining parcel within its sphere boundary or any other lands in Santa Cruz County. Midpen representatives indicated that they do not have any interest in annexing at this time. If they were to consider annexation, it would be for five parcels they already own in Santa Cruz County.

These five parcels have similar characteristics to the parcels included in the 1992 annexation. They are located at the southern end of existing open space preserves, are owned and maintained by Midpen, and are currently outside the District's jurisdictional and sphere boundaries.

If annexation does occur, it would be processed by Santa Clara LAFCO. This service review provides detailed information about the five parcels and indicates what the process will be if an annexation occurs between Midpen and Santa Cruz County.

Staff received a letter from Supervisor Ryan Coonerty expressing some concerns with the draft service review. This service review fulfills the Commission's adopted work program which required staff to complete five service reviews this year, including one for Midpen.

The completion of service reviews is a statutory mandate under the Cortese-Knox-Hertzberg Act. State law requires LAFCOs to conduct a service review for each city and special district in the County every five years. Midpen's last service review was completed in 2008. Adopting this service review complies with State law and brings this LAFCO up to date with the service review cycle.

This service review reiterates the initial findings identified in the Principal LAFCO's 2013 service review. Santa Cruz LAFCO's findings and recommendations suggest that further analysis be conducted should an annexation be initiated by Midpen.

This service review does not propose any boundary changes or promote or encourage any annexation beyond the five parcels owned by Midpen. It does not prevent residents or local agencies to voice their opinion on any possible boundary changes involving Midpen or Santa Cruz County.

This service review can be used as a platform for residents, this Commission, or any affected party to share their input on proposed boundary changes. It is beneficial to have input and community outreach to gauge interest in the possibility of having an open space district provide services in Santa Cruz County.

MOTION AND ACTION

Motion: R. Anderson Second: Leopold	<p>As recommended by staff,</p> <ul style="list-style-type: none">• To find this review exempt from CEQA,• To find this review fulfills the requirements outlined in LAFCO law,• To adopt Resolution No. 2019-21 with three terms and conditions:<ul style="list-style-type: none">○ Reaffirm the district's current sphere of influence,○ Analyze possible annexations or sphere changes involving those five parcels, and○ Direct Executive Officer to share a hard copy of the service review to any interested or affected parties, including but not limited to Supervisor Coonerty's office, Santa Clara LAFCO (the Principal LAFCO), and the Land Trust. <p>Motion passes with a unanimous voice vote.</p>
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Stefan Jaskulak is the Chief Financial Officer for Midpeninsula Regional Open Space District. On behalf of Midpen, he fully supports the findings and recommendations. He has enjoyed working with LAFCO Commissioners and staff on this collaborative effort and looks forward in maintaining communication between the organizations. In the past, Midpen has been mostly focused on Santa Clara and San Mateo Counties, but it has been worthwhile renewing communications with Santa Cruz County as well.

Commissioner Roger Anderson thinks the review is well done. Midpen expressed interest in obtaining an easement that would allow a trail to Nisene Marks State Park, and he supports this potential easement to connect existing trails.

Commissioner Leopold agrees with Commissioner Roger Anderson. Some of the identified parcels owned by Midpen are in his supervisory jurisdiction (District 1). As County Supervisor, the connector trail with Nisene Marks would go through his district. There is interest from Santa Cruz Mountains and Summit area residents about connecting these trails together. There are ongoing discussions about trails and access points within the Soquel Demonstration Forest.

In the service review, there is mention about creating an open space district. There was legislation from Senator Joe Simitian to create an open space district, but it excluded LAFCO. Santa Cruz LAFCO did not support the bill. The Board of Supervisors hired Fred Keeley, the former County Treasurer, to research creating such an open space district, but it did not go anywhere. Mr. Leopold had discussions with the Land Trust about creating an open space district in the future, and it may be revisited in a few years.

There is a real need to have an ongoing source of funding for parks and open space in this County. During a recession, park funding is the first to go. If there was a dedicated funding source, it would make a huge difference.

Commissioner Estrada asks what some pros and cons are for annexing these five parcels.

Mr. Serrano replies that these parcels are already part of an existing open space preserve. Midpen currently owns and maintains these parcels so annexing them would simply reflect the services already being provided by the District.

OTHER BUSINESS

SERVICE AND SPHERE REVIEW MULTI-YEAR WORK PROGRAM

Mr. Serrano reports that there are 81 local agencies that fall under this LAFCO's purview. In order to ensure that this Commission conducts service reviews in a timely manner, staff is recommending a multi-year work program be adopted to clearly show when a service review is required. It will also allow local agencies to know when their service review is scheduled. At the end of each year, staff will propose a schedule of hearing dates for upcoming service reviews.

Commissioner Leopold thinks it is important to maintain this schedule. The quality of work done in-house has been very good, but there are some agencies that may need outside consultants' help, so money should be set aside.

Mr. Serrano adds that having this discussion at the end of each year can help the Commission decide whether additional funds for outside assistance is needed for any future service review.

Commissioner Leopold says funds have been set aside each year to build up a reserve for service reviews or white papers.

MOTION AND ACTION

Motion: Leopold Second: Lather	To adopt a multi-year work program. Motion carries by a unanimous vote.
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LAFCO MEETING SCHEDULE FOR 2020

Mr. Serrano presented the proposed meeting schedule for the 2020 calendar year. The Commission had a discussion about changing the meeting start time from 10:00am to 9:00am.

MOTION AND ACTION

Motion: Lather Second: Leopold	To adopt the 2020 LAFCO Meeting Schedule and change the meeting time to 9:00 a.m. Motion carries by a unanimous vote.
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CALAFCO ANNUAL CONFERENCE – ELECTION RESULTS

Mr. Serrano reports that the annual conference had a great turnout with more than 250 attendees and 48 out of 58 LAFCOs attending. There were two elections held at the conference. One election addressed several open seats on the CALAFCO board. CALAFCO has four regions and there is representation from each region on the board. The Coastal Region had two seats with upcoming vacancies. Margie Mohler from Napa LAFCO and Tom Murray from San Luis Obispo LAFCO won the city seat and public seat, respectively.

The second election involved the proposed membership dues structure. The new fee structure passed with 38 LAFCOs in favor and 10 opposed. This Commission supported the proposal. The new fee structure is expected to address CALAFCO's ongoing operational deficit.

Commissioner Roger Anderson enjoyed the quality of presentations and diverse session topics at the conference.

Commissioner Leopold thought the Sativa Water District presentation was very interesting. The presentation was held at the State Capitol. The speakers presented a powerful story about LAFCO helping to take care of a water district that was not doing its job.

He also attended a worthwhile session about service reviews. It provided good information and discussed how other LAFCOs were handling the state mandate.

He thought the dues discussion was not unexpected. Small, rural LAFCOs generally have the biggest opposition toward changes in the dues structure, with Ventura as an exception. He did not hear about these LAFCOs organizing any helpful changes or alternatives to the dues structure. If they wanted to make any changes, it would have come up at the regional meetings.

A smaller Northern California LAFCO representative whose LAFCO voted no said that it was the smaller LAFCOs that get the most out of CALAFCO. The smaller LAFCOs directly benefit from CALAFCO by networking with Executive Officers, receiving representation in Sacramento, and learning best practices from conferences and workshops.

Commissioner Lather found the conference enlightening, interesting and a good investment of her time. She went to the LAFCO 101, attended the Sativa Water District discussion, and the sessions on water and housing. She appreciated networking with other LAFCOs.

Chairperson Jim Anderson attended the water and service review sessions. He noted that it is worth being frank with the districts when completing service reviews. He enjoyed the mobile workshop about the port in West Sacramento.

Commissioner Roger Anderson appreciated the keynote speaker and author, Mark Arax at Thursday's luncheon.

Alternate Hunt thought the conference was worthwhile. He thought the session with Kate Gordon and Ellen Hanak about treating climate change as a macro-economic trend was an interesting perspective. He liked Bill Connelly's comments describing service reviews as what could be, and how they can improve, rather than what currently exists. LAFCOs' knowledge can really help other agencies do a better job. The regional roundtable was informative to hear what other LAFCOs are doing, particularly with consolidation of fire districts.

ADJOURNMENT

The next LAFCO meeting is scheduled for **9:00 a.m. (1 hour earlier)** on Wednesday, January 8, 2020. There is no LAFCO meeting in December.

CHAIRPERSON JAMES W. ANDERSON

Attest:

Joe A. Serrano, Executive Officer



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Welcome New Legal Counsel – Daniel H. Zazueta**

SUMMARY OF RECOMMENDATION

The Commission contracts with the County to receive legal counsel services. Following the departure of T. Brooke Miller back in June 2019, Jason Health was LAFCO's interim legal counsel. A permanent legal counsel has now been selected to serve the Commission. This agenda item is for informational purposes only and does not require any action. Therefore, it is recommended that the Commission receive and file the Executive Officer's report.

EXECUTIVE OFFICER'S REPORT:

Daniel H. Zazueta has an extensive legal background. Mr. Zazueta earned an undergraduate degree from U.C. Berkeley and spent four years as a high school teacher before attending law school at Santa Clara University. Since then, his services have grown beyond California, including a role in the Office of the White House Counsel during the Obama Administration.

In 2017, Mr. Zazueta returned with his wife to his hometown of San Jose, where he grew up as the youngest of three children to a Mexican immigrant father and American mother. Notably, Mr. Zazueta's parents were married at Holy Cross Catholic Church, his grandparents were residents of Santa Cruz, and much of his childhood was spent in Santa Cruz County.

Daniel H. Zazueta officially joined the Office of the County Counsel as an Assistant County Counsel in November 2019. The following is a summary of his past roles and current responsibilities.

Previous Government Roles

Following law school in 2011, Mr. Zazueta joined the Obama Administration as a political appointee in the Office of the General Counsel of the U.S. Department of Energy (DOE) in Washington, DC. He later converted to a federal position as a trial attorney for DOE and served a brief stint in the Office of the White House Counsel as Deputy Ethics Counsel under President Barack Obama. Prior to joining the County, Mr. Zazueta was Deputy City Attorney for the Cities of Santa Clara and Redwood City.

Current Local Government Responsibilities

In addition to serving as legal counsel for LAFCO, his clients will include the County's Planning Department, Planning Commission, Cannabis Licensing Office, and Mid-County Groundwater Agency. Mr. Zazueta also serves as the Chair for San Jose's Clean Energy Community Advisory Commission and on the Executive Board of La Raza Lawyers Association of Santa Clara County.

Respectfully Submitted,



Joe A. Serrano
Executive Officer



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **“Hidden Valley Road/Ponza Lane Extraterritorial Service Agreement”
with County Service Area 26 (LAFCO Project No. ESA 20-01)**

SUMMARY OF RECOMMENDATION

LAFCO has received an application from the County Public Works Department requesting the consideration of an extraterritorial service agreement involving County Service Area (CSA) 26. The proposed agreement would allow CSA 26 to provide road repair and maintenance oversight towards an evacuation route connecting Hidden Valley Road and Ponza Lane.

Staff is recommending that the Commission adopt the draft Resolution (No. 2020-01) approving the extraterritorial service agreement involving CSA 26.

EXECUTIVE OFFICER'S REPORT:

In December, the County Public Works Department submitted an application to receive an extraterritorial service agreement between CSA 26 and a single parcel (APN: 102-021-62) in order to provide road repair and maintenance oversight towards an evacuation route connecting Hidden Valley Road and Ponza Lane. This secondary route is currently a dirt road and in need of repair and maintenance. The proposal area is currently located in the Soquel community and outside CSA 26's jurisdictional and sphere boundaries. **Attachment 1** provides a map of the agency's current boundaries. **Attachment 2** highlights the location of the proposal area. Approval of the extraterritorial service request would allow CSA 26 to address the current condition of the evacuation road and provide oversight towards maintenance going forward.

Background

CSA 26 was formed in August 1982. The CSA is authorized to provide road maintenance within 307 acres (.48 square miles). The CSA is funded by 8 zones (Zones A-G and Muir Drive). Residents from each zone provide funds via benefit assessments. Based on staff's research, the subject parcel (APN: 102-021-62) involved in the proposed extraterritorial service agreement was originally part of CSA 26 during its formation back in 1982. The subject parcel was detached from CSA 26 in March 1984 because the subject parcel can only be accessed by Ponza Lane, as shown in **Attachment 3**. The Commission approved the detachment with one condition – an emergency access road agreement must be established. This agreement was finalized on May 22, 1985 and involved the property owner of APN: 102-021-62 and the Hidden Valley Association (see attached agreement – **Attachment 4**).

In 2002, a supplemental reciprocal emergency road access and maintenance agreement was enacted between the property owners of both ends of the evacuation road to establish an easement for road and utility purposes. This agreement (as shown in **Attachment 5**) ensured that this evacuation road could be accessible from both Hidden Valley Road and Ponza Lane. At present, the 1985 and 2002 agreements are still active.

Proposed Extraterritorial Service Agreement

Residential units located within CSA 26 can only be accessible through Hidden Valley Road. This road is paved but narrow as you navigate through the hillside community. In some cases, vehicles must take turns to go up or down the road. This single access point may cause problems in the event of an emergency, including but not limited to fires, landslides, flooding, or other unanticipated disasters.

The conditions of the existing evacuation road between Hidden Valley Road and Ponza Lane may not be durable for vehicle access, specifically fire trucks. Cal Fire and Central Fire Protection District have both indicated that the lack of viable, secondary, emergency access or exit poses a serious concern for the lives and safety of emergency response personnel and the residents of Hidden Valley Road in the event of a wildfire or other type of emergency.

If approved, the extraterritorial service agreement will allow CSA 26 to repair the existing evacuation road conditions and monitor maintenance responsibilities going forward. This will ensure the road in question meets the concerns from emergency responders and provides a secondary route for residents in the event of a disaster.

State Law

In accordance to State law, a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the Commission (Government Code Section 56133). Additionally, the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

- The entity applying for approval has provided the Commission with documentation of a threat to the health and safety of the public or the affected residents; and
- The Commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the Commission.

Commission Policy

In 2011, the Commission adopted the Extraterritorial Services Policy which outlined regulations for agencies to provide services outside their service and/or sphere boundaries (**Attachment 6**). Under this policy, the Commission limits its extraterritorial service authorizations to public health emergencies and three specific circumstances:

a) Facilities are already in place.

County Service Area 26 provides road maintenance services directly adjacent to the evacuation road.

b) Annexation would not be practical.

The location of the evacuation road is within a parcel that has no accessibility from Hidden Valley Road. The landowner would not benefit from annexation.

c) Cortese-Knox-Hertzberg Act Requirements.

The proposed extraterritorial service agreement meets the statutory criteria outlined in LAFCO law.

Pursuant to the Commission's policy, individual requests for extraterritorial service shall be filed with the Executive Officer on a prescribed application form. The applicant is responsible for paying the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. An application and fee deposit of \$950 was submitted to LAFCO on December 10, 2019.

Stakeholder Meeting

Prior to the application submittal, LAFCO staff participated in a stakeholder meeting with representatives from Assemblymember Stone's Office, Supervisor Leopold's Office, County Public Works, and the community. This meeting allowed the stakeholders to discuss the resident's concerns, highlight the legal requirements under the Cortese-Knox-Hertzberg Act, and clarify the LAFCO process. At the meeting, LAFCO staff provided an outline of the LAFCO process and answered questions. This meeting, spearheaded by Commissioner Leopold, was helpful to clearly articulate the steps needed to address this health and safety issue.

Application Packet

In accordance to LAFCO law and the Commission's adopted policy, this type of application requires several documents. The following section summarizes these items:

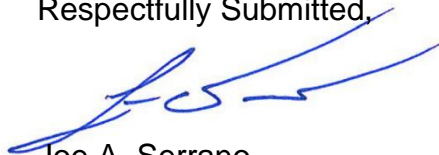
- 1) Application Form** – Commission Policy requires a signed extraterritorial service agreement form. A signed application was submitted on December 10.
- 2) Consent Letter** – Commission Policy requires documentation showing consent from the affected property owner as part of the application. The property owner of APN: 102-021-62 submitted a consent letter on November 27 (refer to **Attachment 7**).
- 3) Health & Safety Issue Letter** – Government Code Section 56133(c) requires documentation of a threat to the health and safety of the public or the affected residents. Cal Fire submitted a formal letter on December 20 (refer to **Attachment 8**).
- 4) Notification to Alternative Service Provider** – Government Code Section 56133(c) requires the Commission to notify any alternative service provider that has filed a map and a statement of its service capabilities with the Commission. LAFCO staff has determined that there are no nearby or alternative service providers for road maintenance.

- 5) **Environmental Document** – Commission Policy indicates that all matters that are reviewable pursuant to environmental regulations are subject to the applicable provisions of the California Environmental Quality Act. County Public Works, as the Lead Agency, is scheduled to record a Notice of Exemption pursuant to State CEQA Guidelines Section 15269(b), “Emergency Projects,” because the project would involve emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare. LAFCO is a CEQA Responsible Agency for this proposed extraterritorial service agreement.
- 6) **Indemnification Agreement** – Commission Policy requires a signed indemnification agreement in the event that a lawsuit is filed against LAFCO’s action. A signed indemnification agreement was submitted on December 18 (refer to **Attachment 9**).
- 7) **Fee Deposit** – Commission Policy requires a fee deposit of \$950 for any proposed extraterritorial service request. A deposit was included with the application packet. Following the completion of the LAFCO process, staff will conduct a cost analysis and refund any remaining funds, if available.

Conclusion

LAFCO typically encourages boundary changes, such as annexations, when there is a request for municipal services. In some cases, annexations are not practical. LAFCO staff evaluated this application and confirmed that the proposed extraterritorial service agreement meets all the requirements under state law and the Commission’s adopted policy. Approval of the extraterritorial service agreement will allow CSA 26 to provide proper governance oversight towards this secondary route that is vital in the event of an emergency evacuation. The terms and conditions outlined in the draft resolution ensure that the secondary route will be used for emergencies only (refer to **Attachment 10**). LAFCO legal counsel has also reviewed the draft resolution with the proposed terms and conditions. Therefore, staff is recommending that the Commission approve the attached resolution.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. CSA 26’s Sphere Map
2. Proposal Area Map
3. 1984 Detachment Map
4. 1985 Emergency Access Road Agreement
5. 2002 Reciprocal Emergency Road Access and Maintenance Agreement
6. Extraterritorial Services Policy
7. Property Owner’s Consent Letter
8. Health & Safety Letters
9. Indemnification Agreement
10. Draft Resolution No. 2020-01

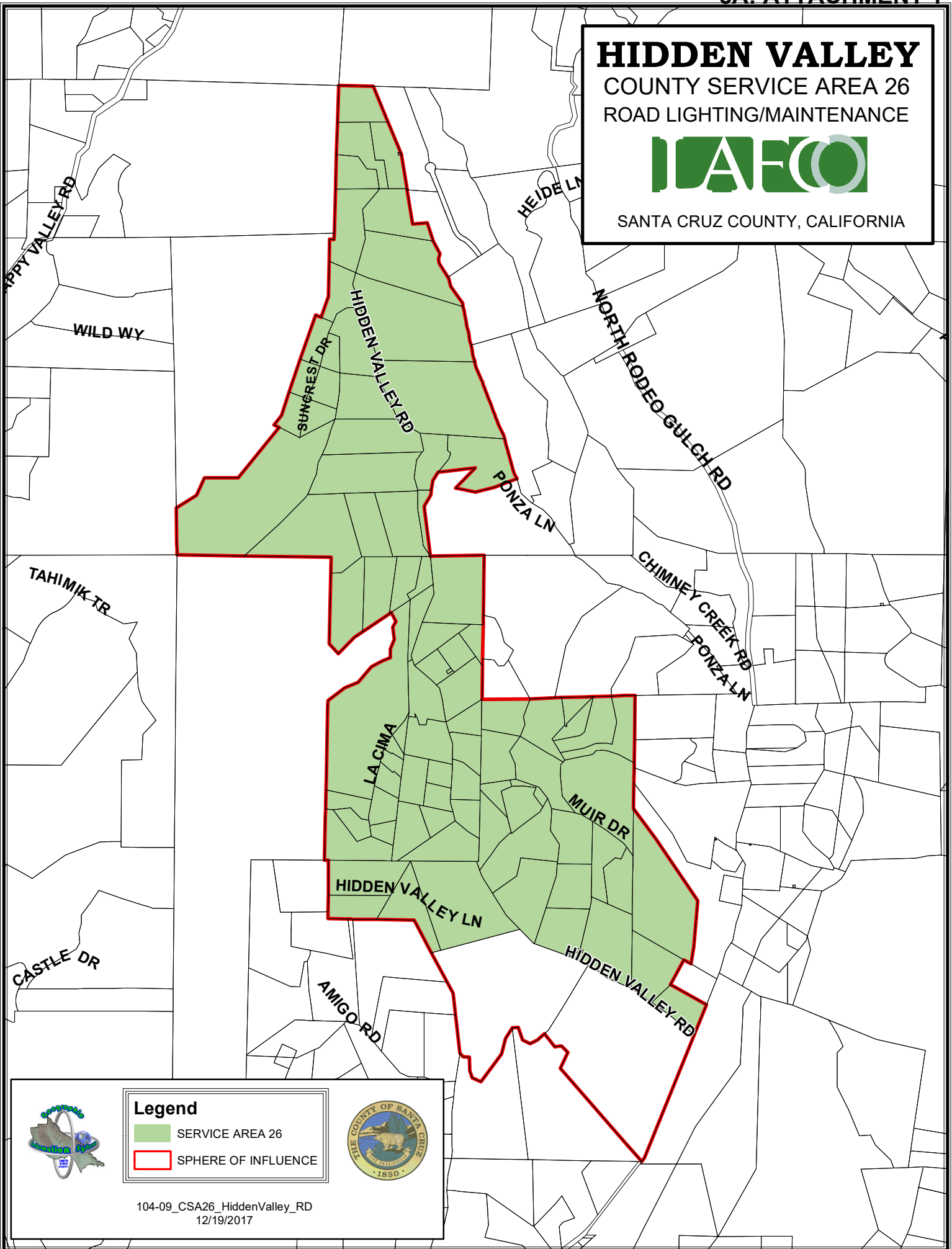
cc: Rachel Bickert (Senator Monning's Office)
Maureen McCarty (Assembly Member Stone's Office)
David Reid (Supervisor Leopold's Office)
Elsa Aguilar (County Public Works)
Matt Machado (County Public Works)
Ian Larkin (Cal Fire)
Steven Hall (Central Fire Protection District)
Jim Gilcrest (County Service Area 26)
Janet Starr (County Service Area 26)
James Tolonen (County Service Area 26)
Brian Rubino (Property Owner; APN: 102-021-62)

HIDDEN VALLEY

COUNTY SERVICE AREA 26
ROAD LIGHTING/MAINTENANCE



SANTA CRUZ COUNTY, CALIFORNIA

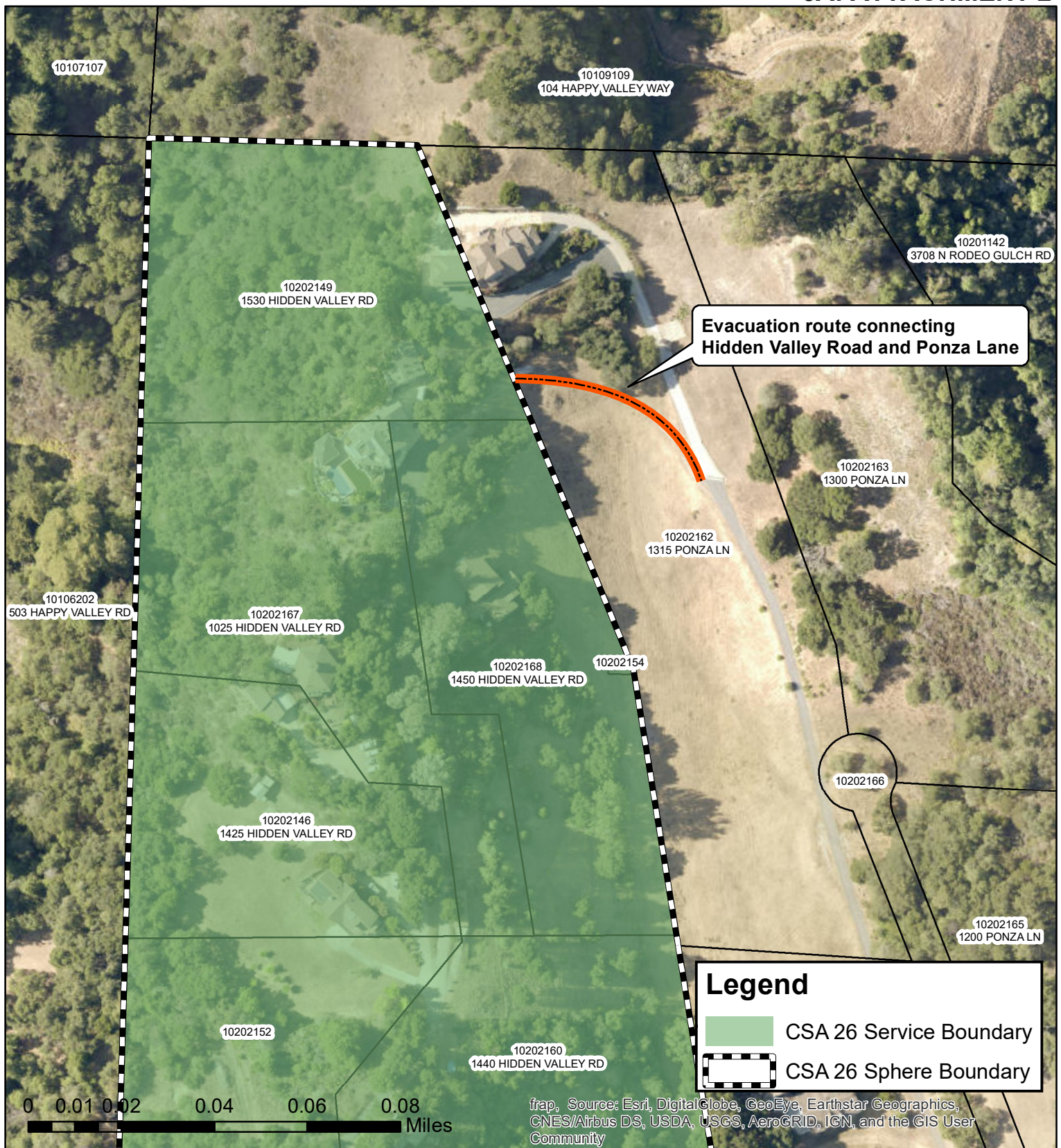


Legend

- SERVICE AREA 26
- SPHERE OF INFLUENCE



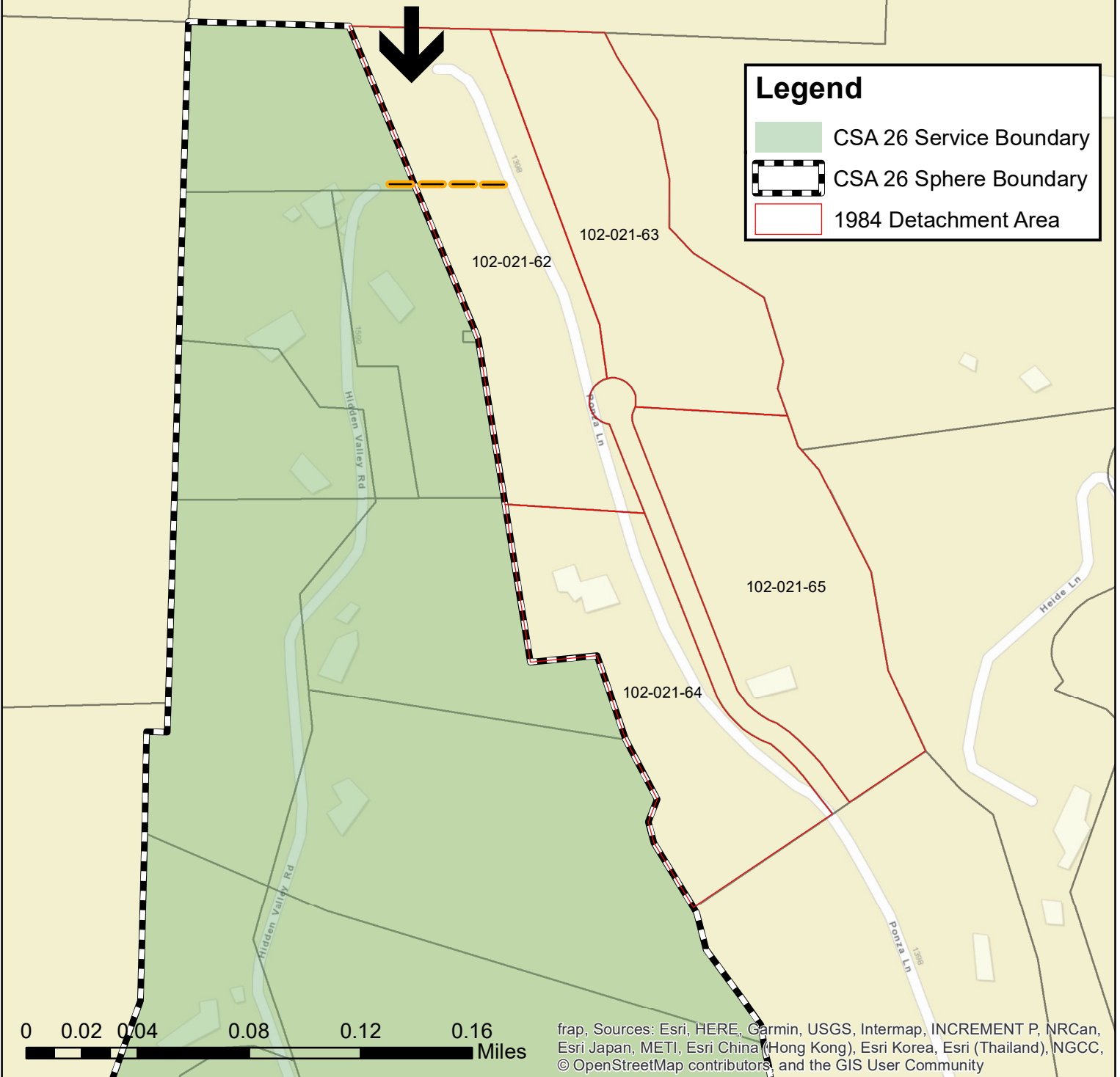
104-09_CSA26_HiddenValley_RD
12/19/2017



**"Hidden Valley Road/Ponza Lane Extraterritorial Service Agreement"
with County Service Area 26
(LAFCO Project No. ESA 20-01)
Vicinity Map**



The gap between Hidden Valley Road and Ponza Lane (shown in the orange hash marks) represents the "evacuation road."



"Hidden Valley Road/Ponza Lane Extraterritorial Service Agreement" **with County Service Area 26** **(LAFCO Project No. ESA 20-01)**



CSA 26 was formed in 1982. The Ponza Lane detachment occurred in 1984. Detachment included a condition to establish an emergency access agreement.

Approved at the Request of
LARRY E. DULMSTRA, Esq.
When Recorded Return To
LARRY E. DULMSTRA, Esq.
2035 North Pacific Avenue
Santa Cruz, CA 95060

EMERGENCY ACCESS ROAD AGREEMENT

5A: ATTACHMENT 4

MAY 28 1985

10:20 AM
RICHARD W. BEDAL, Recorder
SANTA CRUZ COUNTY, Official Records

HIDDEN VALLEY ROAD ASSOCIATION, hereinafter "HIDDEN VALLEY",
and MICHAEL J. PONZA, ALICE M. PONZA, ANTHONY R. PONZA, VIOLET J.
PONZA, LAVON D. PONZA, and ERNEST MARENGHI, Trustee under the Will
of EDWARD GEORGE PONZA, Deceased, hereinafter "PONZA LANE RESIDENTS"
in consideration of the mutual promises and covenants herein con-
tained, agree as follows:

1. The PONZA LANE RESIDENTS have the right to use Hidden Valley Road for emergency access.
2. The members of HIDDEN VALLEY ROAD ASSOCIATION have the right to use Ponza Lane for emergency access.
3. The maintenance of the recorded easement granted by JACK PAUL and JOHN MCBAIN shall be by the grantors.
4. The emergency access granted herein is for police, fire, ambulance, and other public emergency vehicles only.
5. This agreement shall be binding upon and inure to the benefit of the heirs, executives, administrators, successors, and assigns of the respective parties hereto.

DATED 5-21-85

5/21-85

5/24/85

5/22/85

5/22/85

5/22/85

5/22/85

HIDDEN VALLEY ROAD ASSOCIATION by

Robert J. Hedrick
ROBERT J. HEDRICK, President

Michael J. Ponza
MICHAEL J. PONZA

Alice M. Ponza
ALICE M. PONZA

Anthony R. Ponza
ANTHONY R. PONZA

Violet J. Ponza
VIOLET J. PONZA

Lavon D. Ponza
LAVON D. PONZA

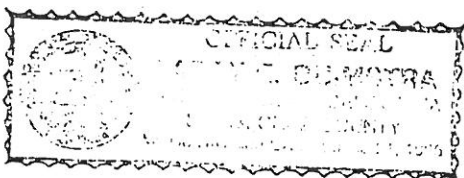
Ernest Marengi
ERNEST MARENGHI, Trustee under the Will
of EDWARD GEORGE PONZA, Deceased

4/3/85

STATE OF CALIFORNIA)
)
County of Santa Cruz)

On this 22 day of May, 1985, before me, LARRY E. DUIMSTRA
a Notary Public in and for said County and State, residing therein, duly commissioned and
sworn, personally appeared LaVon D. Ponza
proved to me on the basis of satisfactory evidence or personally known to me to be the
person whose name is subscribed to the within instrument, and acknowledged to me that
she executed the same.

IN WITNESS WHEREOF, I have heretunto set my hand and affixed my official seal
the day and year in this Certificate first above written.

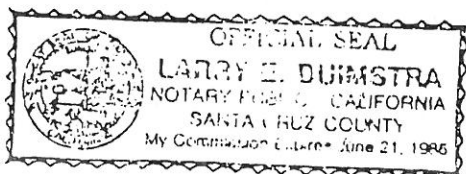


Larry E. Duimstra
NOTARY PUBLIC for the State of California
My Commission Expires: 6/21/85

STATE OF CALIFORNIA)
)
County of Santa Cruz)

On this 22 day of May, 1985, before me, LARRY E. DUIMSTRA
a Notary Public in and for said County and State, residing therein, duly commissioned
sworn, personally appeared ERNEST MARENGHI, Trustee under the Will of EDWARD
GEORGE PONZA, Deceased
proved to me on the basis of satisfactory evidence or personally known to me to be the
person whose name is subscribed to the within instrument, and acknowledged to me
he executed the same.

IN WITNESS WHEREOF, I have heretunto set my hand and affixed my official seal
the day and year in this Certificate first above written.



Larry E. Duimstra
NOTARY PUBLIC for the State of California
My Commission Expires: _____

2002-0054963

Recorded	REC FEE	58.00
Official Records	CC CONF	.00
County Of	CC CONF	.00
SANTA CRUZ	CC CONF	.00
RICHARD W. BEDAL	INDEXIN	1.00
Recorder	PENALTY	54.00

01:18PM 02-Aug-2002 LAH Page 1 of 18

Recording requested by:

Timothy J. Morgan, Esq.

When recorded mail to:

Michael Ponza

2610 Rodeo Gulch Road
Soquel, CA 95073

And Jim Tolonen
1350 Hidden Valley Dr
Soquel, CA 95073

RECIPROCAL EMERGENCY ROAD ACCESS AND MAINTENANCE AGREEMENT

Preamble and Recitals

This Agreement is entered into on the date hereinafter set forth by and between JAMES R. TOLONEN AND GINGER TOLONEN, TRUSTEES OF THE TOLONEN FAMILY TRUST DATED 9/26/1996, hereinafter referred to as "Party of the First Part," and MICHAEL J. PONZA AND ALICE N. PONZA, TRUSTEES OF THE MICHAEL J. PONZA AND ALICE M. PONZA 1994 REVOCABLE TRUST UNDER INSTRUMENT DATED 11/4/94; VIOLET J. PONZA, TRUSTEE OF THE VIOLET J. PONZA 2000 REVOCABLE TRUST UNDER INSTRUMENT DATED DECEMBER 21, 2000; ROY A. SEGHEITTI AND SHARON A. SEGHEITTI, HUSBAND AND WIFE, AS COMMUNITY PROPERTY; and DAVID CHAPATTE AND DIANE CHAPATTE, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP, hereinafter collectively referred to as "Party of the Second Part."

A. Party of the First Part is the owner of certain real property situated in an unincorporated area of Santa Cruz County, California (hereafter referred to as "Parcel 1"), and more particularly described in Exhibit A, which is attached to this Agreement and hereby incorporated by reference.

B. Party of the Second Part, collectively, is the owner of certain real property situated in an unincorporated area of Santa Cruz County, California (hereinafter referred to as "Parcel 2"), and more particularly described in Exhibit B, which is attached to this Agreement and hereby incorporated by reference.

C. Party of the First Part desires to acquire certain rights in that part of Parcel 2 more particularly described in Exhibit C, which is attached to this Agreement and hereby incorporated by reference.

D. Party of the Second Part desires to acquire certain rights in that part of Parcel 1 more particularly described in Exhibit D, which is attached to this Agreement and hereby incorporated by reference.

Jim

Grant of Easement

1. Party of the First Part grants to Party of the Second Part an easement for emergency access over the road described in Exhibit D. Party of the Second Part grants to Party of the First Part an easement for emergency access over the road described in Exhibit C.

Character of Easement

2. The easement granted to the Party of the Second Part is appurtenant to the lands described in Exhibit B. The easement granted to the Party of the First Part is appurtenant to the lands described in Exhibit A.

Description of Easement

3. The easements granted in this Agreement are for ingress and egress for emergency vehicles and for emergency purposes only. A crash gate, or other alternative blockade to prohibit vehicular and motorcycle access, shall be maintained on the property line between Parcel 1 and Parcel 2 to limit access for emergency vehicles and emergency use only. For purposes of this Agreement, "emergency" shall mean a sudden unexpected occurrence involving a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.

Maintenance of Easement

4. The Party of the First Part shall maintain the easement described in Exhibit D in good repair in an "all weather" condition, with no contribution required from Party of the Second Part. The Party of the Second Part shall maintain the easement described in Exhibit C in good repair in an "all weather" condition, with no contribution required from Party of the First Part. The parties jointly shall maintain the crash gate between Parcel 1 and Parcel 2.

Binding Effect

5. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties to this Agreement.

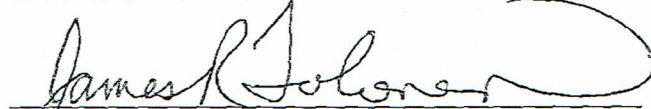
Execution in Counterparts

6. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.


Dated: July 29, 2002.

ART

PARTY OF THE FIRST PART:



James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996



Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

PARTY OF THE SECOND PART:

Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

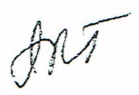
Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000

Roy A. Seghetti

Sharon A. Seghetti

David Chapatte

Diane Chapatte



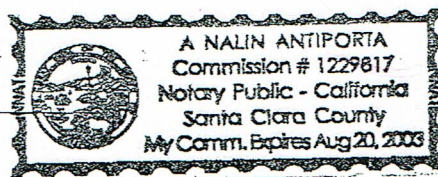
Acknowledgment

State of California)
County of Santa Cruz *CARRA*) ss
ma)

On July 24, 2002, before me, the undersigned, a Notary Public, personally appeared JAMES R. TOLONEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature



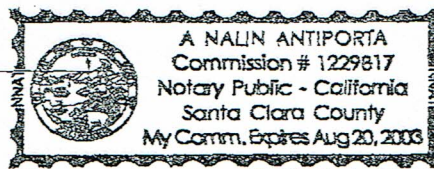
Acknowledgment

State of California)
County of Santa Cruz) ss
CLARA)
Cruz)

On July 29, 2002, before me, the undersigned, a Notary Public, personally appeared VERONICA E. CRAWFORD TOWNEN ANA GINGER TOWNEN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____




PARTY OF THE FIRST PART:


James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996

Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

PARTY OF THE SECOND PART:



Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94



Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000

Roy A. Seghetti

Sharon A. Seghetti

David Chapatte

Diane Chapatte

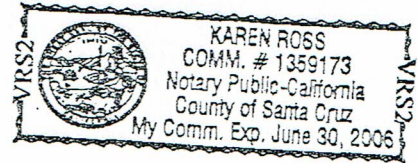
Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 11th, 2002, before me, the undersigned, a Notary Public, personally appeared Michael J. Ponza & Alice M. Ponza, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On _____, 2002, before me, the undersigned, a Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Grant of Easement

1. Party of the First Part grants to Party of the Second Part an easement for emergency access over the road described in Exhibit D. Party of the Second Part grants to Party of the First Part an easement for emergency access over the road described in Exhibit C.

Character of Easement

2. The easement granted to the Party of the Second Part is appurtenant to the lands described in Exhibit B. The easement granted to the Party of the First Part is appurtenant to the lands described in Exhibit A.

Description of Easement

3. The easements granted in this Agreement are for ingress and egress for emergency vehicles and for emergency purposes only. A crash gate, or other alternative blockade to prohibit vehicular and motorcycle access, shall be maintained on the property line between Parcel 1 and Parcel 2 to limit access for emergency vehicles and emergency use only. For purposes of this Agreement, "emergency" shall mean a sudden unexpected occurrence involving a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.

Maintenance of Easement

4. The Party of the First Part shall maintain the easement described in Exhibit D in good repair in an "all weather" condition, with no contribution required from Party of the Second Part. The Party of the Second Part shall maintain the easement described in Exhibit C in good repair in an "all weather" condition, with no contribution required from Party of the First Part. The parties jointly shall maintain the crash gate between Parcel 1 and Parcel 2.

Binding Effect

5. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties to this Agreement.

Execution in Counterparts

6. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Dated: July 11, 2002.

Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee
Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000

X

2

**Acknowledgment**

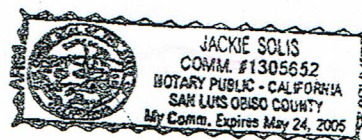
State of California

San Luis Obispo) ss
County of Santa Cruz)

On 7-11-02, 2002, before me, the undersigned, a Notary Public, personally appeared Violet J. Ponzo, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

**Acknowledgment**

State of California)

County of Santa Cruz)

On _____, 2002, before me, the undersigned, a Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

PARTY OF THE FIRST PART:

James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996

Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

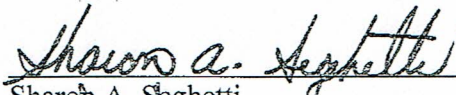
PARTY OF THE SECOND PART:

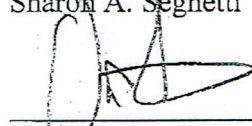
Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000


Roy A. Seghetti


Sharon A. Seghetti


David Chapatte


Diane Chapatte

Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 17, 2002, before me, the undersigned, a Notary Public, personally appeared Roy H. Sigheetti, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Betty L. Morgan



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 17, 2002, before me, the undersigned, a Notary Public, personally appeared Sharon A. Sigheetti, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Betty L. Morgan



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On 7/16, 2002, before me, the undersigned, a Notary Public, personally appeared David Chopette, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On 7/16/, 2002, before me, the undersigned, a Notary Public, personally appeared Diane Chopette, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]



EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEING ALL OF PARCEL C, AS THE SAME IS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD JULY 16, 1971 IN VOLUME 3 OF PARCEL MAPS. PAGE 41, SANTA CRUZ COUNTY RECORDS.

PARCEL TWO:

A NON-EXCLUSIVE RIGHT OF WAY, APPURTENANT TO PARCEL ONE, FOR INGRESS AND EGRESS AND UTILITY PURPOSES OVER THAT CERTAIN RIGHT OF WAY 40 FEET IN WIDTH AS SHOWN UPON SAID MAP.

PARCEL THREE:

THOSE CERTAIN RIGHTS OF WAY, APPURTENANT TO PARCEL ONE, AS SET OUT AND GRANTED AS PARCELS 3 AND 4 IN THE DEED TO HENRY E. LASHER, ET UX., RECORDED DECEMBER 3, 1970 IN VOLUME 2058, PAGE 32, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FOUR:

THAT CERTAIN RIGHT OF WAY, APPURTENANT TO PARCEL ONE, AS GRANTED IN THE DEED TO HENRY E. LASHER, ET UX., RECORDED JULY 12, 1971 IN VOLUME 2111, PAGE 141, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FIVE:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, APPURTENANT TO PARCEL ONE, OVER A STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL D, AS THE SAME IS SHOWN ON VOLUME 3 OF PARCEL MAPS, AT PAGE 41 AND RUNNING THENCE NORTH 88° 30' EAST 20.18 FEET TO A POINT; THENCE RUNNING NORTH 9° 04' WEST 65.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING NORTH 12° 48' EAST 26.93 FEET TO A POINT; THENCE NORTH 9° WEST 135.00 FEET TO A POINT; THENCE NORTH 14° 36' WEST 102.48 FEET TO A POINT; THENCE RUNNING SOUTH 9° 04' EAST TO THE TRUE POINT OF BEGINNING, AS GRANTED IN THE DEED FROM JAMES M. BREMNER, ET UX., TO JOHN C. ANANE-SEFAH, ET UX., RECORDED JANUARY 10, 1978, IN VOLUME 2859, PAGE 737, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

EXHIBIT "A" - continued

PARCEL SIX:

**AN EASEMENT FOR ROAD AND UTILITY PURPOSES, APPURTENANT TO PARCEL ONE,
OVER A STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE NORTHWESTERLY CORNER OF PARCEL D, AS THE SAME IS SHOWN
IN VOLUME 3 OF PARCEL MAPS, PAGE 41, RUNNING THENCE NORTH 88° 30' EAST 20.18
FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING SOUTH 9° 04' EAST 184.53
FEET TO A POINT; THENCE NORTH 7° 14' 30" EAST 185.09 FEET TO A POINT; THENCE
SOUTH 88° 30' WEST 52.22 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING,
AS GRANTED IN THE DEED FROM JAMES M. BREMNER, ET UX., TO JOHN C. ANANE-
SEFAH, ET UX., RECORDED JANUARY 10, 1978, IN VOLUME 2859, PAGE 737, OFFICIAL
RECORDS OF SANTA CRUZ COUNTY.**

APN: 102-021-49 (PARCEL ONE)

JCT

EXHIBIT "B"

The land referred to herein is described as follows:

I

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel A, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-62

II

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel B, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-63

III

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel C, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-64

IV

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel D, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-65

V

SITUATE in the County of Santa Cruz, State of California, and described as follows:

A 40 foot wide right of way for road and utility purposes, as shown on that record of survey map, filed in Volume 50 of Maps at Page 50 in the office of the Santa Cruz County Recorder, that leads in a southern direction from the southern boundary of the herein described parcels to the southern boundary of Section 28 T. 10 S. R. 1 West.

VI

SITUATE in the County of Santa Cruz, State of California, and described as follows:

A right of way over the road traveled that leads from the southern terminus of the above described 40 foot right of way in a southeastern direction along the west bank of Chimney Creek to the Rodeo Gulch County Road.

frt

EXHIBIT "C"

SITUATE in the County of Santa Cruz, State of California, and

BEING an easement 12 feet in width (and designated "Emergency Access Easement") over a portion of Parcel A of that certain Parcel Map recorded in Volume 41 of Parcel Maps, at Page 5, in the office of the Santa Cruz County Recorder;

TOGETHER WITH an easement over the existing road, designated as "Ponza Lane," on that certain Parcel Map recorded in Volume 41 of Parcel Maps, at Page 5, in the office of the Santa Cruz County Recorder;

TOGETHER WITH a 40 foot wide right of way for road and utility purposes, as shown on said record of survey map, filed in Volume 50 of Maps at Page 50 in the office of the Santa Cruz County Recorder, that leads in a southern direction from the southern boundary of the herein described parcels to the southern boundary of Section 28 T. 10 S. R. 1 West;

TOGETHER WITH a right of way over the road traveled that leads from the southern terminus of the above described 40 foot right of way in a southeastern direction along the west bank of Chimney Creek to the Rodeo Gulch County Road.

EXHIBIT "D"

SITUATE in the County of Santa Cruz, State of California, and

BEING an easement 12 feet in width, for emergency access, over a portion of Parcel C of that certain Parcel Map recorded in Volume 3 of Parcel Maps, at Page 41, in the office of the Santa Cruz County Recorder, the centerline of which is described as follows:

BEGINNING at a point on the common boundary between said Parcel C and the lands conveyed to Michael J. Ponza and Alice M. Ponza as described in grant deed recorded in Volume 5607, at Page 895 of the Official Records of Santa Cruz County, from which a spike in the South face of a 14" Oak tree (on said common boundary, as shown on said parcel map) bears, North 24° 15' West, 122.49 feet distant, and from which a ½" iron pipe, tagged LS 2678 at an angle point in said boundary of the lands of Ponza bears, South 24° 15' East, 406.86 feet distant; thence from said point of beginning the following courses and distances:

1. Leaving said boundary, South 54° 32' West, 45.46 feet to a point; thence
2. South 29° 15' West, 24.43 feet to a point; thence
3. South 0° 58' East, 49.66 feet to a point on the southern boundary of said Parcel C, from which a ½" iron pipe, tagged LS 3293 bears South 88° 27' 10" West, 37.10 feet distant, and an ½" iron pipe, tagged LS 3293 bears North 88° 27' 10" East, 90.90 feet distant.

Sidelines of above-described easement to be lengthened or shortened so as to intersect with said common boundary of Parcel C and the lands of Ponza, and said southerly boundary of Parcel C.

Description prepared by Robert L. DeWitt and Associates, Inc., Civil Engineers and Land Surveyors, on April 9, 2002.

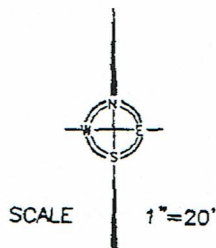
APN: 102-021-49 (Portion)

FD. SPIKE IN SOUTH
SIDE OF 14" OAK.

MACDONALD
APN 102-021-49
PARCEL C, 3-PM-41
(PARCEL 1, 2000-0021669)

POINT OF BEGINNING
LEGAL DESCRIPTION

PONZA
APN 102-021-62
PARCEL A, 41-PM-5
(5607-OR-895)



SCALE

1"=20'

12' EASEMENT

FD. 1/2" I.P.,
TAGGED LS 3293

N 88°27'10" E

37.10
(N 88°30' E 52.22)

N 88°27'10" E
14.95

N 88°27'10" E 75.95
(N 88°30' E 76.67)

FD. 1/2" I.P., TAGGED LS 3293,
BEARS N 1°32'50" W, 0.17 FEET.

ROAD & UTILITY EASEMENT
(PARCEL 6, 2000-0021669)

VELTROP
APN 102-021-68
PARCEL D, 3-PM-41
(1997-0013472)

FD. 1/2" I.P.,
TAGGED LS 2678

EXHIBIT MAP

Robert L. DeWitt
& Associates, Inc.

Civil Engineers & Land Surveyors

1607 Ocean Street, Suite 1
Santa Cruz, California. 95060.
(831) 425-1617 TEL
(831) 425-0224 FAX

**POLICIES AND REGULATIONS FOR AGENCIES
TO PROVIDE SERVICES TO PRIVATE PARTIES OUTSIDE
AGENCY BOUNDARIES**

Amended by Resolution 2011-1; February 2, 2011

1) AUTHORITY

These regulations are authorized by Government Code Sections §56375 (i) and (k).

2) PURPOSE

The purpose of these regulations is to explain to the public, cities, and districts the procedures by which the Commission will review requests to authorize a city or district in Santa Cruz County to provide one or more services outside its jurisdictional limits pursuant to Government Code Section §56133.

3) COMMISSION APPROVAL REQUIRED FOR NEW OR EXTENDED SERVICES

Except for the specific situations exempted by Government Code Section §56133, a city or district shall not provide new or extended services to any party outside its jurisdictional boundaries unless it has obtained written approval from the Local Agency Formation Commission.

4) LIST OF PRE-EXISTING SERVICES

Upon adoption of these regulations, the executive Officer shall ask each city and district to provide a list or map of parcels to which it was providing extraterritorial service of the effective date of Government Code Section §56133. The Executive Officer subsequently shall file his report on these extraterritorial services with the Commission. The commission shall consider as a regularly agendized item and vote on confirming the list of “grandfathered” services. After confirmation, the Executive Officer shall maintain the list of “grandfathered” services as public information.

5) AREAWIDE APPROVALS

Upon the initiative of either a public agency or the Commission, the Commission shall consider an areawide approval as a regularly agendaized item and may grant approval for subsequent services to be provided by a city or district within a mapped area as specified by the Commission. The approval may include conditions. The Commission shall specify a time period not greater than ten years for which the areawide approval shall be valid. The Commission may, upon its own initiative or at the request of a public agency, renew with or without amendments, an areawide approval for a period not to exceed ten years.

Before granting an areawide approval, the Commission shall determine that the city or district is able to provide the service in a manner that does not negatively affect the services provided within the agency's boundaries and sphere of influence, and in a manner that does not negatively affect the resources in the area. Also, before granting an areawide approval, the Commission shall determine that the approval is consistent with the requirements of law and LAFCO policies.

6) INDIVIDUAL REQUESTS

Individual requests for extraterritorial service shall be filed with the Executive Officer on a prescribed application form. The applicant shall pay the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. Upon adoption of these regulations, the application deposit is \$500; the deposit may be subsequently changed in future revisions of the Schedule of Fees and Deposits.

The Executive Officer shall not file the application unless the affected public agency has submitted a written endorsement indicating its willingness to provide the service if the Commission approves the request.

The Commission shall consider the request after it has been placed on an agenda of a Commission meeting.

7) ENVIRONMENTAL REVIEW

All matters that are reviewable pursuant to these regulations are subject to the applicable provisions of the California Environmental Quality Act.

8) COMMISSION ACTION

The Executive Officer shall prepare a report and place the request for extraterritorial service on the Commission's agenda. The Commission shall provide an opportunity for any interested individual or party to address it. The Commission may call a subsequent public hearing in order to receive additional public testimony before acting upon a request. The Commission acts on the request by majority vote. Subsequently, the Executive Officer shall notify the applicant in writing of the Commission's action. If the Commission denies a request, a similar application cannot be re-filed for one year unless the Commission grants an exception to this rule.

9) POLICIES

9.1 The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and this Commission's adopted policies to implement that act stress the primacy of spheres of influence in coordinating services and protecting resources. Therefore, the Commission intends to reinforce that the standard manner in which services will be extended is by annexation (and sphere of influence amendment, if necessary). The Commission shall limit its extraterritorial service authorizations to public health emergencies and circumstances where:

- a) Facilities are already in place, and
- b) Annexation would not be practical, and
- c) Extraterritorial service is determined by the Commission to be consistent with the policies adopted in and pursuant to the Cortese-Knox-Hertzberg Act.

9.2 When the Commission authorizes the emergency provision of water or sanitary sewer services via extraterritorial service outside an agency's boundaries, and annexation is practical, the Commission will require annexation to be completed within two years.

9.3 LAFCO recognizes that the water resources of Santa Cruz County are limited, and the Commission's objective is to ensure that its decisions relating to water do not lead to adverse impacts on the natural resources of Santa Cruz County. In reviewing extraterritorial service applications, LAFCO shall be guided by the potential impacts of the proposal on water resources and will consider the efforts of the water agencies and land use agencies to maintain stream and river flows, promote high water quality of surface waters and groundwater, and reduce groundwater overdraft.

5A: ATTACHMENT 7

November 25, 2019

RECEIVED

NOV 27 2019

Santa Cruz LAFCO

Joe Serrano
Executive Director
LAFCO
701 Ocean Street, #318D
Santa Cruz, CA 95060

Subject: Emergency Access for Hidden Valley Road (CSA 26), Soquel

Dear Mr. Serrano,

I am the owner of the property located at 1315 Ponza Lane (APN 10202162) which is the location under consideration for improvement by CSA 26 of the emergency access/egress road.

By this letter I grant permission to CSA 26 to make improvements to the portion of this emergency route from the boundary of CSA 26 to the first intersection with Ponza Lane. All definitions of emergency usage and all maintenance requirements shall remain as defined in the 2002 agreement between James and Ginger Tolonen and the owners of the adjacent Ponza Lane parcels. This is the agreement which was recorded with the County of Santa Cruz on August 2, 2002 (Recorder's Document #2002-0054963).

Sincerely,



Brian Rubino
APN: 10202162
1315 Ponza Lane
Soquel, CA 95073



DEPARTMENT OF FORESTRY AND FIRE PROTECTION

San Mateo Santa Cruz Unit
6059 Hwy 9
P.O. Drawer F-2
Felton Ca. 95018
(831)336-5353
Ian Larkin, Unit Chief
Website: www.fire.ca.gov



RECEIVED

DEC 20 2019

December 18, 2019

Santa Cruz LAFCO

Joe Serrano
Executive Director
LAFCO
701 Ocean Street, #318D
Santa Cruz, CA 95060

Subject: Emergency Access for Hidden Valley Road, (CSA 26), Soquel.

Dear Mr. Serrano,

I have reviewed the connection between Hidden Valley Road and Ponza Lane which is intended as an emergency access for fire fighting equipment and as emergency egress for the area residents. This connection is not currently in usable condition.

This lack of a viable, secondary, emergency access or exit poses a serious concern for the lives and safety of emergency response personnel and the residents of Hidden Valley Road in the event of a wild fire or other type of emergency.

As the State Fire Official for Santa Cruz County, I strongly support the work proposed by the CSA 26 residents to improve this emergency access. Please do what is necessary to allow the use of CSA 26 funds to improve this access. I believe it is clearly for the benefit of CSA 26.

Sincerely,

Ian Larkin
Unit Chief

CAL FIRE

San Mateo Santa Cruz Unit

Cc: John Leopold, County Supervisor District 1
Steve Hall, Fire Chief Central FPD
Mike DeMars, Fire Marshal Central FPD

Santa Cruz Local Agency Formation Commission
 Governmental Center
 701 Ocean St. #318 D
 Santa Cruz CA 95060

APPLICATION NO. **ESA 20-01**TITLE: County Service Area 26, Hidden Valley RoadINDEMNIFICATION AND DEFENSE

The undersigned applicant for the above-referenced application ("Applicant"), as a condition of submission of this application, approval of the application and any subsequent amendment of the approval which is requested by the Applicant, hereby agrees to defend, using counsel reasonably acceptable to the LOCAL AGENCY FORMATION COMMISSION, indemnify, and hold harmless the LOCAL AGENCY FORMATION COMMISSION, its officers, employees, and agents, from and against any claim, demand, damages, costs or liability of any kind (including attorneys' fees) against the LOCAL AGENCY FORMATION COMMISSION arising from or relating to this application or any approval or subsequent amendment to the approval thereof, subject to the conditions set forth below.

A) Notification and Cooperation

- 1) The LOCAL AGENCY FORMATION COMMISSION shall notify the Applicant of any claim, action, or proceeding against which the LOCAL AGENCY FORMATION COMMISSION seeks to be defended, indemnified, or held harmless.
- 2) The LOCAL AGENCY FORMATION COMMISSION shall reasonably cooperate in such defense.

B) Fees and Costs:

Nothing contained herein shall prohibit the LOCAL AGENCY FORMATION COMMISSION from participating in the defense of any claim, action, or proceeding if either of the following occur:

- 1) The LOCAL AGENCY FORMATION COMMISSION bears its own attorneys' fees and costs;
- OR
- 2) The LOCAL AGENCY FORMATION COMMISSION and the Applicant agree in writing to the Applicant paying part or all of the Commission's attorneys' fees and costs.

C) Settlement:

- 1) When representing the LOCAL AGENCY FORMATION COMMISSION, the Applicant shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the approval without the prior written consent of the LOCAL AGENCY FORMATION COMMISSION.

D) Successors Bound:

The obligations of the Applicant under this Indemnity and Defense agreement are specifically associated with and shall run with the land that is the subject of the application and/or approval and shall be binding upon the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant in the land.

E) Recordation:

At any time after submission of the application, the LOCAL AGENCY FORMATION COMMISSION may, at its sole option, record in the office of the Santa Cruz County Recorder a memorandum of agreement which incorporates the provisions of this condition, or this approval shall become null and void.

(Signature of LAFCO Executive Officer)

Joe Serrano
 (Printed Name)

12/23/19
 (Date)

(Signature of Applicant)

by James Tolonen and by Jim Gierke
 (Printed Name)

Dec 18, 2019
 (Date)

Revised 4/2/15

LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY
RESOLUTION NO. 2020-01

On the motion of Commissioner
duly seconded by Commissioner
the following resolution is adopted:

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
APPROVING THE HIDDEN VALLEY ROAD/PONZA LANE EXTRATERRITORIAL
SERVICE AGREEMENT WITH COUNTY SERVICE AREA 26
(LAFCO PROJECT NO. ESA 20-01)

WHEREAS, an application for an extraterritorial service agreement involving a single parcel (APN 102-021-62) (the “proposal”) was submitted and accepted for filing by the Executive Officer of this Local Agency Formation Commission (“LAFCO” or “Commission”); and

WHEREAS, in August 1982, the subject parcel of the proposed extraterritorial service agreement was originally within County Service Area 26 (“CSA 26”) during its formation; and

WHEREAS, in March 1984, the area of the proposed extraterritorial service agreement was detached after determining that the subject parcel was not accessible through Hidden Valley Road, the primary road in CSA 26; and

WHEREAS, the Commission required that the landowner of the subject parcel establish an emergency access road agreement, involving an evacuation route between Hidden Valley Road and Ponza Lane, with the Hidden Valley Association as part of the 1984 detachment; and

WHEREAS, in May 1985, an emergency access road agreement between the property owner of the subject parcel and the Hidden Valley Association was established, as depicted in **Exhibit A**; and

WHEREAS, in August 2002, a supplemental reciprocal emergency road access and maintenance agreement was enacted between the property owners of both ends of the evacuation road to establish an easement for road and utility purposes, as depicted in **Exhibit B**; and

WHEREAS, in October 2019, residents from CSA 26 voiced their concerns about the conditions of the evacuation road between Hidden Valley Road and Ponza Lane with LAFCO staff; and

WHEREAS, in November 2019, a joint meeting between representatives from Assemblymember Stone's Office, Supervisor Leopold's Office, County Public Works, LAFCO, and the community met to discuss the issues with the existing evacuation road and how an extraterritorial service agreement may be a possible solution; and

WHEREAS, the property owner subject to the proposed extraterritorial service agreement submitted a letter of consent and support on November 27, 2019; and

WHEREAS, in accordance to Government Code Section 56133, a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the Commission; and

WHEREAS, in accordance to Government Code Section 56133(c), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

- The entity applying for approval has provided the Commission with documentation of a threat to the health and safety of the public or the affected residents, and
- The Commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the Commission.

WHEREAS, Cal Fire and Central Fire Protection District determined that the lack of viable, secondary, emergency access or exit poses a serious concern for the lives and safety of emergency response personnel and the residents of Hidden Valley Road in the event of a wildfire or other type of emergency; and

WHEREAS, the Executive Officer determined there are no alternate service providers of road maintenance near the subject territory; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56133 and the Commission's Extraterritorial Services Policy, determined that the proposal met the statutory requirements and set January 8, 2020, as the hearing date on this proposal and provided public notice as required by law; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission, on January 8, 2020, heard from interested parties and considered the proposal and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal.

NOW, THEREFORE, the Local Agency Formation Commission of Santa Cruz County does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. Compliance with the California Environmental Quality Act (CEQA) has been met by a statutory exemption pursuant to State CEQA Guidelines Section 15269(b), "Emergency Projects," because the project would involve emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare. LAFCO is a CEQA Responsible Agency for this proposal. Prior to recordation of the Certificate of Completion, a Notice of Exemption shall be prepared and recorded by the County Public Works Department, as the CEQA Lead Agency.

Section 3. The Commission considered the requirements set forth for extraterritorial services in the Cortese-Knox-Hertzberg Act, Government Code Section 56133, and found the proposal to be consistent with those requirements as outlined below:

- a) Health & Safety Issue: Government Code Section 56133(c) requires documentation of a threat to the health and safety of the public or the affected residents. Cal Fire and Central Fire Protection District indicated that the evacuation road's current condition poses a serious health and safety issue. The concerns by Cal Fire were outlined in formal letter received on December 20, 2019.
- b) Notification to Alternative Service Provider: Government Code Section 56133(c) requires the Commission to notify any alternative service provider that has filed a map and a statement of its service capabilities with the Commission. LAFCO staff has determined that there are no nearby or alternative service providers for road maintenance.

Section 4. The Commission determined that the proposal is consistent with the Policies and Procedures Relating to Extraterritorial Services as outlined below:

- a) Agency Endorsement: The Executive Officer shall not file the application unless the affected public agency has submitted a written endorsement indicating its willingness to provide the service if the Commission approves the request. County Public Works, on behalf of CSA 26, is the applicant of this proposal and has expressed support throughout the LAFCO process.
- b) Fee Deposit: The applicant shall pay the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. County Service Area 26 submitted a fee deposit of \$950 as part of the application packet.
- c) Commission Hearing: The Commission shall consider the request after it has been placed on an agenda of a Commission meeting. After deeming the proposal complete, the Executive Officer advertised the proposal in the Santa Cruz Sentinel newspaper on December 17, 2019, and scheduled the proposal for Commission consideration on January 8, 2020.

Section 5. The Commission determined that there are two emergency road access agreements currently active: the 1985 Emergency Access Road Agreement (referred to as the “1985 Agreement”) and the 2002 Reciprocal Emergency Road Access and Maintenance Agreement (referred to as the “2002 Agreement”). Upon recordation of the Certificate of Completion, the following will occur:

- The 1985 Agreement shall remain in place and comply with the findings outlined in Section 6 of this resolution; and
- The 2002 Agreement, and all its terms and conditions, shall remain in place and comply with the findings outlined in Section 6 of this resolution.

Section 6. The Commission determined that there is a health and safety need to maintain an evacuation road in the event of an emergency. Upon recordation of the Certificate of Completion, County Service Area 26 will make repairs as necessary to the evacuation road between Hidden Valley Road and Ponza Lane. Following completion of those repairs, future maintenance will continue to follow the conditions set forth in the 2002 Agreement for the evacuation road and its associated easements, as depicted in **Exhibits C and D**. This resolution, upon recordation, sets the following conditions:

- Hidden Valley Road residents have the right to use this evacuation road for emergency access only, as outlined in the 1985 Agreement;
- Ponza Lane residents have the right to use this evacuation road for emergency access only, as outlined in the 1985 Agreement;
- The maintenance of the evacuation road will follow the conditions outlined in the 2002 Agreement;
- County Service Area 26, upon recordation of the Certificate of Completion, will have the ability to fund improvements to the evacuation road; and
- Funding for all future maintenance and repair of the evacuation road and its associated easements will be in accordance with the conditions under the 2002 Agreement. If County Service Area 26 exercises its right towards maintenance of the evacuation road and its easements after completion of the initial repairs, funding in such case would be the responsibility of County Service Area 26 or will be shared with the parties identified in the 2002 Agreement.

Section 7. The applicant shall agree, as a condition of the approval of the application for an extraterritorial service agreement, to be bound by the LAFCO Indemnification and Defense Form signed on December 18, 2019.

Section 8. The Certificate of Completion for the extraterritorial service agreement shall not be issued until all terms and conditions are met.

Section 9. The proposed extraterritorial service agreement shall be effective as of the date of recordation of the Certificate of Completion.

Section 10. The Commission shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration. If the Commission denies a request, a similar application cannot be re-filed for one year unless the Commission grants an exception to this rule.

Section 11. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Government Code Section 56882.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this 8th day of January 2020.

AYES:

NOES:

ABSENT:

JAMES W. ANDERSON, CHAIRPERSON

Attest:

Joe A. Serrano
Executive Officer

Approved as to form:

Daniel H. Zazueta
LAFCO Counsel

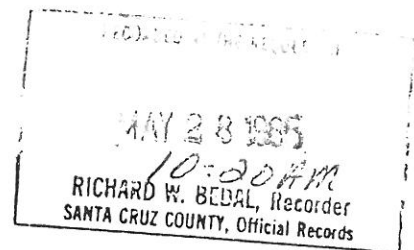
EXHIBIT A

1985 EMERGENCY ACCESS ROAD AGREEMENT

DRAFT

Recorded at the Request of
LARRY E. DUMSTRA, Esq.
When Recorded Return To
LARRY E. DUMSTRA, Esq.
2035 North Pacific Avenue
Santa Cruz, CA 95060

EMERGENCY ACCESS ROAD AGREEMENT



HIDDEN VALLEY ROAD ASSOCIATION, hereinafter "HIDDEN VALLEY",
and MICHAEL J. PONZA, ALICE M. PONZA, ANTHONY R. PONZA, VIOLET J.
PONZA, LAVON D. PONZA, and ERNEST MARENGHI, Trustee under the Will
of EDWARD GEORGE PONZA, Deceased, hereinafter "PONZA LANE RESIDENTS"
in consideration of the mutual promises and covenants herein con-
tained, agree as follows:

1. The PONZA LANE RESIDENTS have the right to use Hidden
Valley Road for emergency access.

2. The members of HIDDEN VALLEY ROAD ASSOCIATION have the
right to use Ponza Lane for emergency access.

3. The maintenance of the recorded easement granted by JACK
PAUL and JOHN McBAIN shall be by the grantors.

4. The emergency access granted herein is for police, fire,
ambulance, and other public emergency vehicles only.

5. This agreement shall be binding upon and inure to the
benefit of the heirs, executives, administrators, successors, and
assigns of the respective parties hereto.

DATED 5-21-85

5/21-85

5/24/85

5/22/85

5/22/85

5/22/85

5/22/85

HIDDEN VALLEY ROAD ASSOCIATION by

Robert J. Hedrick
ROBERT J. HEDRICK, President

Michael J. Ponza
MICHAEL J. PONZA

Alice M. Ponza
ALICE M. PONZA

Anthony R. Ponza
ANTHONY R. PONZA

Violet J. Ponza
VIOLET J. PONZA

Lavon D. Ponza
LAVON D. PONZA

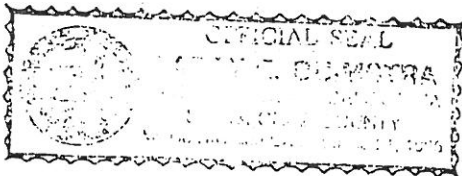
Ernest Marengi
ERNEST MARENGHI, Trustee under the Will
of EDWARD GEORGE PONZA, Deceased

4/3/91

STATE OF CALIFORNIA)
)
County of Santa Cruz)

On this 22 day of May, 1985, before me, LARRY E. DUIMSTRA
a Notary Public in and for said County and State, residing therein, duly commissioned and
sworn, personally appeared LaVon D. Ponza
proved to me on the basis of satisfactory evidence or personally known to me to be the
person whose name is subscribed to the within instrument, and acknowledged to me that
she executed the same.

IN WITNESS WHEREOF, I have heretunto set my hand and affixed my official seal
the day and year in this Certificate first above written.

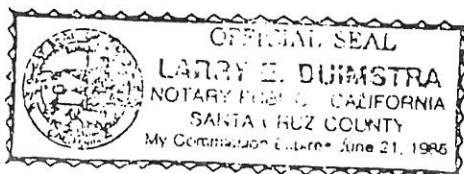


Larry E. Duimstra
NOTARY PUBLIC for the State of California
My Commission Expires: 6/21/85

STATE OF CALIFORNIA)
)
County of Santa Cruz)

On this 22 day of May, 1985, before me, LARRY E. DUIMSTRA
a Notary Public in and for said County and State, residing therein, duly commissioned
sworn, personally appeared ERNEST MARENGHI, Trustee under the Will of EDWARD
GEORGE PONZA, Deceased
proved to me on the basis of satisfactory evidence or personally known to me to be the
person whose name is subscribed to the within instrument, and acknowledged to me
he executed the same.

IN WITNESS WHEREOF, I have heretunto set my hand and affixed my official seal
the day and year in this Certificate first above written.



Larry E. Duimstra
NOTARY PUBLIC for the State of California
My Commission Expires: _____

26

EXHIBIT B

2002 RECIPROCAL EMERGENCY ROAD ACCESS AND MAINTENANCE AGREEMENT

DRAFT



2002-0054963

Recorded	REC FEE	58.00
Official Records	CC CONF	.00
County Of	CC CONF	.00
SANTA CRUZ	CC CONF	.00
RICHARD W. BEDAL	INDEXIN	1.00
Recorder	PENALTY	54.00

01:18PM 02-Aug-2002 LAH Page 1 of 18

Recording requested by:

Timothy J. Morgan, Esq.

When recorded mail to:

Michael Ponza
2610 Rodeo Gulch Road
Soquel, CA 95073

And Jim Tolonen
1350 Hidden Valley Dr
Soquel, CA 95073

RECIPROCAL EMERGENCY ROAD ACCESS AND MAINTENANCE AGREEMENT

Preamble and Recitals

This Agreement is entered into on the date hereinafter set forth by and between JAMES R. TOLONEN AND GINGER TOLONEN, TRUSTEES OF THE TOLONEN FAMILY TRUST DATED 9/26/1996, hereinafter referred to as "Party of the First Part," and MICHAEL J. PONZA AND ALICE N. PONZA, TRUSTEES OF THE MICHAEL J. PONZA AND ALICE M. PONZA 1994 REVOCABLE TRUST UNDER INSTRUMENT DATED 11/4/94; VIOLET J. PONZA, TRUSTEE OF THE VIOLET J. PONZA 2000 REVOCABLE TRUST UNDER INSTRUMENT DATED DECEMBER 21, 2000; ROY A. SEGHELLI AND SHARON A. SEGHELLI, HUSBAND AND WIFE, AS COMMUNITY PROPERTY; and DAVID CHAPATTE AND DIANE CHAPATTE, HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP, hereinafter collectively referred to as "Party of the Second Part."

A. Party of the First Part is the owner of certain real property situated in an unincorporated area of Santa Cruz County, California (hereafter referred to as "Parcel 1"), and more particularly described in Exhibit A, which is attached to this Agreement and hereby incorporated by reference.

B. Party of the Second Part, collectively, is the owner of certain real property situated in an unincorporated area of Santa Cruz County, California (hereinafter referred to as "Parcel 2"), and more particularly described in Exhibit B, which is attached to this Agreement and hereby incorporated by reference.

C. Party of the First Part desires to acquire certain rights in that part of Parcel 2 more particularly described in Exhibit C, which is attached to this Agreement and hereby incorporated by reference.

D. Party of the Second Part desires to acquire certain rights in that part of Parcel 1 more particularly described in Exhibit D, which is attached to this Agreement and hereby incorporated by reference.

Grant of Easement

1. Party of the First Part grants to Party of the Second Part an easement for emergency access over the road described in Exhibit D. Party of the Second Part grants to Party of the First Part an easement for emergency access over the road described in Exhibit C.

Character of Easement

2. The easement granted to the Party of the Second Part is appurtenant to the lands described in Exhibit B. The easement granted to the Party of the First Part is appurtenant to the lands described in Exhibit A.

Description of Easement

3. The easements granted in this Agreement are for ingress and egress for emergency vehicles and for emergency purposes only. A crash gate, or other alternative blockade to prohibit vehicular and motorcycle access, shall be maintained on the property line between Parcel 1 and Parcel 2 to limit access for emergency vehicles and emergency use only. For purposes of this Agreement, "emergency" shall mean a sudden unexpected occurrence involving a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.

Maintenance of Easement

4. The Party of the First Part shall maintain the easement described in Exhibit D in good repair in an "all weather" condition, with no contribution required from Party of the Second Part. The Party of the Second Part shall maintain the easement described in Exhibit C in good repair in an "all weather" condition, with no contribution required from Party of the First Part. The parties jointly shall maintain the crash gate between Parcel 1 and Parcel 2.

Binding Effect

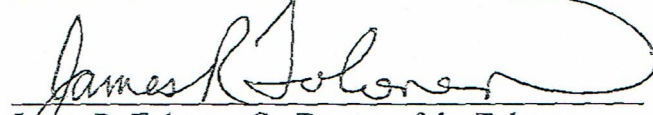
5. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties to this Agreement.

Execution in Counterparts

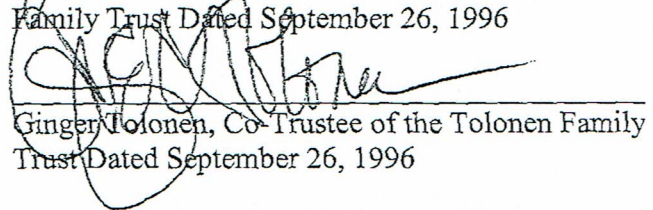
6. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Dated: July 29, 2002.

PARTY OF THE FIRST PART:



James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996



Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

PARTY OF THE SECOND PART:

Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000

Roy A. Seghetti

Sharon A. Seghetti

David Chapatte

Diane Chapatte



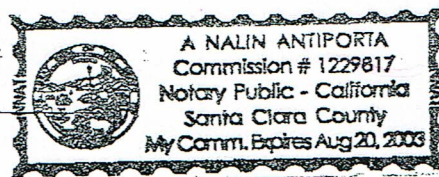
Acknowledgment

State of California)
County of Santa Cruz *CARRA*) ss
ma)

On July 24, 2002, before me, the undersigned, a Notary Public, personally appeared JAMES R. TOLONEN, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Guilherme Costa



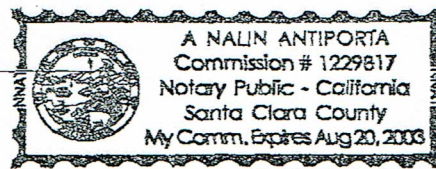
Acknowledgment

State of California)
County of Santa Cruz) ss
CLARA)
Cruz)

On July 29, 2002, before me, the undersigned, a Notary Public, personally appeared VERONICA E. CRAWFORD TOWNEN ANA GINGER TOWNEN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Salimkhan




PARTY OF THE FIRST PART:


James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996

Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

PARTY OF THE SECOND PART:



Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94



Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000

Roy A. Seghetti

Sharon A. Seghetti

David Chapatte

Diane Chapatte

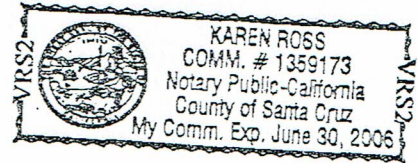
Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 11th, 2002, before me, the undersigned, a Notary Public, personally appeared Michael J. Ponza & Alice M. Ponza, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On _____, 2002, before me, the undersigned, a Notary Public, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature _____

Grant of Easement

1. Party of the First Part grants to Party of the Second Part an easement for emergency access over the road described in Exhibit D. Party of the Second Part grants to Party of the First Part an easement for emergency access over the road described in Exhibit C.

Character of Easement

2. The easement granted to the Party of the Second Part is appurtenant to the lands described in Exhibit B. The easement granted to the Party of the First Part is appurtenant to the lands described in Exhibit A.

Description of Easement

3. The easements granted in this Agreement are for ingress and egress for emergency vehicles and for emergency purposes only. A crash gate, or other alternative blockade to prohibit vehicular and motorcycle access, shall be maintained on the property line between Parcel 1 and Parcel 2 to limit access for emergency vehicles and emergency use only. For purposes of this Agreement, "emergency" shall mean a sudden unexpected occurrence involving a clear and imminent danger demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.

Maintenance of Easement

4. The Party of the First Part shall maintain the easement described in Exhibit D in good repair in an "all weather" condition, with no contribution required from Party of the Second Part. The Party of the Second Part shall maintain the easement described in Exhibit C in good repair in an "all weather" condition, with no contribution required from Party of the First Part. The parties jointly shall maintain the crash gate between Parcel 1 and Parcel 2.

Binding Effect

5. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors, and assigns of the parties to this Agreement.

Execution in Counterparts

6. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Dated: July 11, 2002.

Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee
Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000



JACKIE SOLIS
COMM. #1305652
BOTARY PUBLIC - CALIFORNIA
SAN LUIS OBISPO COUNTY
My Comm. Expires May 24, 2005

Signature

PARTY OF THE FIRST PART:

James R. Tolonen, Co-Trustee of the Tolonen
Family Trust Dated September 26, 1996

Ginger Tolonen, Co-Trustee of the Tolonen Family
Trust Dated September 26, 1996

PARTY OF THE SECOND PART:

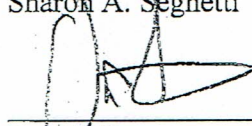
Michael J. Ponza, Co-Trustee of the Michael J.
Ponza and Alice M. Ponza 1994 Revocable Trust
Under Instrument Dated 11/4/94

Alice M. Ponza, Co-Trustee of the Michael J. Ponza
and Alice M. Ponza 1994 Revocable Trust Under
Instrument Dated 11/4/94

Violet J. Ponza, Trustee of the Violet J. Ponza 2000
Revocable Trust Under Instrument Dated December
21, 2000


Roy A. Seghetti


Sharon A. Seghetti


David Chapatte


Diane Chapatte

Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 17, 2002, before me, the undersigned, a Notary Public, personally appeared Roy H. Sigheiti, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Betty L. Morgan



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On July 17, 2002, before me, the undersigned, a Notary Public, personally appeared Sharon A. Sigheiti, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Betty L. Morgan



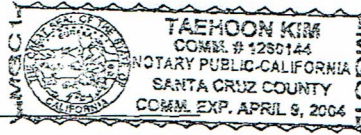
Acknowledgment

State of California)
) ss
County of Santa Cruz)

On 7/16, 2002, before me, the undersigned, a Notary Public, personally appeared David Chapote, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]



Acknowledgment

State of California)
) ss
County of Santa Cruz)

On 7/16/, 2002, before me, the undersigned, a Notary Public, personally appeared Diane Chapote, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]



EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

BEING ALL OF PARCEL C, AS THE SAME IS SHOWN UPON THAT CERTAIN PARCEL MAP FILED FOR RECORD JULY 16, 1971 IN VOLUME 3 OF PARCEL MAPS. PAGE 41, SANTA CRUZ COUNTY RECORDS.

PARCEL TWO:

A NON-EXCLUSIVE RIGHT OF WAY, APPURTENANT TO PARCEL ONE, FOR INGRESS AND EGRESS AND UTILITY PURPOSES OVER THAT CERTAIN RIGHT OF WAY 40 FEET IN WIDTH AS SHOWN UPON SAID MAP.

PARCEL THREE:

THOSE CERTAIN RIGHTS OF WAY, APPURTENANT TO PARCEL ONE, AS SET OUT AND GRANTED AS PARCELS 3 AND 4 IN THE DEED TO HENRY E. LASHER, ET UX., RECORDED DECEMBER 3, 1970 IN VOLUME 2058, PAGE 32, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FOUR:

THAT CERTAIN RIGHT OF WAY, APPURTENANT TO PARCEL ONE, AS GRANTED IN THE DEED TO HENRY E. LASHER, ET UX., RECORDED JULY 12, 1971 IN VOLUME 2111, PAGE 141, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

PARCEL FIVE:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, APPURTENANT TO PARCEL ONE, OVER A STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF PARCEL D, AS THE SAME IS SHOWN ON VOLUME 3 OF PARCEL MAPS, AT PAGE 41 AND RUNNING THENCE NORTH 88° 30' EAST 20.18 FEET TO A POINT; THENCE RUNNING NORTH 9° 04' WEST 65.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING NORTH 12° 48' EAST 26.93 FEET TO A POINT; THENCE NORTH 9° WEST 135.00 FEET TO A POINT; THENCE NORTH 14° 36' WEST 102.48 FEET TO A POINT; THENCE RUNNING SOUTH 9° 04' EAST TO THE TRUE POINT OF BEGINNING, AS GRANTED IN THE DEED FROM JAMES M. BREMNER, ET UX., TO JOHN C. ANANE-SEFAH, ET UX., RECORDED JANUARY 10, 1978, IN VOLUME 2859, PAGE 737, OFFICIAL RECORDS OF SANTA CRUZ COUNTY.

EXHIBIT "A" - continued

PARCEL SIX:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES, APPURTENANT TO PARCEL ONE,
OVER A STRIP OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF PARCEL D, AS THE SAME IS SHOWN
IN VOLUME 3 OF PARCEL MAPS, PAGE 41, RUNNING THENCE NORTH 88° 30' EAST 20.18
FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING SOUTH 9° 04' EAST 184.53
FEET TO A POINT; THENCE NORTH 7° 14' 30" EAST 185.09 FEET TO A POINT; THENCE
SOUTH 88° 30' WEST 52.22 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING,
AS GRANTED IN THE DEED FROM JAMES M. BREMNER, ET UX., TO JOHN C. ANANE-
SEFAH, ET UX., RECORDED JANUARY 10, 1978, IN VOLUME 2859, PAGE 737, OFFICIAL
RECORDS OF SANTA CRUZ COUNTY.

APN: 102-021-49 (PARCEL ONE)

EXHIBIT "B"

The land referred to herein is described as follows:

I

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel A, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-62

II

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel B, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-63

III

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel C, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-64

IV

SITUATE in the County of Santa Cruz, State of California, and described as follows:

Parcel D, as described in that certain Parcel Map recorded on June 4, 1982, at Book 41, Page 5, of Maps, Office of the County Recorder of Santa Cruz County.

APN 102-021-65

V

SITUATE in the County of Santa Cruz, State of California, and described as follows:

A 40 foot wide right of way for road and utility purposes, as shown on that record of survey map, filed in Volume 50 of Maps at Page 50 in the office of the Santa Cruz County Recorder, that leads in a southern direction from the southern boundary of the herein described parcels to the southern boundary of Section 28 T. 10 S. R. 1 West.

VI

SITUATE in the County of Santa Cruz, State of California, and described as follows:

A right of way over the road traveled that leads from the southern terminus of the above described 40 foot right of way in a southeastern direction along the west bank of Chimney Creek to the Rodeo Gulch County Road.

EXHIBIT "B" - Page 2 of 2

A handwritten signature in black ink, appearing to be 'JRT', is located in the bottom right corner of the page.

EXHIBIT "C"

SITUATE in the County of Santa Cruz, State of California, and

BEING an easement 12 feet in width (and designated "Emergency Access Easement") over a portion of Parcel A of that certain Parcel Map recorded in Volume 41 of Parcel Maps, at Page 5, in the office of the Santa Cruz County Recorder;

TOGETHER WITH an easement over the existing road, designated as "Ponza Lane," on that certain Parcel Map recorded in Volume 41 of Parcel Maps, at Page 5, in the office of the Santa Cruz County Recorder;

TOGETHER WITH a 40 foot wide right of way for road and utility purposes, as shown on said record of survey map, filed in Volume 50 of Maps at Page 50 in the office of the Santa Cruz County Recorder, that leads in a southern direction from the southern boundary of the herein described parcels to the southern boundary of Section 28 T. 10 S. R. 1 West;

TOGETHER WITH a right of way over the road traveled that leads from the southern terminus of the above described 40 foot right of way in a southeastern direction along the west bank of Chimney Creek to the Rodeo Gulch County Road.

EXHIBIT "C" - Page 1 of 1

EXHIBIT "D"

SITUATE in the County of Santa Cruz, State of California, and

BEING an easement 12 feet in width, for emergency access, over a portion of Parcel C of that certain Parcel Map recorded in Volume 3 of Parcel Maps, at Page 41, in the office of the Santa Cruz County Recorder, the centerline of which is described as follows:

BEGINNING at a point on the common boundary between said Parcel C and the lands conveyed to Michael J. Ponza and Alice M. Ponza as described in grant deed recorded in Volume 5607, at Page 895 of the Official Records of Santa Cruz County, from which a spike in the South face of a 14" Oak tree (on said common boundary, as shown on said parcel map) bears, North 24° 15' West, 122.49 feet distant, and from which a ½" iron pipe, tagged LS 2678 at an angle point in said boundary of the lands of Ponza bears, South 24° 15' East, 406.86 feet distant; thence from said point of beginning the following courses and distances:

1. Leaving said boundary, South 54° 32' West, 45.46 feet to a point; thence
2. South 29° 15' West, 24.43 feet to a point; thence
3. South 0° 58' East, 49.66 feet to a point on the southern boundary of said Parcel C, from which a ½" iron pipe, tagged LS 3293 bears South 88° 27' 10" West, 37.10 feet distant, and an ½" iron pipe, tagged LS 3293 bears North 88° 27' 10" East, 90.90 feet distant.

Sidelines of above-described easement to be lengthened or shortened so as to intersect with said common boundary of Parcel C and the lands of Ponza, and said southerly boundary of Parcel C.

Description prepared by Robert L. DeWitt and Associates, Inc., Civil Engineers and Land Surveyors, on April 9, 2002.

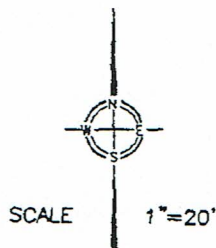
APN: 102-021-49 (Portion)

FD. SPIKE IN SOUTH
SIDE OF 14" OAK.

MACDONALD
APN 102-021-49
PARCEL C, 3-PM-41
(PARCEL 1, 2000-0021669)

POINT OF BEGINNING
LEGAL DESCRIPTION

PONZA
APN 102-021-62
PARCEL A, 41-PM-5
(5607-OR-895)



SCALE

1"=20'

12' EASEMENT

FD. 1/2" I.P.,
TAGGED LS 3293

N 88°27'10" E

37.10
(N 88°30' E 52.22)

N 88°27'10" E
14.95

N 88°27'10" E 75.95
(N 88°30' E 76.67)

FD. 1/2" I.P., TAGGED LS 3293,
BEARS N 1°32'50" W, 0.17 FEET.

ROAD & UTILITY EASEMENT
(PARCEL 6, 2000-0021669)

VELTROP
APN 102-021-68
PARCEL D, 3-PM-41
(1997-0013472)

FD. 1/2" I.P.,
TAGGED LS 2678

EXHIBIT MAP

Robert L. DeWitt
& Associates, Inc.

Civil Engineers & Land Surveyors

1607 Ocean Street, Suite 1
Santa Cruz, California. 95060.
(831) 425-1617 TEL
(831) 425-0224 FAX

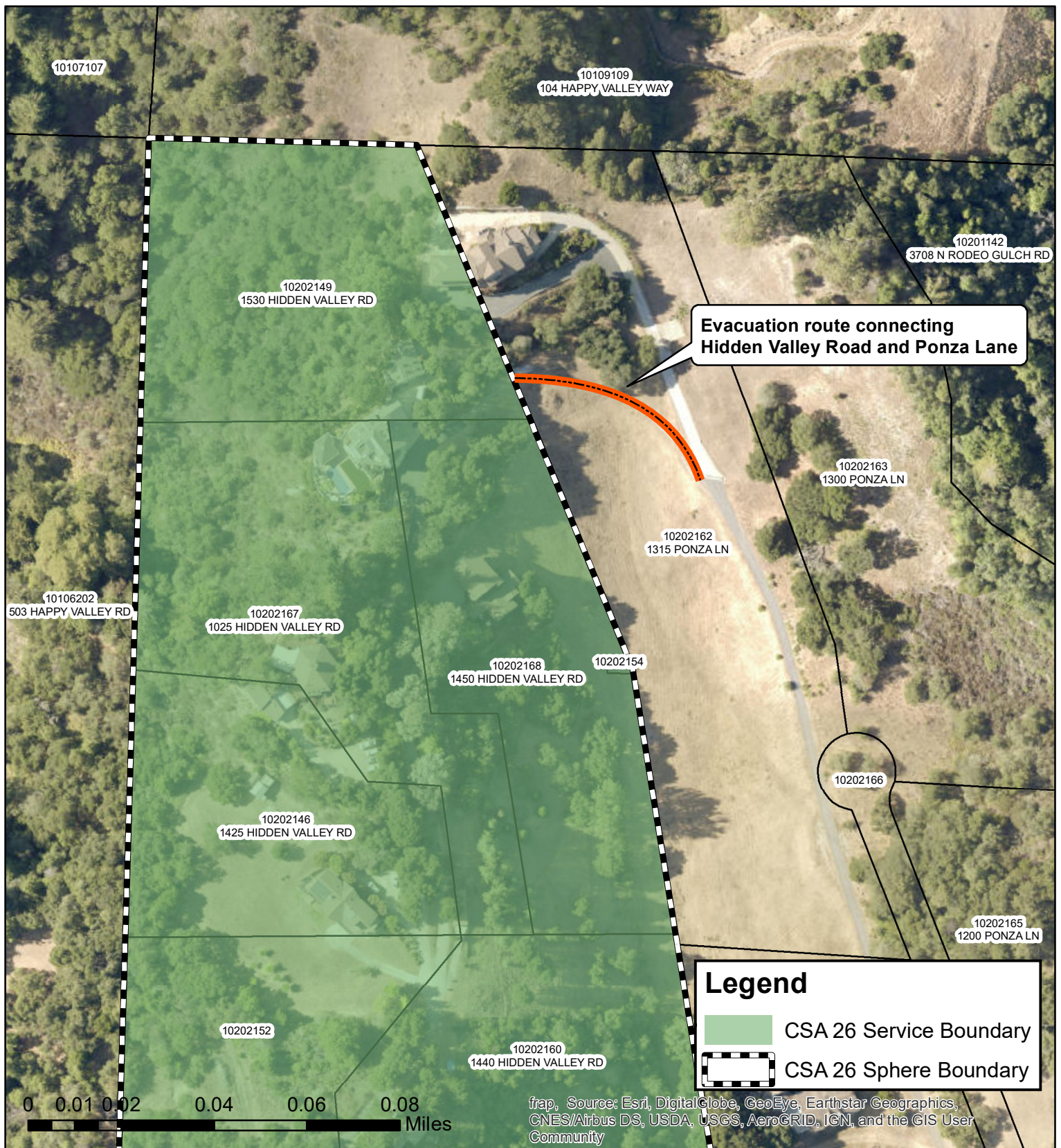
Exhibit D, Page 2 of 2

R00088 (EAE-1a.dwg)

EXHIBIT C

LAFCO VICINITY MAP

DRAFT



**"Hidden Valley Road/Ponza Lane Extraterritorial Service Agreement"
with County Service Area 26
(LAFCO Project No. ESA 20-01)
Vicinity Map**



EXHIBIT D

EASEMENT MAP

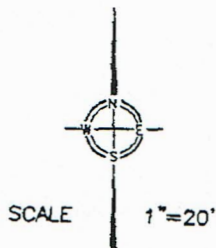
DRAFT

FD. SPIKE IN SOUTH
SIDE OF 14" OAK.

MACDONALD
APN 102-021-49
PARCEL C, 3-PM-41
(PARCEL 1, 2000-0021669)

POINT OF BEGINNING
LEGAL DESCRIPTION

PONZA
APN 102-021-62
PARCEL A, 41-PM-5
(5607-OR-895)



SCALE

1"=20'

12' EASEMENT

FD. 1/2" I.P.,
TAGGED LS 3293

N 88°27'10" E
37.10

(N 88°30' E 52.22)

N 88°27'10" E
14.95

N 88°27'10" E 75.95

(N 88°30' E 76.67)

FD. 1/2" I.P., TAGGED LS 3293,
BEARS N 1°32'50" W, 0.17 FEET.

ROAD & UTILITY EASEMENT
(PARCEL 6, 2000-0021669)

VELTROP
APN 102-021-68
PARCEL D, 3-PM-41
(1997-0013472)

FD. 1/2" I.P.,
TAGGED LS 2678

EXHIBIT MAP

Robert L. DeWitt
& Associates, Inc.

Civil Engineers & Land Surveyors

1607 Ocean Street, Suite 1
Santa Cruz, California. 95060.
(831) 425-1617 TEL
(831) 425-0224 FAX

Exhibit D, Page 2 of 2

R00068 (EAE-1a.dwg)



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Selection of New LAFCO Chair and Vice-Chair**

SUMMARY OF RECOMMENDATION

The Commission elects a new Chair and Vice-Chair at the first meeting of each calendar year. It is recommended that the Commission discuss and appoint a new LAFCO Chair and Vice-Chair for the 2020 calendar year.

EXECUTIVE OFFICER'S REPORT:

In accordance to the Commission's adopted meeting policy, at its first regular meeting in January of each year, the Commission shall choose two of its members to function as the Chair and Vice-Chair. The new officers will serve the balance of the calendar year or until the election of their successors in the event of a vacancy. Once selected, the new officers will begin their appointments at the February 5th LAFCO meeting.

There is currently no rule of succession or rotation. Historically, the acting Vice-Chair has been elected to be the new Chair. Past officers for the last five years are listed below.

Table 1: Chair and Vice-Chair Appointments (2015 – 2019)

Calendar Year	Chair	Vice-Chair
2015	Zach Friend (County)	Roger Anderson (Public)
2016	Roger Anderson (Public)	Tom LaHue (District)
2017	Tom LaHue (District)	John Leopold (County)
2018	John Leopold (County)	Jim Anderson (District)
2019	Jim Anderson (District)	Roger Anderson (Public)

The Commission's roster, with their respective term limits, is attached to this staff report. Staff recommends that the Commission discuss and select a Chair and Vice-Chair for this new year.

Respectfully Submitted,

Joe A. Serrano
Executive Officer

Attachment: Current Commission Roster

LAFCO TERMS OF OFFICE**REGULAR COMMISSIONERS****TERM ENDS****CURRENTLY SERVING**

1. County Member	May 2023	John Leopold *
2. County Member	May 2021	Zach Friend *
3. City Member	May 2022	Justin Cummings, Santa Cruz
4. City Member	May 2023	Francisco Estrada, Watsonville
5. Special District Member	May 2021	Jim Anderson, Felton Fire
6. Special District Member	May 2023	Rachel Lather, Soquel Creek Water
7. Public Member	May 2020	Roger Anderson

ALTERNATES**TERM ENDS****CURRENTLY SERVING**

1. County Member	May 2023	Ryan Coonerty *
2. City Member	May 2022	Yvette Brooks, Capitola
3. Special District Member	May 2021	Ed Banks, Pajaro Valley Cemetery
4. Public Member	May 2020	John Hunt

The city rotation goes with the city and not with the person. The City of Santa Cruz will stay as a regular member until May of 2022. The City of Watsonville's four-year regular term lasts until May 2023. The City of Capitola will be an alternate until May 2022 when it becomes a regular member until May 2026. The City of Scotts Valley will become an alternate member May 2022.

The appointing body for city members is the Mayor's Selection Committee - not an individual city council.

Special district members are elected by the special district selection committee, which is made up of one voting member from each Independent Special District Board.

* The county members are appointed each January by the Board of Supervisors and may change each year at that time.

Public members are appointed by the other six members of the Commission.



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Extension of Office Lease**

SUMMARY OF RECOMMENDATION

Under State law, LAFCO has the option to maintain its office in a public building owned by another agency or rent an office space in a privately-owned building. LAFCO has been paying rent for office space in the County Governmental Center since 2005. The Commission's lease for office space is scheduled to expire on June 30, 2020. The County has offered a two-year extension with a moderate increase to the annual rates.

It is recommended that the Commission direct the Executive Officer to coordinate with the County General Services Department and execute the two-year extension option under the current lease.

EXECUTIVE OFFICER'S REPORT:

The Commission has been leasing 425 square feet of office space in the legislative wing of the County Governmental Center for the past 14 years. The lease agreement has been renewed and extended over the past decade under an ongoing partnership between LAFCO and the County of Santa Cruz.

Current Lease Agreement

The current lease is set to expire on June 30, 2020. LAFCO currently pays \$1.55 per square foot. The current rate has remained unchanged since 2014. Under the current rate, LAFCO pays \$658.75/month, totaling \$7,905 for Fiscal Year 2019-20. **Table 1** shows past rent rates since July 2005 and the proposed rent rates for the coming years.

Table 1: Lease Agreement (2005 to 2022)

Term Limit	Cost per Square Foot (425 sq. ft.)	Monthly Cost	Annual Cost
July 2005 to June 2010	\$1.40	\$595.00	\$7,140
July 2010 to June 2012	\$1.40	\$595.00	\$7,140
July 2012 to June 2014	\$1.45	\$616.25	\$7,395
July 2014 to June 2016	\$1.55	\$658.75	\$7,905
July 2016 to June 2018	\$1.55	\$658.75	\$7,905
July 2018 to June 2020	\$1.55	\$658.75	\$7,905
July 2020 to June 2021 (Extension Year 1 of 2)	\$1.65	\$701.25	\$8,415
July 2021 to June 2022 (Extension Year 2 of 2)	\$1.75	\$743.75	\$8,925

Proposed Lease Extension

The County has offered a two-year lease extension whereby LAFCO could continue to use the office space until June 30, 2022. The proposed lease extension maintains the same terms under the existing agreement but does include an annual increase of 6% to the rent rate for both FY 2020-21 (\$1.65/square foot) and FY 2021-22 (\$1.75/square foot). There are no additional costs. Given that the rate includes utilities and janitorial services, coupled with the fact that the current rate has not increased in six years, the proposed rate increases are fair for a downtown location.

It is staff's recommendation that the Commission direct the Executive Officer to coordinate with the County General Services Department and execute the two-year extension option under the current lease.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachment: Current Office Lease

cc: Carol Johnson, County General Services Department

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

LEASE

THIS LEASE, made and entered into this 1st day of JULY, 2018, by and between:

County of Santa Cruz
701 Ocean Street, Rm. 330
Santa Cruz, CA 95060-4073
Attention: General Services Department

hereinafter called Lessor, and the LOCAL AGENCY FORMATION COMMISSION,
hereinafter called LAFCO.

WITNESSETH:

The parties hereto mutually agree as follows:

1. Lessor hereby leases unto LAFCO and LAFCO hereby hires from Lessor those certain premises situated in the City of Santa Cruz, County of Santa Cruz, State of California, and more particularly described as follows:

Room 318 D, Santa Cruz County Government Center, 701 Ocean Street,
Santa Cruz, California: consisting of 425 square feet.

2. TO HAVE AND HOLD said leased premises, together with the appurtenances, rights, privileges, and easements thereunto belonging or appertaining unto LAFCO, for a term commencing on the first day of JULY 2018 and ending on the 30th day of JUNE 2020, with such rights of termination as are hereinafter set forth, with rent payable by LAFCO in advance as follows:

Six hundred and fifty-eight dollars and seventy-five cents per month for the time period of July 1, 2018 through June 30, 2020. \$1.55 per square feet for 425 square feet. Monthly office space rental – \$658.75.

3. LAFCO agrees to pay the aforesaid rent to Lessor at the address specified in paragraph 5, or to such other address as the Lessor may designate by a notice in writing, to the Local Agency Formation Commission, c/o Pat McCormick, County Government Center, 701 Ocean Street, Rm. 318D, Santa Cruz, CA 95060-4073.
4. Option to extend. Lessor grants the LAFCO one (1) option to extend the term for the Premises for a period of two (2) years subject to agreement between the parties as to fair market rent.

5. All notices herein provided to be given, or which may be given, by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail certified and postage prepaid, and addressed as follows: To the Lessor at General Services Department, County Government Center, 701 Ocean Street, Rm. 330, Santa Cruz, CA 95060-4073, and to LAFCO, at the address indicated in paragraph 3. Nothing herein contained shall preclude the giving of any such written notice by personal service.
6. The LAFCO may terminate this lease by giving notice to the Lessor at least SIXTY (60) days prior to the date when such termination shall become effective.
7. Lessor shall furnish to LAFCO, during the lease term, at Lessor's sole cost, the following services and utilities:
 - a. Janitorial services, including but not limited to, regular cleaning of office areas and restrooms, toilet supplies and waste disposal.
 - b. All utilities except telephone.
8. During the lease term, Lessor shall maintain the leased premises together with appurtenances, rights, privileges, and easements belonging or appertaining thereto, in good repair and tenantable conditions, except in case of damage arising from the negligence of LAFCO's agent, invitees, or employees.
9. Lessor reserves the right to enter and inspect the leased premises, at reasonable times, and to make any necessary repairs to the premises.
10. Lessor agrees that LAFCO, keeping and performing the covenants and agreements herein contained on the part of LAFCO to be kept and performed, shall at all times during the existence of this lease peaceably and quietly, have hold and enjoy the leased premises, without suit, trouble or hindrance from Lessor, or any person claiming under Lessor.
11. In the event the leased premises or any essential part thereof shall be destroyed by fire or other casualty, this lease, shall, in the case of total destruction of the leased premises, immediately terminate and, in case of partial destruction or damage, shall terminate at the option of LAFCO upon giving in writing to the Lessor within fifteen (15) days after such fire or casualty, and no rent shall accrue or be payable to the Lessor after such termination. In the event of any such destruction where the LAFCO remains in possession of said premises, the rent as herein provided shall be reduced by the same ratio as the floor space LAFCO is thus precluded from occupying bears to the total floor space of the leased premises.
12. Rent payable hereunder for any period of time less than that for which periodic rental is paid shall be determined by prorating the rent herein specified for the applicable period.

13. To the extent authorized by fire and extended coverage insurance issued to Lessor on the herein demised premises. Lessor releases LAFCO from liability for loss or damage covered by said insurance and waives subrogation rights of the insurer.
14. This lease is subject to the provisions of the California Fair Employment and Housing Act (Section 12900, et seq., Government Code) and in its performance the Lessor will not discriminate against any employee or applicant for employment because of race, religious creed, color, or national origin, ancestry, physical handicap, medical condition, marital status, or sex, age (over 18), veteran status, gender, pregnancy or any other non-merit factor unrelated to job duties. The Lessor will take affirmative action to ensure that applicants are employed, and that employees are treated during their employment without regard to their race, religious creed, color, or national origin, ancestry, physical handicap, medical condition, marital status, or sex, age (over 18), veteran status, gender, pregnancy or any other non-merit factor unrelated to job duties. This action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

IN WITNESS WHEREOF, this lease has been executed by the parties hereto as of the date first above written.

LESSOR:

LESSEE:

By _____

LOCAL AGENCY FORMATION
COMISSION

Title _____

By _____

Approved As To Form:

Approved As To Insurance:

County Counsel

Risk Management

Distribution: General Services
LAFCO
Auditor Controller



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **2019 Sanitation Service and Sphere Review – Status Update**

SUMMARY OF RECOMMENDATION

LAFCO staff has updates on actions requested by the Commission during the adoption of a comprehensive service and sphere review back in October. These deliverables include gathering additional information involving Santa Cruz County Sanitation District and the Cities of Santa Cruz and Watsonville. Additionally, Salsipuedes Sanitary District has made improvements based on LAFCO staff's findings and recommendations in the adopted service review. This report will provide the Commission an update on items related to the 2019 Comprehensive Sanitation Service and Sphere Review.

It is recommended that the Commission take the following actions:

1. Discuss the information provided in the Executive Officer's report;
 2. Continue discussions between the City of Santa Cruz and County Service Area 10; and
 3. Provide direction to staff on further action(s), if any.
-

EXECUTIVE OFFICER'S REPORT:

During the October meeting, the Commission adopted a service and sphere review that analyzed 10 sanitation districts. In addition to the individual evaluations, LAFCO staff identified some overarching themes involving population projections, sewer rate comparisons, and existing collaborative efforts. Based on the report's findings, the Commission directed staff to conduct two additional actions:

1. Discuss the potential transfer of sewer responsibilities involving the Cities of Santa Cruz and Watsonville as the successor agencies; and
2. Provide cost estimates for a potential study that would analyze the complete separation of the Santa Cruz County Sanitation District from the County Public Works Department.

City Discussions

LAFCO staff met with city representatives from both Santa Cruz and Watsonville to discuss the service review findings and whether the cities were interested in taking over additional sewer responsibilities. The following page summarizes those discussions.

City of Santa Cruz

In the adopted service and sphere review, LAFCO staff noted that the County Public Works Department expressed interest in transferring County Service Area 10's sewer responsibilities to the City of Santa Cruz. LAFCO staff met with City Manager Martín Bernal to discuss the proposed transfer. Mr. Bernal indicated that the City would need to analyze the financial and operational impacts to the City before accepting any additional responsibilities. However, he was not opposed to the idea. At present, the City already provides water service to the CSA 10 residents. LAFCO staff believes it would be beneficial to continue discussions with the City and CSA 10 and report back to the Commission later in the year.

City of Watsonville

In the adopted service and sphere review, LAFCO staff explained how regional collaboration may unify the already-established partnership set by sanitation providers throughout the County. The City of Watsonville is immediately adjacent to the Freedom County Sanitation District and the Salsipuedes Sanitary District. While neither agency requested the transfer of sewer responsibility, LAFCO staff did discuss this concept with all three agencies. None of the three sewer service providers expressed interest in any change of organization at this time. Watsonville staff did note that if Freedom's infrastructure was improved to City standards, they may consider assuming sewer responsibilities in the future.

Study Cost Estimates

The Santa Cruz County Sanitation District (SCCSD) was one of the 10 districts analyzed in the adopted service review. This County-operated agency was formed in 1973 by the consolidation of three sanitation districts: East Cliff, Capitola, and Aptos. SCCSD operates under the County Sanitation District Act (Health & Safety Code Sections 4700-4858).

During the October hearing, and as part of the Commission's motion, LAFCO staff was tasked to provide cost estimates for a potential study that would evaluate the complete separation of the SCCSD's governance and operations from the County. This study would identify the pros and cons with SCCSD becoming a new independent special district. Below are the cost estimates received from three consulting firms that are aware of LAFCO's role and have worked with other LAFCOs in the past.

Table A: Cost Estimates

Consultant	Cost Range	Description
Applied Development Economics	\$15,000 - \$20,000	Detailed financial analysis
RSG Consulting	\$20,000	Meetings; Research; and Report with Findings
EMC Planning Group	\$ 35,000 - \$40,000	Interviews; Meetings; Fiscal Study; Outreach; and Report with Findings

Commission Policy

The Commission has a policy that ranks changes of organization and governance options, such as annexation to an existing municipality and consolidation between two or more agencies. The Commission's Standards for Evaluating Proposals Policy ranks the formation of a new single purpose district as the last governance alternative to consider. Policy Standard 2.1.1 states that new or consolidated service shall be provided by one of the following agencies in the descending order of preference:

1. annexation to an existing city;
2. annexation to an existing district of which the Board of Supervisors is the governing body;
3. annexation to an existing multi-purpose district;
4. annexation to another existing district;
5. formation of a new county service area;
6. incorporation of a new city;
7. formation of a new multi-purpose district; and
8. formation of a new single-purpose district.

Staff's Analysis & Findings

LAFCO staff's analysis did not find any fiscal or operational issues that would warrant dissolution of SCCSD or the formation of a new special district. In fact, the County has made significant improvements towards SCCSD in the last several years. Areas of improvement include fiscal management, internal collaborations, technological advancements, additional ordinances, and upgrades towards infrastructure and other equipment.

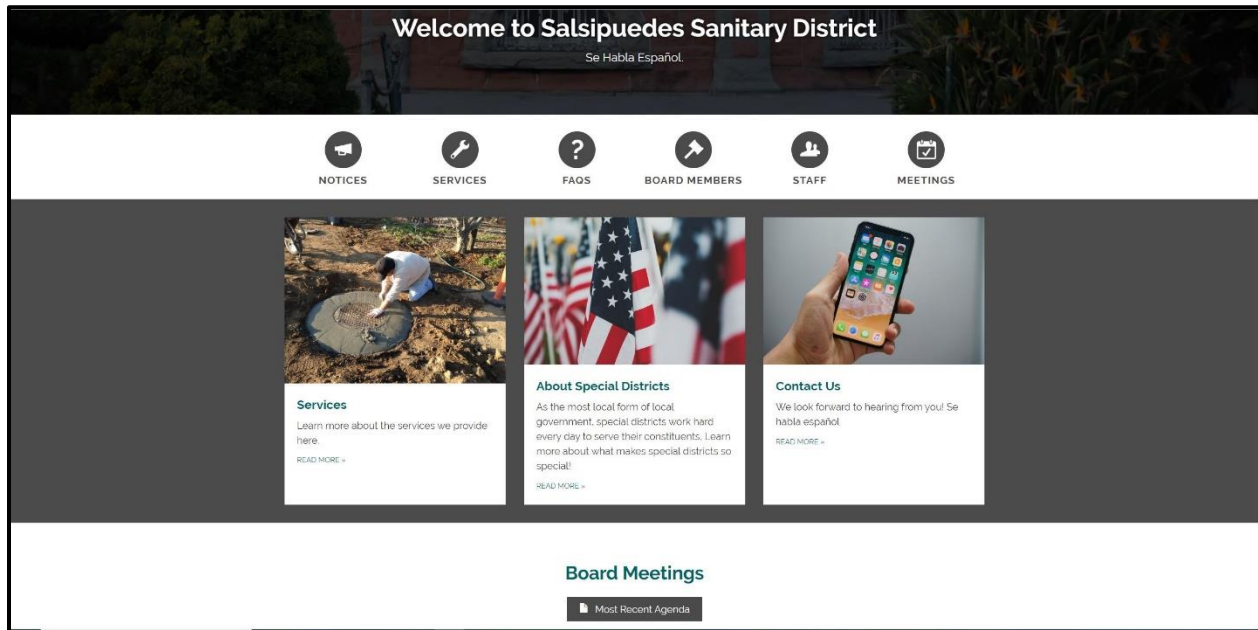
Additionally, the County has a number of planned improvements in the upcoming years. These planned improvements include adopting overflow emergency response plans, developing service area maps for each pump station, updating SCCSD Codes and Regulations, creating a training module for maintenance workers, implementing an agenda management system, and creating a standalone website specifically for SCCSD. A list of all recent and planned improvements towards SCCSD are included in this staff report (refer to **Attachment 1**).

LAFCO staff emphasized in the service review that establishing a countywide Memorandum of Understanding or a Joint Powers of Authority may unify the already-established partnership set by the sanitation providers in the County. Such agreements may also lay the foundation for future changes of organization, including but not limited to annexations, consolidations, or mergers. This cooperative approach is also consistent with Commission Policy Standard 2.1.2 which states "the Commission will promote and approve district consolidations, where feasible." LAFCO staff believes that regional collaboration may lead to additional efficiencies in the delivery of sewer service throughout the County rather than the formation of a new independent special district.

Salsipuedes Sanitary District's New Website

In the adopted service review, there were a number of suggestions and recommendations towards several sanitation districts for their consideration, including Salsipuedes Sanitary District (SSD). SSD was one of only two districts in the entire County that did not have a website. State law requires all independent special districts have a website up and running by January 1, 2020. Based on the Commission's findings, combined with LAFCO staff's assistance, SSD launched its first website on December 20, 2019. The following image provides a screenshot of the District's homepage. This new website is user-friendly, provides an array of information, and fulfills the State mandate.

www.salsipuedessanitary.specialdistrict.org



Respectfully Submitted,

Joe A. Serrano
Executive Officer

Attachment: Santa Cruz County Sanitation District's Recent and Planned Improvements

cc: Martin Bernal, City of Santa Cruz
Matt Huffaker, City of Watsonville
Delia Brambila, Salsipuedes Sanitary District
Beatriz Barranco, County Public Works
Kent Edler, County Public Works
Ashleigh Trujillo, County Public Works

Santa Cruz County Sanitation District

Completed Improvements	
Fiscal Management	
1.	The SCCSD reserves have been increasing by \$100,000 every year since the 2016-17 budget. Prior to 2016-17, the reserves hadn't increased since the 2004-05 budget.
2.	The District's Sewer System Management Plan was updated in 2017, and audits will be done bi-annually. The most recent audit was approved by the District Board on December 5, 2019.
Internal Collaborations	
3.	SCCSD operations and engineering staff have been working collaboratively and proactively communicating on needs, budgets, and what projects to prioritize.
4.	A relationship with the County Office of Emergency Services (OES) was established for assistance in case mutual aid is required during emergencies.
5.	The District has been coordinating with the County's Planning and Building Departments on process improvements for plan review, permitting, and fee collection. Together, staff has improved lines of communication and streamlined processes to better serve the public.
6.	The District has a Sanitation Counter in the Public Works Department that is now open the entire day from 8 am to 5pm, even through the lunch hour to provide better accessibility to the public.
Technological Advancements	
7.	15 Smart Covers have been installed at critical pump stations bringing the total to 23 Smart Covers installed in SCCSD. Smart Covers communicate via satellite and provide redundancy to SCADA, so if SCADA stops communicating, there is back-up communication. Smart Covers alarms are sent to supervisors via texts and emails.
8.	A SCADA alarm report has been implemented to notify supervisors of outstanding alarms at 4pm every day.
9.	SCCSD operations evaluated the District's SCADA communication and network system, in order to identify improvements for communication.
10.	Improvements to the SCADA software include alarm notifications sent via text and email to supervisors
11.	A "dashboard" was created in the District's asset management software to help electricians document maintenance of electrical and controls of pump stations.
12.	Operations staff have mobile devices such as tablets, laptops and iPhones which enables them to access SCADA and Lucity asset management software.
Ordinances & Plans	
13.	SCCSD staff recently drafted (and the Board approved) a lateral inspection ordinance, which requires property owners to video their sewer laterals and fix issues prior to sale. This will help reduce inflow and infiltration into the system as well as sewer spills. Procedures on implementation of this requirement have also been developed.
14.	The SCCSD Board has approved ordinances that result in a clearer and more enforceable code.
Infrastructure & Equipment	
15.	Wiring for Uninterruptable Power Supply (UPS) units at pump stations have been put on separate circuits, in order to provide redundancy.
16.	Temporary flow meters were installed throughout the District to collect rainfall and infiltration data. Using this information, the District's flow model has been updated and new software has been implemented to improve evaluation of sewer flows in the system.
17.	13.6 miles of large diameter sewer mains were CCTV'd in 2019. The associated manholes were also rated according to MACP guidelines.
18.	Minor pump station improvements for electrical and instrumentation (UPS units, valve replacements, VFDs, panel upgrades, PLC upgrades etc.) have been added to the District's 5-year Capital Improvement Program (CIP).
19.	Numerous odor control improvements have been implemented throughout the system.
20.	Deteriorating sewer mains have been prioritized for replacement based on CCTV footage and PACP scores; multiple projects have been completed to rehabilitate these main lines.
21.	SCCSD fleet has been upgraded- a new vac truck and two service body trucks were purchased in 2019

Santa Cruz County Sanitation District

Planned Improvements	
Internal Collaborations	
1.	A training module for sanitation maintenance workers will be setup by Spring 2020 and will integrate with the County's Target Solutions training software. Standard Operating Procedures (SOPs) will also be developed for equipment.
Technological Advancements	
2.	CCTV info will be integrated into the District's software to help determine likelihood and consequence or failures. This will help with development of CIPs.
3.	Implementation of independent Santa Cruz County Sanitation District website (not joined with DPW).
4.	Implementation of an agenda management system to better streamline the agenda management process, while staying in compliance with the Brown Act and new requirements including: ADA compliance, Agenda OCR, One-Click access.
Ordinances & Plans	
5.	Overflow Emergency Response Plans (OERPs) will be developed for the pump stations.
6.	A request for proposals for improvements to the District's SCADA system.
7.	A surface water condition assessment report will document the conditions of the sewer mains within the District and will be used to prioritize future rehabilitation projects.
8.	The entire SCCSD Code will be reviewed and revised, where required, to clearly define the SCCSD regulations.
9.	Design plans and environmental documents necessary to lift the sewer moratorium in the Rodeo basin are underway and expected to be completed by the end of 2020.
10.	A master plan for the D.A Porath Facility is being developed.
11.	Adoption of the California Uniform Construction Cost Accounting Act (CUPCCAA) guidelines for streamlining of bidding procedures.
12.	Implementation of revised Special Provisions books (updated to reflect Caltrans current specifications).
Infrastructure & Equipment	
13.	SCCSD staff will develop service area maps (shape files) for each pump station and provide them to the County OES in order to implement emergency alerts to residents in order to limit water use during pump station emergencies.
14.	Bypass connections will be added to force mains at various pump stations.
15.	The District has contracted an electrical service provider for electrical and instrumentation improvements at the pump stations
16.	Sewer lines with PACP rated at 4 or 5 (the worst pipes) proximate to surface water and determined by the District to pose a risk of exfiltration to that surface water will be replaced within 2 years.
17.	Fleet purchases for 2020 include a new dump truck, new flush truck and three service body trucks.



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Focus Agriculture Class of 2020 Application Request**

SUMMARY OF RECOMMENDATION

Focus Agriculture is a nine-session educational program that emphasizes on the broad spectrum of agriculture in Santa Cruz County. LAFCO staff believes this leadership program will help introduce the Executive Officer to other local leaders, highlight agricultural issues and concerns being faced throughout the county, and offer an opportunity to improve local awareness of LAFCO's role.

Staff is recommending that the Commission approve the \$1,000 tuition payment for LAFCO's Executive Officer to participate in the upcoming Focus Agriculture Session.

EXECUTIVE OFFICER'S REPORT

Focus Agriculture is a component of Agri-Culture, a non-profit organization with 11 endowed funds, various educational programs, and advocate of farmworker housing assistance. Focus Agriculture is an opportunity for community leaders to participate in a nine-session educational program acquiring additional knowledge about agriculture. The once-a-month day-long seminars will begin in March and will include farm tours and hands-on experience. Topics will include production and labor, regional diversity of commodities produced, and government relations and politics.

Only 21 participants are chosen each year to participate. The deadline to submit an application is Wednesday, January 15. Attached is a filled-out version of the application packet. If selected, there is a one-time cost of \$1,000 as a tuition fee. The Commission currently has \$1,800 earmarked for "Training" in the FY 2019-20 Budget. LAFCO staff believes that participating in this leadership program will benefit staff and the Commission.

Respectfully Submitted,

A blue ink signature of Joe A. Serrano, written in a cursive style.

Joe A. Serrano
Executive Officer

Attachment: Focus Agriculture Application Packet – Draft Version

FOCUS AGRICULTURE

6D: ATTACHMENT 1

Agri-Culture's "First-in-the-Nation" Educational Program
2020 Applications now being accepted

Focus Agriculture is an opportunity for 20 community leaders to participate in a nine-session intensive program acquiring knowledge about a broad spectrum of local agriculture. These day-long seminars cover such topics as: *Production and Labor; Government Relations and Politics; Environment and Technology; Ethnic Groups in Agriculture; Regional Diversity of Commodities Produced; Marketing and Foreign Competition; and Farm Tours and Hands-On Experience*

Focus Agriculture Tuition - \$1,000
Refund for 100% Attendance - \$250

Twenty participants will be chosen for Class 30. Sessions will be held one day each month unless otherwise scheduled commencing Friday, March 13, 2020

Early admission applications are due **Friday, December 13, 2019***

Final applications are due **Wednesday, January 15, 2020**

**Applications received by Dec. 13th will be considered for early admission.
All other applications will be reviewed after Jan. 15th.*

Applications are also available at the Agri-Culture office

141 Monte Vista Ave., Watsonville

(831) 722-6622

agri-culture@sbcglobal.net

www.agri-culture.us



*Sponsored by Agri-Culture, a non-profit organization dedicated to educating
the public about agriculture in Santa Cruz County and the Pajaro Valley*

Frequently Asked Questions About Focus Agriculture

1. What are the benefits of participating in Agri-Culture's Focus Ag class?

Focus Agriculture is a first-in-the-nation, national award winning program. It allows community leaders to have a two-way conversation with people involved in agriculture. The program is structured so that participants gain in-depth knowledge of the many commodities, issues and people involved in local agriculture here in Santa Cruz County and the Pajaro Valley.

2. Who is in the class?

The program is designed so that community leaders from the different fields within the county participate. These include elected officials, appointed representatives, non-profits, news media, local business, environmental groups, educators, etc.

3. Who does the training?

Each segment of the sessions are presented by knowledgeable individuals on the day's particular subject. In most cases, it is local individuals who are directly involved in the specific subject. As an example, a grower may speak on the effect of land use planning and a governmental agency may explain urban growth demands. An environmental advocate may talk about water quality. The program is proud to always present both sides of issues. Agricultural issues change and the program changes as well. We rely on the participant evaluations of each session to make the program better.

4. Where do these leadership classes meet?

Classes are held throughout Santa Cruz County and the Pajaro Valley to give participants a first hand experience of the different geographic and microclimates that exist in this unique area.

5. How long are the leadership programs, and when do they start?

The program consists of nine one-day-per-month sessions. It begins in March and ends in November.

6. Must I attend every class day, and are there extra-curricular requirements?

The program is very strict on attendance. None of the presenters are paid for their time. We receive more applications than we select so it's important that the participants attend. There are no extracurricular requirements as part of the program. It is hoped that after a person has graduated from Focus Agriculture, he/she will become more aware and involved in agricultural issues.

7. What is the application deadline?

The deadline for applications for the program varies each year but it is normally the middle of January.

8. What is the cost of Focus Ag class?

Focus Agriculture costs approximately \$1,500 per participant. The participant is only responsible for \$500 of the tuition of which \$100 will be returned upon perfect attendance.

9. What are our expectations of our participants?

In addition to fully participating in the classes, we expect participants to share what they have learned with friends, colleagues and others in the community. As a result, the program's impacts are greatly multiplied.



"Communicating Agriculture"

FOCUS AGRICULTURE

CLASS 31

2020

Presented by
AGRI-CULTURE

Name: Joe Serrano

Home Address: 701 Ocean Street (Room 318-D)

City: Santa Cruz

State: CA

Zip: 95060

Mailing address (if different from above)

City:

State:

Zip:

Employer: Local Agency Formation Commission of Santa Cruz County (LAFCO)

Position: Executive Officer

Phone Work: 831-454-2055

Cell:

E-mail address: joe@santacruzlafco.org

(All communications and information regarding the class will be sent via e-mail so please provide the email address most appropriate for your immediate attention)

Length of service with current employer 1 year No. of years in Santa Cruz Co. 1 year

Please answer the following questions in full. You may attach a resume or additional materials to fully respond; however, each of these questions must be answered on the application form:

1) Please describe your job responsibilities.

LAFCO is a state agency that was formed back in 1963 for the purposes of discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing governmental services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. For over 12 years, I have been advocating "good government" and "smart growth" as a LAFCO employee in 5 different LAFCOs. As the new Executive Officer for Santa Cruz LAFCO, I am tasked with analyzing potential boundary changes, conducting service reviews for over 80 different local agencies throughout the county, and providing recommendations to a 11-member board of local elected officials.

2) List your educational background, including awards and training programs.

As previously mentioned, I have been a public servant for over 12 years as a LAFCO employee. My educational background includes a double-major in Finance and Accounting from the California State University, Fullerton. I had the pleasure of earning various awards and recognitions throughout my career. More recently, I was part of the 2018 graduating class of Leadership Monterey County. Participating in Focus Agriculture, coupled with my experience with Leadership Monterey County, will improve my understanding of the Pajaro Valley region.

3) List major business and professional activities in which you have participated within the past three years, including offices held.

In 2017, I completed an in-depth service review for the fifth largest healthcare district in California. The report evaluated a number of factors, including fiscal health, and led to an expansion of the District's sphere boundary which remained unchanged since 1983. In 2018, I developed an interactive mapping program depicting all the disadvantaged unincorporated communities in California. This map is available online and free for the public. In 2019, I conducted 5 service reviews, which analyzed 14 different local agencies. This comprehensive report not only satisfied a state mandate but also fulfilled the Commission's adopted work program, which was conducted completely in-house and without the assistance of outside consultants. Please note that Santa Cruz LAFCO has two staff members (Executive Officer and Commission Clerk).

4) **In your opinion, what are two major issues affecting agriculture in the greater Santa Cruz County and the Pajaro Valley?**

I believe the two major issues affecting agriculture in this region and throughout the state are the following: (1) balancing smart growth with land preservation, and (2) building a strong, transparent, and trustful relationship among local agencies, farm organizations, and affected residents.

5) **How will Focus Agriculture help you in your profession and/or as a member of the community?**

As LAFCO's new Executive Officer, I need to understand the local issues involving unincorporated areas in Santa Cruz County, specifically open space and farmlands. This program will significantly help me learn more about the county and fulfill state mandates.

6) **How would you share the knowledge obtained through the program with the larger community?**

LAFCO has a role in preservation of open space and farmlands. The information provided by Focus Agriculture will be shared directly with my Commission, which includes representatives from Special Districts, Cities, Board of Supervisors, and the general public.

7) **How did you hear about Focus Agriculture?**

My predecessor Pat McCormick informed me about the educational value offered by Focus Agriculture. Additionally, I recently read an article about the 2019 graduating class which included Watsonville Mayor Francisco Estrada. Mr. Estrada is also a Commissioner on LAFCO.

8) **References: List three people who may be contacted to provide information about your qualifications as a Focus Agriculture participant:**

Full Name and Title	Address	Phone Number
A. Jim Anderson, LAFCO Chair	TBD	TBD
B. Roger Anderson, LAFCO Vice-Chair	TBD	TBD
C. John Leopold, Board of Supervisor	TBD	TBD

I understand that if I am chosen for the program, a \$1,000 fee will be charged for my participation. \$250 WILL BE REFUNDED AT THE END OF THE PROGRAM IF I ACHIEVE 100% ATTENDANCE FOR ALL SESSIONS. If I miss two sessions, I may be removed from the program.

Signature: _____

Deadline: Applications must be received by the Agri-Culture Office, 141 Monte Vista Avenue, Watsonville, CA 95076 by: **Wednesday, January 15, 2020**

Late applications will be prioritized last for purposes of equitable consideration

Agri-Culture is a private, nonprofit organization incorporated in accordance with section 501(c)(3) of the Internal Revenue Code. Our tax identification number is 77-0212413.

FOCUS AGRICULTURE 2020 SCHEDULE

SESSION DATES

Friday, March 13, 2020

Friday, April 3, 2020

Wednesday, April 29, 2020

Wednesday, May 20, 2020

Friday, June 19, 2020

Friday, July 24, 2020*
(Day on the Farm)

*Or a date in August mutually agreed by both parties

Wednesday, August 26, 2020

Friday, September 25, 2020

Friday, October 16, 2020

Participants are required to attend all sessions.



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **CALAFCO Documents**

SUMMARY OF RECOMMENDATION

In November, LAFCO staff received a number of written correspondences from CALAFCO. This agenda item is for informational purposes only and does not require any action. Therefore, it is recommended that the Commission receive and file the Executive Officer's report.

EXECUTIVE OFFICER'S REPORT:

Five written correspondence were shared by CALAFCO in November. The documents are listed below and are attached to this staff report for review.

- Assembly Local Government Committee's 2019 legislative summary;
- Senate Governance & Finance Committee's 2019 legislative summary;
- 2020 Schedule of Events;
- Membership Due Structure's Roll Call Voting Results; and
- Appreciation Letter regarding our participation in the 2019 annual conference.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. Assembly Local Government Committee's 2019 Legislative Summary
2. Senate Governance & Finance Committee's 2019 Legislative Summary
3. 2020 Schedule of Events
4. Membership Dues Structure Roll Call Voting Results
5. Appreciation Letter dated December 2, 2019

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

2019 LEGISLATIVE SUMMARY



Members:

Cecilia M. Aguiar-Curry, Chair
Tom Lackey, Vice Chair
Richard Bloom
Tasha Boerner-Horvath
James C. Ramos
Luz M. Rivas
Robert Rivas
Randy Voepel

Consultants:

Debbie Michel
Angela Mapp
Jimmy MacDonald

Secretary:

Dixie Petty

Assembly Fellow:

Itzel Vasquez-Rodriguez

Assembly
California Legislature
Committee on Local Government
CECILIA M. AGUIAR-CURRY
CHAIR

CONSULTANTS
DEBBIE MICHEL
ANGELA MAPP
JIMMY MACDONALD
COMMITTEE SECRETARY
DIXIE PETTY

November 1, 2019

TO ALL INTERESTED PARTIES:

The 2019 year was a busy one for the Assembly Local Government Committee (Committee). Because of the large number of Assembly Members and Senators with local government backgrounds, interest in local government issues remains high. The Committee was referred 140 total measures, including 103 Assembly Bills (ABs), and 37 Senate Bills (SBs). The Committee heard 75 ABs and 33 SBs over the course of 10 bill hearings. Twenty-three measures are pending as two-year bills for the 2020 year.

The Committee also held a number of informational hearings on the following topics:

Not Just Your Granny's Granny Flat: An Examination of Accessory Dwelling Unit (ADU) Law and Policy Issues in California

Joint Informational Hearing with Assembly Committee on Housing and Community Development

Examination of Public Banking at Local Level

Joint Informational Hearing with Assembly Committee on Banking and Finance

Improving Fire Prevention in California

Joint Informational Hearing with Assembly Committee on Natural Resources

Governor's Homeless and Housing Proposals

Joint Informational Hearing with Assembly Committees on Housing and Community Development and Assembly Budget Subcommittee #4

The Age of Wildfires: Pre and Post-Wildfire Planning and Housing Delivery at the Local Level

Joint Informational Hearing with Assembly Committees on Housing and Community Development and Governmental Organization

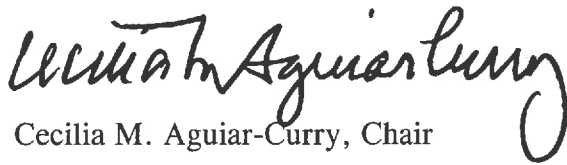
Budget Trailer Bill: AB 101/SB 102: Housing Development and Financing

Joint Informational Hearing with Assembly Budget Committee

Enclosed is a summary of chaptered and vetoed bills that were introduced during 2019 and referred to the Committee. The summary includes a brief description of all bills, divided into the following categories: Contracting and Procurement; Elections; Governance; Health Care Districts and Health Authorities; Housing and Land Use; Joint Exercise of Powers; Local Agency Formation Commissions; Local Government Finance; Powers and Duties; Transportation and Transit Districts; Utilities, Telecommunications, and Energy; and, Water.

For quick and easy reference, please see the table of contents in the front of this document or the index located at the end. Additional information regarding this summary can be obtained through the Assembly Local Government Committee office at (916) 319-3958.

Sincerely,

A handwritten signature in black ink, reading "Cecilia M. Aguiar-Curry". The signature is fluid and cursive, with the first name "Cecilia" and last name "Aguiar-Curry" clearly legible. The signature is positioned above the printed name.

Cecilia M. Aguiar-Curry, Chair

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CONTRACTING AND PROCUREMENT

Chaptered Legislation:

AB 707 (Kalra), Chapter 264, Statutes of 2019

Santa Clara Valley Water District: contracts.

Increases, from \$25,000 to \$50,000, the formal bidding threshold for the Santa Clara Valley Water District.

AB 1089 (Mark Stone), Chapter 107, Statutes of 2019

Santa Cruz Metropolitan Transit District.

Makes changes to the contracting requirements for the Santa Cruz Metropolitan Transit District, and alters appointments and reimbursements for the district's board of directors.

AB 1290 (Gloria), Chapter 755, Statutes of 2019

Water projects: financial assistance and construction financing: Pure Water San Diego Program.

Requires the use of project labor agreements as a condition of receiving construction financing under the Safe Drinking Water State Revolving Fund Law or financial assistance from the State Water Pollution Control Revolving Fund for work performed for any portion of the Pure Water San Diego Program.

AB 1752 (Petrie-Norris, Brough), Chapter 500, Statutes of 2019

South Coast Water District.

Allows, until January 1, 2025, the South Coast Water District to contract with a private entity for the Doheny Ocean Desalination Project, under certain conditions.

SB 128 (Beall), Chapter 501, Statutes of 2019

Public contracts: Best Value Construction Contracting for Counties Pilot Program.

Expands and extends a pilot program allowing specified counties to utilize best value contracting.

ELECTIONS

Chaptered Legislation:

AB 849 (Bonta), Chapter 557, Statutes of 2019

Elections: city and county redistricting.

Revises and standardizes the criteria and process to be used by counties and cities when they adjust the boundaries of the electoral districts that are used to elect members of the jurisdictions' governing bodies.

Vetoed Legislation:

SB 139 (Allen)

Independent redistricting commissions.

Would have required a county with a population of 400,000 or more to establish an independent redistricting commission to adopt the county supervisorial districts after each federal decennial census.

GOVERNANCE

Chaptered Legislation:

AB 591 (Cristina Garcia), Chapter 124, Statutes of 2019

Central Basin Municipal Water District: board of directors.

Clarifies who can be an appointed member of the Central Basin Municipal Water District Board of Directors.

AB 631 (McCarty, Cooley), Chapter 94, Statutes of 2019

Sacramento Regional Transit District: voting threshold.

Reduces, from 80% to 67%, the nonweighted voting threshold of the Sacramento Regional Transit District (SacRT) Board in order to authorize the detachment of territory from SacRT.

AB 1220 (Cristina Garcia), Chapter 71, Statutes of 2019

Metropolitan water districts.

Makes changes to the membership requirements of the Metropolitan Water District Board.

SB 387 (Wilk), Chapter 369, Statutes of 2019

Santa Clarita Valley Water Agency: board of directors.

Revises the procedures and circumstances under which the Santa Clarita Valley Water Agency Board will transition from the current 15-member board to a nine-member directly elected Board.

SB 413 (Rubio), Chapter 370, Statutes of 2019

San Gabriel Basin Water Quality Authority.

Extends by one year the terms of city representatives currently elected to the San Gabriel Basin Water Quality Authority Board and revises specified reporting requirements.

HEALTH CARE DISTRICTS AND HEALTH AUTHORITIES

Chaptered Legislation:

AB 1095 (Eduardo Garcia), Chapter 126, Statutes of 2019

Desert Healthcare District.

Alters the terms of office for Desert Healthcare District Board members who were appointed when the district expanded, in order to permit them to participate in subsequent elections.

HOUSING AND LAND USE

Chaptered Legislation:

AB 68 (Ting), Chapter 655, Statutes of 2019

Land use: accessory dwelling units.

Makes changes to accessory dwelling unit (ADU) and junior accessory dwelling unit (JADU) law.

AB 587 (Friedman, Quirk-Silva), Chapter 657, Statutes of 2019

Accessory dwelling units: sale or separate conveyance.

Creates an exception in ADU law for qualified nonprofit corporations to sell deed-restricted land with a tenants-in-common agreement to eligible homeowners.

AB 671 (Friedman), Chapter 658, Statutes of 2019

Accessory dwelling units: incentives.

Requires a local government to include a plan in their housing element to incentivize and promote the creation of ADUs that can be offered at an affordable rent for very-low, low-, and moderate-income households.

AB 747 (Levine), Chapter 681, Statutes of 2019

Planning and zoning: general plan: safety element.

Requires cities and counties in the safety element of the general plan to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios.

AB 881 (Bloom), Chapter 659, Statutes of 2019

Accessory dwelling units.

Makes changes to ADU law.

AB 948 (Kalra), Chapter 356, Statutes of 2019

Coyote Valley Conservation Program.

Allows the Santa Clara Valley Open-Space Authority to establish and administer the Coyote Valley Conservation Program to address resource and recreational goals of the Coyote Valley.

AB 1191 (Bonta), Chapter 752, Statutes of 2019

State Lands Commission: exchange of trust lands: City of Oakland: Howard Terminal property: Oakland Waterfront Sports and Mixed-Use Project, Waterfront Access, Environmental Justice, and Revitalization Act.

Authorizes the State Lands Commission to enter into a land exchange for the Howard Terminal Property in the City of Oakland to facilitate a mixed-use project that includes a stadium for the Oakland A's baseball team.

AB 1255 (Robert Rivas, Ting), Chapter 661, Statutes of 2019

Surplus public land: inventory.

Requires each city and county to report to the Department of Housing and Community Development (HCD) an inventory of its surplus lands located in urbanized areas or urban clusters, and requires HCD to provide this information to the state Department of General Services (DGS) for inclusion in a digitized inventory of state surplus land sites.

AB 1483 (Grayson), Chapter 662, Statutes of 2019

Housing data: collection and reporting.

Requires local jurisdictions to post specified housing-related information on their websites, including zoning ordinances, development standards, fees, exactions, and affordability requirements, and requires HCD to develop and update a 10-year housing data strategy.

AB 1485 (Wicks), Chapter 663, Statutes of 2019

Housing development: streamlining.

Allows moderate income housing developments, under certain conditions, to use the SB 35 [(Wiener), Chapter 366, Statutes of 2017] streamlining process, and makes other clarifying changes to SB 35.

AB 1486 (Ting), Chapter 664, Statutes of 2019

Surplus land.

Imposes additional requirements on the process that local agencies must use when disposing of surplus property.

AB 1487 (Chiu), Chapter 598, Statutes of 2019

San Francisco Bay area: housing development: financing.

Establishes the San Francisco Bay Area Regional Housing Finance Act and enables Bay Area voters to raise revenue for affordable housing.

AB 1515 (Friedman), Chapter 269, Statutes of 2019

Planning and zoning: community plans: review under the California Environmental Quality Act.

Prohibits a court from invalidating the approval of specified development projects in an order issued to remedy an updated community plan's noncompliance with the California Environmental Quality Act.

AB 1730 (Gonzalez), Chapter 634, Statutes of 2019

Regional transportation plans: San Diego Association of Governments: housing.

Amends the timing and process for delivery of the San Diego Association of Government's next regional transportation plan and sustainable communities strategy.

AB 1743 (Bloom), Chapter 665, Statutes of 2019

Local government: properties eligible to claim or receiving a welfare exemption.

Expands the properties that are exempt from community facility district taxes to include properties that qualify for the property tax welfare exemption, and expands protections under the Housing Accountability Act (HAA) for properties receiving this exemption.

AB 1763 (Chiu), Chapter 666, Statutes of 2019

Planning and zoning: density bonuses: affordable housing.

Revises Density Bonus Law to require a city or county to award a developer additional density, concessions and incentives, and height increases if 100% of the units in a development are restricted to lower income households.

AB 1783 (Robert Rivas), Chapter 866, Statutes of 2019

H-2A worker housing: state funding: streamlined approval process for agricultural employee housing development.

Revises the entitlement process and eligibility for state programs that provide funding for farmworker housing.

SB 13 (Wieckowski), Chapter 653, Statutes of 2019

Accessory dwelling units.

Makes a number of changes to ADU law.

SB 99 (Nielsen), Chapter 202, Statutes of 2019

General plans: safety element: emergency evacuation routes.

Requires the safety element of the general plan, upon the next revision of the housing element on or after January 1, 2020, to identify any residential development in any hazard area that does not have at least two emergency evacuation routes.

SB 235 (Dodd), Chapter 844, Statutes of 2019

Planning and zoning: housing production report: regional housing need allocation.

Allows the City of Napa and County of Napa to reach an agreement regarding their regional housing needs assessment (RHNA) requirements regarding the Napa Pipe Project.

SB 242 (Roth), Chapter 142, Statutes of 2019

Land use applications: Department of Defense: points of contact.

Revises provisions of law governing public agencies' duties to notify the United States military regarding specified development decisions.

SB 249 (Nielsen), Chapter 366, Statutes of 2019

Land use: Subdivision Map Act: expiration dates.

Allows certain unexpired subdivision maps in Butte County to be extended for up to 36 months.

SB 330 (Skinner), Chapter 654, Statutes of 2019
Housing Crisis Act of 2019.

Restricts, for a period of five years, actions by cities and counties that would reduce the production of housing.

SB 751 (Rubio), Chapter 670, Statutes of 2019
Joint powers authorities: San Gabriel Valley Regional Housing Trust.
Creates the San Gabriel Valley Regional Housing Trust.

Vetoed Legislation:

AB 411 (Mark Stone)
Redevelopment: City of Santa Cruz: bond proceeds: affordable housing.

Would have authorized the City of Santa Cruz to use bond proceeds that are required to be used to defease bonds issued by the former redevelopment agency (RDA), to increase, improve, and preserve affordable housing and facilities for homeless persons.

AB 1084 (Mayes)
Redevelopment: housing successor: Low and Moderate Income Housing Asset Fund.
Would have allowed specified housing successors that own and operate a housing asset of a former RDA to retain "excess surplus" accumulated over eight years rather than four years without triggering the requirement to encumber the funds or transfer the funds to HCD within three years.

AB 1437 (Chen)
Local government: redevelopment: revenues from property tax override rates.
Would have allowed a portion of property taxes in the City of Brea to be paid out of the Redevelopment Property Tax Trust Fund to pay voter-approved taxes for a mobile intensive care program.

AB 1732 (Flora)
Redevelopment: successor agencies: asset disposal: City of Manteca.
Would have authorized the successor agency to Manteca's former RDA to sell property at less than market value to a nonprofit organization.

SB 5 (Beall, McGuire, Portantino)
Affordable Housing and Community Development Investment Program.
Would have established the Affordable Housing and Community Development Investment Program to allow local agencies to reduce contributions of local property tax revenue to schools to build affordable housing and related infrastructure.

SB 532 (Portantino)
Redevelopment: City of Glendale: bond proceeds: affordable housing.
Would have authorized the City of Glendale to use remaining RDA bond proceeds for affordable housing.

JOINT EXERCISE OF POWERS

Chaptered Legislation:

AB 305 (Nazarian), Chapter 225, Statutes of 2019

Public capital facilities: public water or wastewater agencies: rate reduction bonds.

Makes a number of changes to existing law that allows publicly-owned utilities that provide water service to form joint powers authorities for the purpose of issuing rate reduction bonds for specified water projects.

SB 355 (Portantino), Chapter 248, Statutes of 2019

Joint powers agencies: Clean Power Alliance of Southern California: meetings.

Authorizes the Clean Power Alliance of Southern California to allow certain alternate members of its legislative body to attend closed sessions of the agency.

SB 751 (Rubio), Chapter 670, Statutes of 2019

Joint powers authorities: San Gabriel Valley Regional Housing Trust.

Creates the San Gabriel Valley Regional Housing Trust.

LOCAL AGENCY FORMATION COMMISSIONS (LAFCOs)

Chaptered Legislation:

AB 530 (Aguiar-Curry), Chapter 69, Statutes of 2019

The Fairfield-Suisan Sewer District.

Makes a number of changes to the provisions of the Fairfield-Suisun Sewer District Act.

AB 600 (Chu), Chapter 612, Statutes of 2019

Local government: organization: disadvantaged unincorporated communities.

Makes changes to LAFCO requirements for approving specified annexations to disadvantaged unincorporated communities.

AB 1822 (Committee on Local Government), Chapter 20, Statutes of 2019

Local Government: omnibus.

Makes several non-controversial changes to LAFCO statutes which govern local government organization and reorganization.

LOCAL GOVERNMENT FINANCE

Chaptered Legislation:

AB 116 (Ting), Chapter 656, Statutes of 2019

Local government.

Modifies the requirement that Enhanced Infrastructure Financing Districts (IFDs) receive voter approval prior to issuing bonds.

AB 305 (Nazarian), Chapter 225, Statutes of 2019

Public capital facilities: public water or wastewater agencies: rate reduction bonds.

Makes a number of changes to existing law that allows publicly-owned utilities that provide water service to form joint powers authorities for the purpose of issuing rate reduction bonds for specified water projects.

AB 485 (Medina), Chapter 803, Statutes of 2019

Local government: economic development subsidies.

Requires local agencies to take specified actions to inform the public before approving or granting economic development subsidies of \$100,000 or more for warehouse distribution centers, and during the term of such subsidies.

AB 689 (McCarty), Chapter 230, Statutes of 2019

Municipal Utility District Act: nonstock security.

Authorizes a pilot project until January 1, 2025, for the Sacramento Municipal Utility District to hold nonstock security in private entities.

AB 723 (Quirk), Chapter 747, Statutes of 2019

Transactions and use taxes: County of Alameda: Santa Cruz Metropolitan Transit District.

Exempts specified transactions and use taxes from counting towards the statutory 2% combined rate cap.

AB 857 (Chiu, Santiago), Chapter 442, Statutes of 2019

Public banks.

Provides for the establishment of a public bank by a local agency, subject to approval by the Department of Business Oversight and Federal Deposit Insurance Corporation.

AB 945 (McCarty), Chapter 619, Statutes of 2019

Local government: financial affairs: surplus funds.

Makes changes to the authority of local agencies to invest surplus funds in certain deposits.

AB 1208 (Ting), Chapter 238, Statutes of 2019

Utility user taxes: exemption: clean energy resource.

Extends, until January 1, 2027, a utility user's tax exemption for the consumption of electricity generated by a clean energy resource located on a customer's premises and used solely for the customer or the customer's tenants.

AB 1413 (Gloria), Chapter 758, Statutes of 2019

Transportation: transactions and use taxes.

Authorizes specified local transportation authorities, which have existing transactions and use tax authority, to levy a transactions and use tax in a portion of its jurisdiction, with voter approval.

SB 293 (Skinner), Chapter 762, Statutes of 2019

Infrastructure financing districts: formation: issuance of bonds: City of Oakland.

Establishes procedures to form an IFD in the City of Oakland, modeled after various existing infrastructure financing district laws.

SB 646 (Morrell), Chapter 78, Statutes of 2019

Local agency utility services: extension of utility services.

Requires connection fees to bear a fair or reasonable relationship to the water or sewer connection that they fund.

SB 699 (Hill), Chapter 214, Statutes of 2019

San Francisco Bay Area regional water system.

Extends the sunset dates of the state's oversight authority of and bond authority for Bay Area regional water system projects.

Vetoed Legislation:

AB 618 (Mark Stone)

Transactions and use taxes: City of Scotts Valley: City of Emeryville.

Would have allowed the Cities of Scotts Valley and Emeryville to adopt an ordinance proposing the imposition of a transactions and use tax that exceeds the 2% statutory limitation.

SB 5 (Beall, McGuire, Portantino)

Affordable Housing and Community Development Investment Program.

Would have established the Affordable Housing and Community Development Investment Program to allow local agencies to reduce contributions of local property tax revenue to schools to build affordable housing and related infrastructure.

SB 531 (Glazer)

Local agencies: retailers.

Would have prohibited a local agency from entering into any agreement that results in a rebate of Bradley-Burns local tax revenues to a retailer in exchange for that retailer locating within that agency's jurisdiction.

SB 598 (Moorlach)

Open Financial Statements Act.

Would have created the Open Financial Statement Commission and required it to report to the Legislature regarding how to transition state and local agencies' financial reporting to a machine readable format.

POWERS AND DUTIES

Chaptered Legislation:

AB 212 (Bonta), Chapter 41, Statutes of 2019

Counties: recording fees.

Allows county recorders to use a \$1 fee collected pursuant to existing law for additional purposes, until January 1, 2026.

AB 632 (Aguiar-Curry), Chapter 62, Statutes of 2019

Counties: offices: consolidation.

Allows the Board of Supervisors in Lake County, by ordinance, to consolidate the offices of Auditor-Controller and Treasurer-Tax Collector when one of the offices has a vacancy.

AB 825 (Mullin), Chapter 292, Statutes of 2019

San Mateo County Flood and Sea Level Rise Resiliency District.

Makes numerous changes to the San Mateo County Flood Control District Act.

AB 857 (Chiu, Santiago), Chapter 442, Statutes of 2019

Public banks.

Provides for the establishment of a public bank by a local agency, subject to approval by the Department of Business Oversight and Federal Deposit Insurance Corporation.

AB 931 (Boerner Horvath), Chapter 813, Statutes of 2019

Local boards and commissions: representation: appointments.

Prohibits, on or after January 1, 2030, the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60% of the same gender identity, and smaller boards and commissions from being comprised entirely of members having the same gender identity.

AB 1100 (Kamlager-Dove), Chapter 819, Statutes of 2019

Electric vehicles: parking requirements.

Clarifies that parking spaces served by electric vehicle supply equipment shall count as parking spaces for the purpose of complying with applicable minimum parking space requirements established by a local jurisdiction.

AB 1106 (Smith), Chapter 165, Statutes of 2019

Los Angeles County: notice of recordation.

Extends the sunset date on specified elements of the Los Angeles County Homeowner Notification Program.

SB 205 (Hertzberg), Chapter 470, Statutes of 2019

Business licenses: stormwater discharge compliance.

Requires a business operation in a regulated industry to demonstrate enrollment in the National Pollutant Discharge Elimination System permit program when applying for an initial business license or business license renewal.

SB 324 (Rubio), Chapter 73, Statutes of 2019

Street lighting systems: City of Temple City.

Allows the Landscaping and Lighting District of Temple City to perform maintenance and make improvements under the Landscaping and Lighting Act of 1972.

SB 379 (Committee on Governance and Finance), Chapter 74, Statutes of 2019

Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

SB 380 (Committee on Governance and Finance), Chapter 75, Statutes of 2019

Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

SB 381 (Committee on Governance and Finance), Chapter 76, Statutes of 2019

Validations.

Validates the organization, boundaries, acts, proceedings, and bonds of the state government, counties, cities, special districts and school districts, among other public bodies.

SB 780 (Committee on Governance and Finance), Chapter 329, Statutes of 2019

Local Government Omnibus Act of 2019.

Enacts the Local Government Omnibus Act of 2019, which proposes a number of non-controversial changes to existing laws governing the powers and duties of local agencies.

SB 789 (Committee on Governance and Finance), Chapter 258, Statutes of 2019

Local government: administration.

Makes several non-controversial changes to statutes that govern local treasurers and tax collectors.

Vetoed Legislation:

AB 891 (Burke)

Public property: safe parking program.

Would have required counties and cities with a population greater than 330,000 to establish a safe parking program.

TRANSPORTATION AND TRANSIT DISTRICTS

Chaptered Legislation:

AB 631 (McCarty, Cooley), Chapter 94, Statutes of 2019

Sacramento Regional Transit District: voting threshold.

Reduces, from 80% to 67%, the nonweighted voting threshold of the Sacramento Regional Transit District (SacRT) Board in order to authorize the detachment of territory from SacRT.

AB 1089 (Mark Stone), Chapter 107, Statutes of 2019

Santa Cruz Metropolitan Transit District.

Makes changes to the contracting requirements for the Santa Cruz Metropolitan Transit District, and alters appointments and reimbursements for the district's Board of Directors.

AB 1730 (Gonzalez), Chapter 634, Statutes of 2019

Regional transportation plans: San Diego Association of Governments: housing.

Amends the timing and process for delivery of the San Diego Association of Government's next regional transportation plan and sustainable communities strategy.

UTILITIES, TELECOMMUNICATIONS, AND ENERGY

Chaptered Legislation:

AB 689 (McCarty), Chapter 230, Statutes of 2019

Municipal Utility District Act: nonstock security.

Authorizes a pilot project until January 1, 2025, for the Sacramento Municipal Utility District to hold nonstock security in private entities.

AB 1208 (Ting), Chapter 238, Statutes of 2019

Utility user taxes: exemption: clean energy resource.

Extends, until January 1, 2027, a utility user's tax exemption for the consumption of electricity generated by a clean energy resource located on a customer's premises and used solely for the customer or the customer's tenants.

SB 355 (Portantino), Chapter 248, Statutes of 2019

Joint powers agencies: Clean Power Alliance of Southern California: meetings.

Authorizes the Clean Power Alliance of Southern California to allow certain alternate members of its legislative body to attend closed sessions of the agency.

WATER

Chaptered Legislation:

AB 508 (Chu), Chapter 352, Statutes of 2019

Drinking water: consolidation and extension of service: domestic wells.

This bill makes changes to statute related to the State Water Resources Control Board's authority to order the consolidation of drinking water systems.

AB 591 (Cristina Garcia), Chapter 124, Statutes of 2019

Central Basin Municipal Water District: board of directors.

Clarifies who can be an appointed member of the Central Basin Municipal Water District Board of Directors.

AB 825 (Mullin), Chapter 292, Statutes of 2019

San Mateo County Flood and Sea Level Rise Resiliency District.

Makes numerous changes to the San Mateo County Flood Control District Act.

AB 1220 (Cristina Garcia), Chapter 71, Statutes of 2019

Metropolitan water districts.

Makes changes to the membership requirements of the Metropolitan Water District Board.

AB 1290 (Gloria), Chapter 755, Statutes of 2019

Water projects: financial assistance and construction financing: Pure Water San Diego Program.

Requires the use of project labor agreements as a condition of receiving construction financing under the Safe Drinking Water State Revolving Fund Law or financial assistance from the State Water Pollution Control Revolving Fund for work performed for any portion of the Pure Water San Diego Program.

AB 1752 (Petrie-Norris, Brough), Chapter 500, Statutes of 2019

South Coast Water District.

Allows, until January 1, 2025, the South Coast Water District to contract with a private entity for the Doheny Ocean Desalination Project, under certain conditions.

SB 205 (Hertzberg), Chapter 470, Statutes of 2019

Business licenses: stormwater discharge compliance.

Requires a business operation in a regulated industry to demonstrate enrollment in the National Pollutant Discharge Elimination System permit program when applying for an initial business license or business license renewal.

SB 387 (Wilk), Chapter 369, Statutes of 2019

Santa Clarita Valley Water Agency: board of directors.

Revises the procedures and circumstances under which the Santa Clarita Valley Water Agency Board will transition from the current 15-member Board to a nine-member directly elected Board.

SB 413 (Rubio), Chapter 370, Statutes of 2019

San Gabriel Basin Water Quality Authority.

Extends by one year the terms of city representatives currently elected to the San Gabriel Basin Water Quality Authority Board and revises specified reporting requirements.

SB 699 (Hill), Chapter 214, Statutes of 2019

San Francisco Bay Area regional water system.

Extends the sunset dates of the state's oversight authority of and bond authority for Bay Area regional water system projects.

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Senate Committee on Governance & Finance
Senator Mike McGuire, Committee Chair
State Capitol, Room 408
Sacramento, California 95814
(916) 651-4119

<http://sgf.senate.ca.gov>

LEGISLATIVE UPDATE

The following summary identifies and briefly describes the significant local government bills that the Senate Governance and Finance Committee has worked on this year. At the end of each description, the bill's status is indicated in *italics*.

If you want to read the Committee's bill analyses or get a copy of a bill listed below, please go to the Legislature's official website leginfo.legislature.ca.gov. You can also use that website to retrieve other bill analyses, official histories, voting records, and any veto messages.

The Senate Committee on Governance and Finance is responsible for hearing legislation pertaining to state and local government revenue mechanisms, taxes, local governance, and land use and development. The summary below groups bills by subject.

Local Agency Formation Commissions (LAFCOs) & Boundary Changes

[SB 414 \(Caballero\)](#) establishes the Small System Water Authority Act of 2019, which requires consolidation of failing water systems into small system water authorities, and specifies the process for formation of a small water system authority; the internal organization of an authority and its board, officers, and employees; requirements for how authority elections will be handled; powers and duties of an authority; and financial provisions that require the State Water Resources Control Board to support specified costs. *Assembly Appropriations Committee.*

[AB 600 \(Chu\)](#) requires an application to annex a contiguous disadvantaged community before a Local Agency Formation Commission (LAFCO) can approve an annexation of two or more contiguous areas of territory within five years that cumulatively would total more than 10 acres. *Signed—Chapter 612, Statutes of 2019.*

[AB 1253 \(R. Rivas\)](#) establishes, until July 31, 2025, a grant program for local agency formation commissions that perform specified actions, including dissolving inactive special districts and actions that benefit disadvantaged communities. *Senate Governance and Finance Committee.*

Land Use Planning & Development

[SB 4 \(McGuire\)](#) establishes a ministerial approval process for transit-oriented development and small multifamily developments that meet specified conditions. *Senate Governance and Finance Committee.*

[SB 13 \(Wieckowski\)](#) makes numerous changes to state laws governing accessory dwelling units (ADUs), including to cap local impact fees, require approval or denial of an ADU application within 60 days, and increase the minimum sizes of ADUs that local ordinances must allow. *Signed—Chapter 653, Statutes of 2019.*

[SB 48 \(Wiener\)](#) establishes a streamlined approval process for a “low-barrier navigation center” that connect people experiencing homelessness to services and permanent housing solutions until January 1, 2027, if it meets specified requirements, and requires local housing elements to identify areas for emergency shelters to be a permitted use in zones that allow residential use, as specified. *Senate Appropriations Committee.*

[SB 50 \(Wiener\)](#) requires local governments to provide a specified “equitable communities incentive” to developers that construct residential developments in “jobs-rich” and “transit-rich” areas, which may include certain exceptions to specified requirements for zoning, density, parking, height restrictions, and floor area ratios. *Senate Appropriations Committee.*

[SB 99 \(Nielsen\)](#) require the city or county, upon the next revision of the housing element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in hazard areas that do not have at least 2 emergency evacuation routes. *Signed—Chapter 202, Statutes of 2019.*

[SB 182 \(Jackson\)](#) imposes additional fire hazard planning responsibilities on local governments, requires counties and cities to make specified findings before permitting developments in very high fire risk areas (VHFRA), requires related fire planning and review by multiple state agencies, and creates a grant program for small jurisdictions to implement this bill's requirements. *Assembly Floor.*

[SB 330 \(Skinner\)](#) establishes the Housing Crisis Act of 2019, which, until January 1, 2025, places restrictions on certain types of development standards, amends the Housing Accountability Act (HAA), and makes changes to local approval processes and the Permit Streamlining Act. *Signed—Chapter 654, Statutes of 2019.*

[SB 527 \(Caballero\)](#) clarifies that commercial cannabis may be designated as a compatible use under the Williamson Act and provides that industrial hemp cultivation is an agricultural use. *Signed—Chapter 273, Statutes of 2019.*

[SB 744 \(Caballero\)](#) creates a California Environmental Quality Act (CEQA) exemption for developments that qualify for No Place Like Home (NPLH) funding and makes clarifying

changes to existing law that provides for by-right approval of specified permanent supportive housing projects. *Signed—Chapter 346, Statutes of 2019.*

[AB 101 \(Committee on Budget\)](#)* establishes fines for violations of specified provisions of state housing law, creates the Infill Infrastructure Grant Program to award funding to cities for infill projects, includes similar provisions to SB 48 (Wiener), and makes other changes. *Signed—Chapter 159, Statutes of 2019.*

[AB 68 \(Ting\)](#) makes numerous changes to state laws governing ADUs, including to expand the types of ADUs that are eligible for ministerial approval regardless of the provisions of local ordinances to include ADUs on multifamily properties, restricts the zoning requirements that local ADU ordinances may impose, and makes other changes. *Signed—Chapter 655, Statutes of 2019.*

[AB 168 \(Aguiar-Curry\)](#) establishes a scoping consultation process before the submission of a SB 35 application to determine if there are potential tribal cultural resources on a proposed project site. If there are tribal cultural resources, the applicant must go through a process, as specified, to identify tribal cultural resources and mitigate any impact to those sites. *Senate Floor.*

[AB 430 \(Gallagher\)](#) establishes a streamlined, ministerial approval process for housing development in specified cities in Northern California until January 1, 2026. *Signed—Chapter 745, Statutes of 2019.*

[AB 747 \(Levine\)](#) requires, beginning January 1, 2022, the safety element to identify evacuation routes and their capacity, safety, and viability under a range of emergency scenarios. *Signed—Chapter 681, Statutes of 2019.*

[AB 754 \(Grayson\)](#) authorizes the California Department of Technology to provide Geographic Information Systems data to a regional notification center (RNC), as specified; and requires applications for solar energy system permits to contain a reference to the existing requirements to notify an RNC of intended excavation, as specified. *Signed—Chapter 494, Statutes of 2019.*

[AB 881 \(Bloom\)](#) makes numerous changes to state laws governing ADUs, including to prohibit local agencies from imposing owner-occupancy restrictions on ADUs until January 1, 2025. *Signed—Chapter 659, Statutes of 2019.*

[AB 1100 \(Kamlager-Dove\)](#) makes parking spaces served by electric vehicle (EV) charging equipment count as a standard parking space for purpose of complying with any applicable minimum parking requirement established by a local jurisdiction. *Signed—Chapter 819, Statutes of 2019.*

[AB 1279 \(Bloom\)](#)* requires certain development sites in high resource areas to allow for more density and height and makes these sites subject to "use by-right" approval. *Senate Housing Committee.*

[AB 1483 \(Grayson\)](#) requires cities and counties to post specified housing-related information on their Web sites and requires the Department of Housing and Community Development to establish a workgroup, as specified, to develop a strategy for state housing data. *Signed—Chapter 662, Statutes of 2019.*

[AB 1485 \(Wicks\)](#) allows a project to be eligible for streamlined, ministerial approval under existing law (SB 35, Wiener, 2017) if the project contains 10 or more units and dedicates 20% of the total number of units to housing affordable to households making below 120% of the area median income, with the average income of the units at or below 100% of the area median income. *Signed—Chapter 663, Statutes of 2019.*

[AB 1515 \(Friedman\)](#) prohibits a court from invalidating a development approval that was granted based on a community plan that meets specified criteria, if the development was approved or had a complete application prior to the community plan being invalidated, as specified. *Signed—Chapter 269, Statutes of 2019.*

[AB 1763 \(Chiu\)](#) revises density bonus law (DBL) to require a city or county to award a developer additional density, concessions and incentives, and height increases if 100% of the units in a development are restricted to low- and moderate-income households. *Signed—Chapter 666, Statutes of 2019.*

[AB 1783 \(R. Rivas\)](#) creates a streamlined, ministerial approval process for agricultural employee housing that meets specified criteria and prohibits specified state housing funds from being utilized for constructing housing for H-2A workers (nonimmigrant agricultural workers). *Signed—Chapter 866, Statutes of 2019.*

Local Economic Development

[SB 531 \(Glazer\)](#) prohibits a local agency from entering into any agreement that results in a rebate of Bradley-Burns local tax revenues to a retailer in exchange for that retailer locating within that agency's jurisdiction. *Vetoed by Governor.*

[AB 485 \(Medina\)](#) requires local agencies to publicly report specified information when providing economic development subsidies of \$100,000 or more for warehouse distribution centers. *Signed—Chapter 803, Statutes of 2019.*

Local Powers & Governance

[SB 128 \(Beall\)](#) extends the best-value contracting pilot program until January 1, 2025, and adds Santa Clara and Monterey counties to the program. *Signed—Chapter 501, Statutes of 2019.*

[SB 139 \(Allen\)](#) requires a county with more than 400,000 residents to establish an independent redistricting commission tasked with adopting the county's supervisorial districts following each federal decennial census, as specified. *Vetoed by Governor.*

[SB 205 \(Hertzberg\)](#) requires businesses to demonstrate enrollment with stormwater discharge permits when applying for, or renewing, a business license with a city or county. *Signed—Chapter 470, Statutes of 2019.*

[SB 281 \(Wiener\)](#) prohibits any officer, employee, operator, or lessee of Agriculture District 1-A, from contracting for, authorizing, or allowing the sale of any firearm or ammunition at the Cow Palace property in San Mateo County and San Francisco County. As heard by the Committee, SB 281 created the Cow Palace Authority, required the state to transfer the Cow Palace to this new entity, and banned gun shows on the premises. *Senate Appropriations Committee.*

[SB 438 \(Hertzberg\)](#) prohibits, with some exceptions, a public agency from delegating, assigning, or entering into a contract for "911" call processing or emergency notification duties regarding the dispatch of emergency response services, unless the contract or agreement is with another public agency, and states that "medical control" shall not be construed to limit, supplant, prohibit, or otherwise alter a public safety agency's (PSA) authority to directly receive and process requests for assistance originating within the PSA's territorial jurisdiction through the emergency "911" system. *Signed—Chapter 389, Statutes of 2019.*

[SB 598 \(Moorlach\)](#) establishes the Open Financial Statement Commission (Commission), within the State Treasurer's Office (STO), and requires the Commission to report to the Legislature regarding how and whether to transition state and local agencies' financial reporting to a machine readable format, as specified. *Vetoed by Governor.*

[SB 681 \(Stern\)](#) authorizes the proponent of a local referendum or charter amendment initiative to withdraw the measure prior to election, as specified. *Signed—Chapter 569, Statutes of 2019.*

[AB 423 \(Gloria\)](#) restructures the governing board of the San Diego County Air Pollution Control District (SDAPCD) to include city and public representatives, imposes new requirements on SDAPCD, and requires the California Air Resources Board (CARB) to conduct a specified program audit of the SDAPCD. *Signed—Chapter 744, Statutes of 2019.*

[AB 689 \(McCarty\)](#) authorizes a pilot project for the Sacramento Municipal Utility District (SMUD) to acquire nonstock security in private entities. *Signed—Chapter 230, Statutes of 2019.*

[AB 825 \(Mullin\)](#) makes numerous changes to the San Mateo County Flood Control District Act to allow the District to finance projects to address sea level rise. *Signed—Chapter 292, Statutes of 2019.*

[AB 849 \(Bonta\)](#) revises and standardizes the criteria, procedures, and requirements that counties and cities must use when adjusting the boundaries of electoral districts used to elect members of the jurisdictions' governing bodies. *Signed—Chapter 557, Statutes of 2019.*

[AB 891 \(Burke\)](#) requires each city and county with a population greater than 330,000 to establish a safe parking program that meets specified criteria by January 1, 2022. *Vetoed by Governor.*

[AB 931 \(Boerner Horvath\)](#) prohibits the membership of appointed boards and commissions in cities with a population of 50,000 or more from having more than 60% of the same gender identity on or after January 1, 2030; and specifies that smaller boards and commissions must not be comprised of members having the same gender identity. *Signed—Chapter 813, Statutes of 2019.*

[AB 945 \(McCarty\)](#) increases the cap on the amount of surplus funds local agencies can invest in certain deposits and removes the January 1, 2021 sunset date on the ability to make these types of deposits. *Signed—Chapter 619, Statutes of 2019.*

[AB 1112 \(Friedman\)](#) places restrictions on (1) the data a local authority may require a shared mobility device provider to provide to the local authority and (2) the kinds of regulations a local authority may place on a shared mobility service provider or user. *Senate Transportation Committee.*

[AB 1162 \(Kalra\)](#) prohibits a lodging establishment from providing a small plastic bottle containing shampoo, hair conditioner, or bath soap to guests, as specified, and prohibits local governments from adopting more restrictive ordinances. *Signed—Chapter 687, Statutes of 2019.*

[AB 1286 \(Muratsuchi\)](#) places requirements on companies that provide shared mobility devices and the local authorities that allow such devices to be operated within their jurisdictions, including to require specified levels of liability insurance and to obtain a permit to operate from a local jurisdiction. *Senate Judiciary Committee.*

[AB 1289 \(Chen\)](#) prohibits a city, county, or city and county from fining an alarm company requesting dispatch to a customer that does not have a current local use permit for an alarm system, as specified. *Signed—Chapter 65, Statutes of 2019.*

[AB 1486 \(Ting\)](#) imposes additional requirements on the process that public agencies must use when disposing of surplus property. *Signed—Chapter 664, Statutes of 2019.*

[AB 1605 \(Ting\)](#) authorizes the City and County of San Francisco to establish a reservation and pricing pilot program for vehicles that use the "Crooked Street." *Vetoed by Governor.*

[AB 1607 \(Boerner Horvath\)](#) requires a city or county, upon issuing a business license, to provide the business with written notice about the legal prohibition on gender-based pricing discrimination for services and the related posting requirements. *Signed—Chapter 293, Statutes of 2019.*

[AB 1736 \(Daly\)](#) requires a local agency to create and maintain a policy for notifying the apparent lowest responsible bidder and the subcontractors listed in a bid within a reasonable time. *Vetoed by Governor.*

[AB 1743 \(Bloom\)](#) expands properties exempt from community facility district taxes to include properties that qualify for the property tax welfare exemption, and limits the ability for local agencies to reject housing projects because they qualify for the exemption. *Signed—Chapter 665, Statutes of 2019.*

Redevelopment & Infrastructure Financing

[SB 5 \(Beall\)](#) allows local agencies to reduce contributions of local property tax revenue to schools to build affordable housing and related infrastructure. *Vetoed by Governor.*

[SB 293 \(Skinner\)](#) establishes a procedure to form Oakland Infrastructure Financing Districts (Oakland IFDs), based on existing infrastructure financing district law. *Signed—Chapter 762, Statutes of 2019.*

[SB 532 \(Portantino\)](#) authorizes the City of Glendale's redevelopment agency (RDA) successor agency to use specified bond proceeds for specified affordable housing purposes, rather than using those proceeds to defease the bonds. *Vetoed by Governor.*

[SB 646 \(Morrell\)](#) requires connection fees to bear a fair or reasonable relationship to the water or sewer connection that they fund, consistent with existing law. *Signed—Chapter 78, Statutes of 2019.*

[AB 11 \(Chiu\)*](#) authorizes a city or county to create affordable housing and infrastructure agency subject to approval by the Strategic Growth Council. *Assembly Appropriations Committee.*

[AB 116 \(Ting\)*](#) authorizes Enhanced Infrastructure Financing Districts to issue bonds without voter approval provided they go through specified protest process. *Signed—Chapter 656, Statutes of 2019.*

[AB 305 \(Nazarian\)](#) allows wastewater utilities to issue rate reduction bonds and makes numerous changes to the process of issuing those bonds. *Signed—Chapter 225, Statutes of 2019.*

[AB 411 \(Mark Stone\)](#) authorizes the City of Santa Cruz’s redevelopment successor agency to use specified bond proceeds for affordable housing purposes, rather than defeasing or canceling the bonds. *Vetoed by Governor.*

[AB 1290 \(Gloria\)](#) requires contractors for the Pure Water San Diego program to enter into a project labor agreement as a condition of receiving specified state funds. *Signed—Chapter 755, Statutes of 2019.*

[AB 1484 \(Grayson\)](#)* imposes numerous limitations on impact fees that local governments may impose on housing projects. *Senate Rules Committee.*

[AB 1487 \(Chiu\)](#) establishes the Bay Area Housing Finance Authority (BAHFA) throughout the San Francisco Bay Area and sets forth the governing structure and powers of the BAHFA Board, allowable financing activities, and allowable expenditures of the revenues generated. *Signed—Chapter 598, Statutes of 2019.*

[AB 1659 \(Bloom\)](#) redefines “city” as it applies to home mortgage financing and multifamily rental housing bonds, to include any nonprofit public benefit corporation or instrumentality created by the City of Los Angeles for the purpose of issuing housing bonds in the City. *Senate Floor.*

* = Bill was never heard in the Senate Governance & Finance Committee

To read and retrieve copies of the Senate Governance & Finance Committee’s detailed reference materials and other publications, please go to the Committee’s website: <u>http://sgf.senate.ca.gov</u>
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2020 Events Calendar

JANUARY

- 13** CALAFCO University course (Orange County)
- 17** CALAFCO Legislative Committee (Irvine)
- 21-23** CA Assn. of Sanitation Agencies Conference (Indian Wells)
- 22-24** League New Mayor & Council Academy (Sacramento)

FEBRUARY

- 21** CALAFCO Board of Directors Meeting (San Diego)

MARCH

- 5-8** Local Government Commission Ahwahnee Conference (Yosemite)
- 6** CALAFCO Legislative Committee (Sacramento)
- 12** Assn. of CA Water Agencies Legislative Symposium (Sacramento)
- 25-27** CALAFCO Staff Workshop (Newport Beach)
- 31** Fire District Assn. Annual Meeting (Napa)

APRIL

- 1-3** Fire District Assn. Annual Meeting (Napa)
- 3** CALAFCO Legislative Committee (San Diego)
- 22** League of Cities Legislative Day (Sacramento)

MAY

- 1** CALAFCO Board of Directors Meeting (Sacramento)
- 5-8** Assn. of CA Water Agencies Conference (Monterey)
- 8** CALAFCO Legislative Committee (Conference call)
- 19-20** CA Special Districts Assn. Legislative Days (Sacramento)
- 27-28** CA State Assn. of Counties Legislative Days (Sacramento)

JUNE

- 12** CALAFCO Legislative Committee (Conference call)
- 17-18** League Mayor & Council Executive Forum (Monterey)

JULY

- 17** CALAFCO Legislative Committee (Conference call)
- 24** CALAFCO Board of Directors Meeting (San Diego)

AUGUST

- 12-14** CA Assn. of Sanitation Agencies Annual Conference (Squaw Valley)
- 24-27** CA Special Districts Assn. Annual Conference (Palm Desert)

SEPTEMBER

- 16-17** Regional Council of Rural Counties Annual Conference (Napa)

OCTOBER

- 2** CALAFCO Legislative Committee (2021) (Conference call)
- 7-9** League Annual Conference (Long Beach)
- 21-23** CALAFCO Annual Conference (Monterey)
- 22** CALAFCO Annual Business Meeting (Monterey)
- 23** CALAFCO Board of Directors Meeting (Monterey)

NOVEMBER

- 6** CALAFCO Legislative Committee (2021) (Sacramento)
- 13** CALAFCO Board of Directors Meeting (Sacramento)

DECEMBER

- 1-4** CA State Assn. of Counties Annual Conference (Los Angeles)
- 1-4** Assn. of CA Water Agencies Conference (Indian Wells)

Sharing Information and Resources

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS

1020 12th Street, Suite 222
Sacramento, CA 95814
916-442-6536

For current information and other CALAFCO resources please visit www.calafco.org

**LAFcos for Roll Call Voting
2019 Annual Business Meeting
October 31, 2019**

MOTION: Santa Cruz LAFCo motioned to approve the new dues structure and bylaws changes as proposed in the meeting packet. Seconded by Sacramento LAFCo. Passed by the following vote:

Alameda_Y__	Mariposa_Y__	Santa Clara_Y__
Alpine_A__	Mendocino__N__	Santa Cruz_Y__
Amador_N__	Merced_Y__	Shasta_A__
Butte_Y__	Modoc_Y__	Sierra_A__
Calaveras_Y__	Mono_A__	Siskiyou_A__
Colusa_Y__	Monterey_Y__	Solano_Y__
Contra Costa_Y__	Napa_Y__	Sonoma__Y__
Del Norte_Y__	Nevada_Y__	Stanislaus_Y__
El Dorado_Y__	Orange_Y__	Sutter_Y__
Fresno_Y__	Placer_Y__	Tehama_A__
Glenn_N__	Plumas_Y__	Trinity_A__
Humboldt_Y__	Riverside_Y__	Tulare_N__
Imperial_Y__	Sacramento_Y__	Tuolumne_A__
Inyo_A__	San Benito_Y__	Ventura_N__
Kern_N__	San Bernardino_Y__	Yolo_Y__
Kings_N__	San Diego_Y__	Yuba_Y__
Lake_Y__	San Francisco_A__	
Lassen_Y__	San Joaquin_N__	
Los Angeles_Y__	San Luis Obispo_Y__	
Madera_N__	San Mateo_Y__	
Marin_Y__	Santa Barbara_N__	

YES: 38

NO: 10

ABSENT: 10



December 2, 2019

Santa Cruz LAFCo
701 Ocean Street, Rm 318-D
Santa Cruz, CA 95060

RECEIVED

DEC 4 2019

Santa Cruz LAFCO

Dear Chair and Commission:

On behalf of the California Association of Local Agency Formation Commissions (CALAFCO), I would like to thank your commission for allowing some of your members and/or staff the opportunity to attend the CALAFCO 2019 Annual Conference in Sacramento.

We understand that prioritizing expenditures can be challenging. Ensuring you and your staff have access to ongoing professional development and specialized educational opportunities, allows all of you the opportunity to better serve your commission and fulfill the mission of LAFCo. The sharing of information and resources among the LAFCo commissioners and staff statewide serves to strengthen the LAFCo network and creates opportunities for rich and value-added learning that is applied within each LAFCo.

Thank you again for your participation in the CALAFCO 2019 Annual Conference, I hope you found it a valuable experience. We truly appreciate your membership and value your involvement in CALAFCO.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Pamela Miller", is written over a light blue circular stamp.

Pamela Miller
Executive Director



Santa Cruz Local Agency Formation Commission

Date: January 8, 2020
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Press Articles during the Months of November and December**

SUMMARY OF RECOMMENDATION

LAFCO staff monitors local newspapers, publications, and other media outlets for any news affecting local agencies or LAFCOs around the State. Articles are presented to the Commission on a periodic basis. This agenda item is for informational purposes only and does not require any action. Therefore, it is recommended that the Commission receive and file the Executive Officer's report.

EXECUTIVE OFFICER'S REPORT

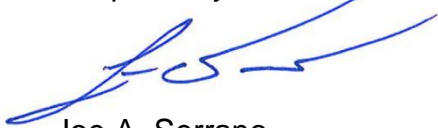
The following is a summary of recent press articles. Full articles are attached.

1. **"Santa Cruz County cities earn red flags in state auditor's fiscal health analysis"**: The article, dated November 3rd, highlights a new online program created by the State Auditor's office to analyze the fiscal health of all California cities. The online program is part of a high-risk local government agency audit program to identify cities that could be facing fiscal challenges by assessing their levels of risk using various financial indicators. The webpage can be viewed in the following link: https://www.auditor.ca.gov/bsa/cities_risk_index.
2. **"Planners review Capitola Mall proposal"**: The article, dated November 8th, discusses the City of Capitola's efforts to reconstruct the Capitola Mall. The City's goal is to promote a neighborhood for residents and new meeting place for visitors. Potential redevelopment may include 340,000 square feet of commercial and retail space and 637 residential units.
3. **"As financial woes mount, Scotts Valley eyes sizable sales tax increase"**: The article, dated November 14th, indicates that the City of Scotts Valley may consider a sales tax increase for resident vote. A ballot measure proposing the sales tax increase is expected to be brought forward at the December 4th City Council meeting.
4. **"Santa Cruz City Council adopts strategy to increase water supply"**: The article, dated November 14th, discusses the City of Santa Cruz's adoption of a revised water supply augmentation strategy to increase water supply. The plan will integrate information from an advisory committee, as well as take short-term low-risk opportunities or projects in the near future that the water department expects will bring minimal losses, to increase the water supply and push decisions for future augmentation strategies to the year 2022.

5. **“Fire district consolidation pondered”**: The article, dated November 15th, discusses the recent approval by Sonoma LAFCO to expand Glen Ellen Fire District’s sphere of influence to include a number of other fire districts. This motion allows the consideration, and potential study, for a consolidation of two or more fire districts. The article highlights the potential issues and liabilities that would need to be analyzed as part of the consolidation process, if the agencies move forward.
6. **“Government Corner: Wrap up | Lawsuit against Soquel Creek Water District is dismissed”**: The article, dated November 19th, notes that the lawsuit against Soquel Creek Water District was dismissed in early November. The lawsuit raised concerns towards an environmental analysis involving the planned wastewater recycling plant.
7. **“Soquel Creek Water District recycled water project awarded \$50M state grant”**: The article, dated November 19th, indicates that the State Water Resources Control Board approved a \$50 million grant for Soquel Creek Water District’s pending Pure Water Soquel Groundwater Replenishment and Seawater Intrusion Prevention Project. The state grant will account for more than half Pure Water Soquel’s projected total \$90 million construction cost.
8. **“Santa Cruz sets recall election, names next mayor”**: The article, dated November 27th, states that the city council certified the recall petition results. The recall election will be held in March 2020. During the meeting, the city council also named Commissioner Cummings as the next city mayor.
9. **“Focus Agriculture’s Class 30 Graduation”**: The article, dated December 5th, showcased the Focus Agriculture Class of 2019, which included Commissioner Estrada. Focus Agriculture is a first-in-the-nation, national award-winning program. It allows community leaders to have a two-way conversation with people involved in agriculture. The program is structured so that participants gain in-depth knowledge of the many commodities, issues and people involved in local agriculture here in Santa Cruz County and the Pajaro Valley.
10. **“First African American Man To Serve As Santa Cruz Mayor Sworn In”**: The article, dated December 12th, acknowledged Commissioner Justin Cummings as the first African American mayor for the City of Santa Cruz. Commissioner Cummings was quoted as saying “As the mayor of Santa Cruz, I am committed to working with you, the community, for continuing to make this vision our reality.” His term runs until May 2022.
11. **“Support CSA 48 Santa Cruz County Fire Assessment”**: The guest commentary, dated December 14th, was written by Pat McCormick, former Executive Officer for Santa Cruz LAFCO. Mr. McCormick provides a background of CSA 48’s revenue source and discusses the benefits of supporting a proposed increase to the existing benefit assessments. The County Elections Department is currently collecting ballots from affected residents. Mailed-in ballots are due no later than Monday, January 13.

12. **“Santa Cruz County fire agencies inspect world’s first all-electric ‘concept’ fire truck”**: The article, dated December 12th, discussed the benefits from having an electric-powered vehicle as a new apparatus for local fire agencies. The manufacturer, Rosenbauer, has previously provided traditional diesel-powered vehicles to Central and Aptos-La Selva fire districts in recent years. The prototype Concept Fire Truck houses various equipment and components including a 500-gallon water pump capable of delivering 1,000-gallons-per-minute.
13. **“State funding could help preserve Santa Cruz County coastal old growth forests”**: The article, dated December 19th, explains how the California Coastal Conservancy board unanimously voted to set aside as much as \$2.5 million towards the Save the Redwoods League’s efforts to purchase the Cascade Creek (Holmes) Property. This area includes 554 acres of coastal land stretching from Año Nuevo State Reserve south to Big Basin Redwoods State Park.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. “Santa Cruz County cities earn red flags in state auditor’s fiscal health analysis”
2. “Planners review Capitola Mall proposal”
3. “As financial woes mount, Scotts Valley eyes sizeable sales tax increase”
4. “Santa Cruz City Council adopts strategy to increase water supply”
5. “Fire district consolidation pondered”
6. “Government Corner: Wrap up | Lawsuit against Soquel Creek Water District is dismissed”
7. “Soquel Creek Water District recycled water project awarded \$50M state grant”
8. “Santa Cruz sets recall election, names next mayor”
9. “Focus Agriculture’s Class 30 Graduation”
10. “First African American Man To Serve As Santa Cruz Mayor Sworn In”
11. “Support CSA 48 Santa Cruz County Fire Assessment”
12. “Santa Cruz County fire agencies inspect world’s first all-electric ‘concept’ fire truck”
13. “State funding could help preserve Santa Cruz County costal old growth forests”

Santa Cruz County cities earn red flags in state auditor's fiscal health analysis

SANTA CRUZ — In a new state auditor assessment of cities' fiscal health, Santa Cruz ranked as "high risk" in some indicator areas, but was categorized as a "moderate risk" overall.

California State Auditor Elaine M. Howle used local governments' fiscal year 2016-2017 accounting records to create the state's first [interactive public Local Government High Risk database](#) of 470 California cities. In Santa Cruz County, the City of Santa Cruz ranked overall at 82, Watsonville at 84, Scotts Valley at 157 and Capitola at 216, compared to other cities' fiscal health.

Out of 10 categories ranging from employee costs to debt burden, Santa Cruz ranked as No. 1 (high risk) for how much it has set aside to cover its future retiree health benefit liabilities. The city's top risk factor does not set it above most other cities, with county neighbors Scotts Valley and Watsonville also sharing the same top ranking, in addition to nearly 200 other cities around the state.

"The majority of California's cities have not set aside sufficient assets to pay for other post-employment benefits of their employees," the Auditor's website notes.

In fact, 331 or 71% of cities were categorized by the state as generally "high risk" in this indicator category. The high-risk category is reserved for cities with "a significant potential for waste, fraud, abuse or mismanagement or has major challenges associated with its economy, efficiency or effectiveness."

LOCAL PERSPECTIVE

Santa Cruz Interim Finance Director Cheryl Fyfe said at least two things stood out to her about the database: one, that Santa Cruz and other cities have taken steps to improve the financial risk since the 2017 fiscal year, and two, that the state's analysis did not weigh the benefit of Santa Cruz's safety-net retiree healthcare fund, known as a Section 115 Trust, against its liability risk.

"We have about \$3.4 million set aside in a trust. It can only be used for retiree health. We don't use it for current annual payments to retirees," Fyfe said. "We have it there as just trying to fund future costs. And because it's a trust, we're able to draw higher interest than we are on our investment portfolio."

The trust, however, does not offset the city's liability risk because it is the city's money which can be withdrawn for use, versus an irrevocable trust that cannot be used by the city, Fyfe said.

Fyfe said the city does not seem to be in much financial danger, despite the fact that the city's annual retiree health care cost estimates continue to grow, including a dramatic near-tripling to around \$40 million in long-term liability estimates after the state Government Accountability Standards Board changed reporting methods in 2018.

“We do keep an eye on it and if we needed to, we would put more money into the trust,” Fyfe said. “We’re evaluating it all the time — we’re trying to look to the future to make sure it’s not the burden of future employees.”

RETIREE PENSIONS

All four Santa Cruz County cities also ranked as high-risk for their future pension costs, assessed by comparing their projected annual required pension plan contributions to their pension plan(s) and to their present level of annual revenue. The state categorized 47% of its cities as those with high-risk pension liability concerns.

Fyfe said that Santa Cruz is worried about looming future retiree pension liability, “but we’re worried about it and we’re doing things.” Namely, she said, the city has a retiree pension trust of \$7.4 million set aside, and made an \$8 million California Public Employees’ Retirement System payment toward its unfunded pension liability at the beginning of this fiscal year, saving the city what could amount to about \$500,000 in the city’s long-term interest payment for the year, Fyfe said.

Watsonville also earned a high-risk categorization for its general fund reserves, while Capitola’s and Scotts Valley’s pension obligations earned red flags.

8A: ATTACHMENT 2

Planners review Capitola Mall proposal

CAPITOLA — Plans for redevelopment of the Capitola Mall are proceeding, following a conceptual review from the mall owners at the Capitola Planning Commission meeting Thursday.

Mall owner Merlone Geier Partners presented design plans to the commission. The city of Capitola's contracted design team, RRM Design Group, responded to the plans, as did the attending public, Capitola city staff and the planning commission.

About 30 people attended the meeting. No decisions for the mall's redevelopment were made.

Merlone Geier owns the majority of the mall, excluding anchor tenants Macy's, Target and Kohl's. Merlone Geier's plans are to tear down the mall and create an open-air "Capitola Town Square" with new features that include outdoor gathering areas, a main thoroughfare, shopping, a movie theater and affordable housing.

This translates to nearly 340,000 square feet of commercial and retail space and 637 residential units. This number is derived from the maximum housing allowed, 20 units per acre, according to David Geiser, Merlone Geier's managing director of design and construction. Merlone Geier hasn't decided on what type of housing it will build, but could choose from multifamily renters, independent living and/or senior housing.

Merlone Geier's David Geiser said the company wants to promote a "neighborhood focus for residents" and a new meeting place for visitors. Merlone Geier plans to build two residential parking garages with nearly 1,100 spaces, as well as provide about 2,600 commercial parking spaces.

Merlone Geier also anticipates putting in new signage, improving bicycle and pedestrian pathways and moving the Santa Cruz Metro station from the mall entrance to a location between Macy's and Kohl's.

In order to reconstruct the mall, Merlone Geier needs permission for planned redevelopment zoning, which will allow the company to deviate from zoning regulations in other local districts and focus on providing public benefits of the new space.

Capitola contracted RRM Design Group to provide two design reviews of the mall redevelopment plan. At the meeting, Scott Martin, an architect with RRM and Matt Ottoson, senior planner at RRM, shared their concerns about the town square concept. Among their suggestions were to keep architectural styles relevant to Capitola's coastal village character, expand public open space, create opportunities for natural light and vary building elements to minimize the appearance of larger buildings — some up to 85 feet.

Capitola also contracted with real estate and financial advisory firm Kosmont Cos. to conduct a fiscal impact analysis. Capitola city staff shared highlights of the analysis at the meeting.

Capitola city staff shared findings from the city's stormwater consultant HydroScience and feedback from the city of Santa Cruz Water Department and the county of Santa Cruz Sanitation District, two stakeholder agencies that serve the mall site. The water department requires a water supply assessment for the environmental review process and the sanitation district believes the project will likely need larger downstream sewer mains, according to city staff.

When the meeting opened for public comment, Capitola and county residents shared concerns around housing, accessibility and Capitola culture. Attendees said that housing wouldn't be built fast enough to meet its immediate need, that more bike and pedestrian paths are needed and architecture must stay true to Capitola.

Capitola resident Cherrie McCoy said she didn't believe the proposal looked like Capitola "at all" and wanted commissioners to "Say no to Santana Row" or a similar shopping center being built here.

Others supported any forms of housing and change to the "dying" mall, as long as public art and the scale of buildings matched Capitola's village characteristics.

The planning commissioners also spoke about their likes and dislikes. Capitola Planning Commissioner Ed Newman said this was "an excellent effort for what the city is trying to accomplish," but he has issues with the name because it will not be a true town square if it doesn't have official city buildings and is the heart of city events.

Planning Commissioner Peter Wilk expressed that the "Kosmont analysis was striking," that the new idea for the mall could turn out to be a revenue loss and that the concentrated population increase from residential units could cause traffic problems.

"It's a great project," Wilk said. "If we can handle the finance, I'm all for it."

Merlone Geier Partners answered questions from commissioners.

"The type of retail will drive the economic process," said Stephen Logan, vice president of development of Merlone Geier.

Capitola Planning Commissioner Mick Routh agreed that the key to approving the project would be that it would be an "economic driver." Routh suggested reducing housing units and constructing a hotel to generate more revenue for the city.

Plans for the Capitola Mall will be discussed at the Capitola City Council meeting at 7 p.m. Thursday at the Capitola City Hall, 420 Capitola Ave.

After review from the City Council, Merlone Geier will take feedback and submit a formal application in January. With an environmental review and final project approval, construction is expected to start in spring/summer 2021 and be completed in summer 2024, according to Merlone Geier.

As financial woes mount, Scotts Valley eyes sizable sales tax increase

[UC Santa Cruz grad student accuses UC Board regent of groping her 5 years ago](#)

November 14, 2019 at 8:37 am

SCOTTS VALLEY — Scotts Valley city leaders are considering sending a sizable sales-tax increase to voters as the city grapples with mounting financial woes.

Under consideration is a sales tax increase of up to 1.25%, which would bring the city's combined rate up to 9.75% and raise an additional \$3.3 million a year. City leaders are also eyeing a smaller increase of 1%, which would raise \$2.6 million annually.

The tax could be proposed as temporary — for a duration of at least 10 years, as currently envisioned — or permanent.

A ballot measure proposing the sales tax increase is expected to be brought forward at the Dec. 4 City Council meeting.

If approved by the council, the measure would be sent to the ballot in March 2020. The council would need to unanimously declare a fiscal emergency to send any measure forward because no council seats are on the ballot in March.

Scotts Valley Mayor Jack Dilles called the sales-tax conversation the city's "top priority" on Monday.

The city faces a stark choice, Dilles said: raise revenue or cut services.

"Particularly, we would be putting public safety services at risk," Dilles said. "We don't want to go there, so we think the only realistic way we can continue to provide services is to ask our voters to help us with a sales tax increase."

Part of the potential increase would aim to replace Measure U, a temporary half-cent sales tax increase that sunsets in March 2022.

"If that expires, we are for sure going off the fiscal cliff," City Manager Tina Friend told the Scotts Valley City Council on Wednesday.

As public-employee pension costs have skyrocketed, state support has dwindled and local revenues stagnate, officials say the city is also in dire need of new revenue to maintain its current level of services.

Scotts Valley is currently spending at a deficit and expects to drain its fiscal reserves by 2022. Continuing projected deficits of \$1 million to \$3 million each year would then require cuts to staff and services, according to Friend.

Friend said Scotts Valley has already undergone significant "belt-tightening," operating with a 20% smaller staff compared to 15 years earlier and putting off capital improvements and other proactive investments in an effort to cut down on costs.

“We’re at the point where we’ve got massive cracks throughout the organization,” she said.

With a population of about 12,000, Scotts Valley is the second-smallest city in Santa Cruz County behind Capitola.

City voters have broadly supported local tax increases in recent years, with many taxes appearing on the ballot without an opposition argument.

Last November, city voters approved a transient-occupancy tax increase — aimed at addressing the same fiscal challenges — as well as a parcel tax for local schools. Measure U, which the potential sales tax would effectively replace and expand, earned 75% support in 2013.

Wednesday, however, Councilman Jim Reed said the city should be cautious about counting on continued support in the current political climate.

Reed, who works as chief of staff for San Jose Mayor Sam Liccardo, said he has reviewed multiple recent polls in that capacity that show a “radical shift” in confidence in government among some California residents.

“With social media, with the internet, with the way one person who believes passionately about something and is even marginally adept at social media can be an army ... there’s a huge iceberg below the water,” Reed said.

The City Council signed off on conducting a poll to gauge support for the potential measure Wednesday, with results expected in advance of the Dec. 4 meeting.

IF YOU GO

What: Scotts Valley City Council expected to consider sending a sales-tax increase to the March 2020 ballot.

When: 6 p.m. Dec 4.

Where: Scotts Valley City Council Chambers, 1 Civic Center Drive
Scotts Valley.

Care about your community? We do, too.

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8A: ATTACHMENT 4

Santa Cruz City Council adopts strategy to increase water supply

[UC Santa Cruz grad student accuses UC Board regent of groping her 5 years ago](#)

November 14, 2019 at 8:37 am

SANTA CRUZ — The Santa Cruz City Council is on board with changes to the Water Supply Advisory Committee's plan to increase water supply in Santa Cruz.

The council unanimously approved a revised water supply augmentation strategy presented by the city of Santa Cruz Water Commission on Tuesday.

The plan, recommended by city staff, is a revised work plan from the Water Supply Advisory Committee, a group of nearly 15 Santa Cruz and Live Oak residents appointed to address the city's water supply issue.

Rosemary Menard, director of the city's water department, said a major issue is that the city doesn't have a place to store water and it needs more water to get through droughts.

The adopted augmentation strategy will integrate information from the advisory committee, as well as take short-term low-risk opportunities, or projects in the near future that the water department expects will bring minimal losses, to increase the water supply and push decisions for future augmentation strategies to the year 2022.

Near-term efforts are expected to increase water storage supply. One of these efforts is developing aquifer storage and recovery, or a way to store water in nearby aquifers to use when there is a drought. The water department is focusing its efforts on the Beltz wellfield, a water system in Live Oak that has existing infrastructure to put water in as well as take it out of the aquifers.

Another near-term effort is developing a "robust" water treatment process, which allows more water of varying qualities to be treated and added to the city's supply.

Decisions for future augmentation strategies were pushed to 2022 in order to incorporate more climate change information, according to Menard. Future climate change may impact the availability and reliability of regional surface and groundwater resources, according to water department staff.

Water department staff suggested working with the Santa Margarita Groundwater Agency on its Groundwater Sustainability Plan to explore opportunities for additional groundwater storage.

At the meeting, the water commission told the City Council that water usage is at about 2.6 billion gallons per year, but the long-term water demand is still forecast at 3.2 billion gallons per year, or nearly 8,000 acre feet and 9,800 acre feet, respectively. An acre foot of water is 326,000 gallons, or enough to supply two average households for a year.

Four individuals spoke during the public comment period at the meeting. Some suggested how and where to find more water and others expressed a need for a water supply solution for those who are already cutting down on their water usage.

Greg Pepping, executive director of the Coastal Watershed Council said he supports the staff recommendation and that the adaptation is consistent with the watershed council mission to protect and preserve coastal watersheds.

“I wish it was raining, but we can’t do anything about that,” Pepping said at the meeting, in reference to the water shortage.

Santa Cruz Mayor Martine Watkins said she was impressed by the advisory committee’s “extraordinary” change process, a system to adopt and/or update the augmentation strategy.

The water commission gave feedback on the augmentation strategy being a complicated plan, but said climate change information will be useful and is optimistic about the plan’s outcome.

8A: ATTACHMENT 5

Fire district consolidation pondered

See more from: Jay Gamel

The convoluted process of herding Sonoma Valley's multiple fire districts and emergency responders into a regional organism continues, with some trepidation among some of the districts' directors and volunteer firefighters. On Nov. 6, the Local Agency Formation Commission (LAFCO) – a quasi independent county body charged with overseeing special districts – passed by a vote of 5-2 a resolution that expanded the Glen Ellen Fire District "Sphere of Influence" to cover all the existing Sonoma Valley districts: Kenwood, Glen Ellen, Mayacamas, Valley of the Moon, Schell-Vista, and the City of Sonoma. The action allows whatever larger group emerges from the consolidation process to use Glen Ellen's parcel tax rate (a maximum of \$200 per parcel per year) for all participating districts.

The split LAFCO vote reflected concern that some fire districts need more time to absorb and study the impacts. Schell-Vista Fire District's board voted unanimously to not participate in consolidation this year, having passed a \$200 parcel tax limit last year, and expecting over \$1.6 million in revenues for 2019-2020. "We just convinced our voters to pass this tax and don't want to go back to them with another complicated process so soon," Schell-Vista FD Board Member Bob Kruljak told the LAFCO members. LAFCO Chairman Ernie Loveless is also a member of the Schell-Vista board, but felt able to vote on the issue. He voted for it in order to allow the other Sonoma Valley agencies to move ahead.

While the City of Sonoma, which has its own fire district, will not join with others this year, that is mainly because city staff have been too overwhelmed with General Plan revisions, Urban Growth Boundary renewal and other matters to effectively inform the City Council. City Manager Cathy Capriola has indicated the city's intention to join in as soon as possible.

How will consolidation effect Kenwood Fire?

The very idea of submerging a local fire district into a larger organization is difficult, especially for people who have served as volunteers and/or directors for the better part of a lifetime.

"There is no 'we'," Director Daymon Doss responded to a question from the audience at the Kenwood Fire District's regular Nov. 12 board meeting. "Once we do this, this board disappears. The new organization takes on the risks and assets." Valley of the Moon/Sonoma Valley Fire & Rescue Authority Fire Chief Steve Akre has reassured the board that individual districts will be able to keep their designations and identity on apparatus, even though administration and operational control shifts to the larger organization.

Once a district decides to move forward with reorganization, it has to make a formal application to LAFCO, at which point a clock starts ticking. Since some districts' special assessments might go up, property owners will have a chance to express their feelings about it. Postcards will be sent to every property owner in the district, and if 25 percent of them object, the matter will be dropped or put to a vote.

While a fire district can take its time deciding if or when it will join in the consolidation process, there are pressing reasons to get on board with the initial reorganization. An application to join

must be made by Dec. 16 in order for adjusted assessments to be added to the 2020-2021 tax bills.

“Do we want to be part of forming this new thing, or do we join in only after the rules have been set up by others?” Fire Chief Daren Bellach asked the Kenwood Board. He feels that consolidation is the future of all the county’s districts and urges tackling the issues now. Directors, however, have questions about the details of consolidation.

“What about PERS contributions?” Doss asked early in the meeting. An experienced healthcare district executive, he wanted to know more about the district’s unfunded liabilities. The California Public Employee Retirement System (PERS) has been in deep trouble since losing a staggering amount of assets in the 2008-2010 recession. As districts take on more employees who work longer, unfunded liabilities increase.

Kenwood FD does not set aside specific amounts toward the unfunded liability issue, but pays roughly \$80,000 a year into the system, some portion of which goes to that future debt. Other districts may have differing percentages of unfunded liabilities, “but we just don’t know,” Doss said.

Kenwood’s directors are exploring the possibilities: join in the current consolidation effort by Dec. 16 and reap increased assessments next year, or put their own version of a maximum \$200-per-parcel assessment to a vote sometime next year (currently, Kenwood District residents pay \$40 per parcel per year). The district’s attorney, Bill Adams, said it was problematic whether an independent tax assessment could be accomplished in time to make the 2020-2021 tax rolls. The process is difficult, time consuming, and expensive, costing up to \$30,000 and more, even for a mail-in ballot. He was clear that trying to put such a measure on the March 3 ballot next year was “out of the question.” The window for filing for that election closes on Dec. 6.

Kenwood’s Board of Directors have scheduled a public meeting for Dec. 3, 4 p.m. at the Kenwood Firehouse to discuss options further.

A special meeting of all the Sonoma Valley fire district boards set for October was cancelled because of the Kincade Fire. It has been tentatively rescheduled for Nov. 21, at a time and place yet to be decided. At least some of the issues confronting these boards may be sorted out then.

The new reality of fire department staffing

While fire districts everywhere have almost always come to each other’s aid when needed, the growing population, sheer number of structures, property prices, and increasing climate hazards have prompted districts to look for cost savings wherever they can.

High home prices in Sonoma County make it difficult for younger people to move in, drastically curtailing the pool of young, healthy volunteers who live nearby and have time for the extensive training now required of all fire and emergency responders, volunteer or otherwise. Some districts have adequate rosters of volunteers, but the numbers fluctuate and they can’t always count on their availability.

The Valley of the Moon Fire District contracted with the City of Sonoma several years ago to provide fire protection services. Sonoma provides emergency vehicles and staff. The combined agency is called the Sonoma Valley Fire & Rescue Authority (SVFRA), headed by Chief Akre. Glen Ellen’s Fire District contracted with SVFRA two years ago to provide all its administration and operational oversight.

Sales tax to the rescue?

While reorganization will result in some savings for administration and equipment acquisition, as

well as increased property taxes from some districts, those increases in revenue and cost savings are nowhere near enough to cover what the county has determined is needed for effective fire prevention and improved emergency services going forward.

After two years of study by just about every emergency agency in the county, the supervisors are banking on voters supporting a half-cent sales tax measure scheduled for the March 3, 2020, ballot. While a consultant's poll found a slim margin of support for the measure, considering that a separate sales-tax increase measure for Sonoma and Marin rail service will also be on the ballot, supervisors are confident that the voters have been sufficiently educated by the fires of 2017 and 2019 to support solid funding for the county's fire services. The tax measure requires a two-thirds majority to pass.

However, some of Kenwood's district directors expressed concern over the mutable language of the draft expenditure plan included with the sales tax measure, language pertaining to possible penalties for districts which do not show a serious commitment to consolidation. The language is vague, and intended to be the stick behind the carrot of anticipated sales tax revenues, which could run as high as \$51 million a year. As currently written, the Board of Supervisors, working with LAFCO, will take a hard look at what's happening in three years and can then decide to withhold tax largesse by setting aside the portion due in a holding account until progress toward consolidation is seen. The language of that section has changed several times, so it is not clear yet what the penalties might be for not joining the consolidation effort.

(See [sales tax story](#) for more information about this measure.)

Email: jay@kenwoodpress.com

8A: ATTACHMENT 6

Government Corner: Wrap up | Lawsuit against Soquel Creek Water District is dismissed

SOQUEL

A lawsuit against Soquel Creek Water District and its Pure Water Soquel project was dismissed Friday.

The Santa Cruz County Superior Court suit, brought in January by Aptos resident Becky Steinbruner, took issue with the water district's Dec. 18 approval of an environmental impact report for the planned wastewater recycling plant that will pump purified water from the Santa Cruz Wastewater Treatment Facility on California Street to an additional purification plant set for a Live Oak site on Chanticleer Avenue. Steinbruner, representing herself in court, filed 10 separate motions in the case, five of which came in the past week, according to district officials.

Soquel Creek Water District recycled water project awarded \$50M state grant

SOQUEL — The pricetag for recycled drinking water just got less expensive for Mid-County customers.

The State Water Resources Control Board unanimously approved a \$50 million grant for Soquel Creek Water District's pending Pure Water Soquel Groundwater Replenishment and Seawater Intrusion Prevention Project. District leaders and a posse of supporters traveled Tuesday to Sacramento for the state water board's unanimous vote in support of granting the State Proposition 1 Groundwater Implementation Grant funding.

"What's good for little ole Soquel Creek Water is good for our entire community," Soquel Creek Water District General Manager Ron Duncan said. "It's a blessing. It shows strong support by highly qualified people — the state Water Board and their staff — and belief in our community to stop seawater intrusion where most others have failed."

Soquel Creek Water District's board of directors [voted in February to authorize](#) as many as five years of customer water rate increases, a rate structure that, for the average residential bill, would mean a cumulative 41% increase. The rate increases came at the tail end of 12% rate increases in each of 2016, 2017 and 2018. The rate increases are designed to bring the district an additional 9% of revenue a year to pay for operations, capital improvements and Pure Water Soquel.

During recent district board meetings, customers have spoken out with complaints about higher-than-expected utility bills. Asked Tuesday whether district leaders expected the new grant and loan funding announcements to impact rates, officials said it would be a net positive for ratepayers and that they would analyze the issue to determine the how and when.

"It will prompt us to reevaluate the rates in early 2020," board President Tom LaHue said. "We don't know what the timing of getting the money might be. Because that's going to impact when we need the money."

The state grant will account for more than half Pure Water Soquel's projected total \$90 million construction cost, and was accompanied Tuesday by state board approval for an additional \$36 million state Seawater Intrusion Control Loan at a 1.3% interest rate. The loan's lower-than-planned interest rate would save the district more than \$11 million in payments over time, compared to internal projections, officials said. Last month, the district also announced it had been [short-listed for a \\$49 million loan](#) from the U.S. Environmental Protection Agency's Water Infrastructure Finance and Innovation Act. That low-interest loan similarly is estimated to save district customers \$11 million in interest payments over a 30-year period, officials said.

Tuesday's announcement comes on the heels of a Santa Cruz County Superior Court [judge's dismissal of a private citizen's lawsuit](#) filed against the district in January, challenging the water board's approval of Pure Water Soquel's environmental impact report.

Pure Water Soquel, which will include treatment sites set for the city of Santa Cruz's Wastewater Treatment Facility on California Street and unincorporated Live Oak, at the corner of Chanticleer and Soquel avenues, is scheduled to be operational by 2022.

8A: ATTACHMENT 8

Santa Cruz sets recall election, names next mayor

SANTA CRUZ — In a contentious split vote, city leaders set the date for a recall election and made late-night decisions to name its mayor- and vice mayor-elect.

A large portion of Tuesday's Santa Cruz City Council meeting, stretching from 11 a.m. to 11:30 p.m., with an hour-and-a-half dinner break, also heavily focused on efforts to beef up the city's 51-year-old no-camping law but offered little immediate progress.

Vice Mayor Justin Cummings was named the city's next mayor, beginning next month in a council unanimous vote, while Councilwoman Donna Meyers was named as the next vice mayor. Councilman Drew Glover earlier had nominated Councilwoman Sandy Brown to the vice mayor job, but she declined, deferring to a long-standing council convention to promote only the top two vote-getters of each election.

Before voting for Cummings as mayor and casting the sole "no" vote against Meyer's promotion, Glover listed his concerns for both candidates.

"I don't understand the logic. I mean, you've got your reasons, Sandy, but this is a pivotal moment in us being able to redirect and structure things," Glover said. "The vice mayorship is an important role because you are in there with agenda-building and all this other stuff."

RECALL

The stage was set for the mayor and vice mayor discuss earlier in the evening, when, in a 4-3 vote, the council certified results of the Santa Cruz County Clerk's recall petition count for Glover and Chris Krohn. The decision came after about a dozen community members spoke out against the recall efforts, particularly as they applied to Glover. Community member Rick Longinotti said he believed the recall efforts stemmed from a "cycle of retaliation" left over from last year's political battle around an unsuccessful rent control and just-cause eviction ballot measure.

"I think the recall results from a lack of trust that we could really solve problems. 'So, just take people out of office and that will solve it,'" Longinotti said. "But I know we know that that doesn't really work."

Glover urged his council peers to sidestep certifying the recall petition count and not set the election date, saying he "strongly disagreed" with the rationale behind approving it. Should the council not have approved the county vote and set an election, Santa Cruz County Clerk Gail Pellerin would have been mandated to do so, though both City Clerk Bonnie Bush and City Attorney Tony Condotti reminded Glover that state statute said the council "shall" certify the petition.

Cummings made the motion to approve the move, saying he did so under the laws and oaths that council members swear to uphold. Cummings and Glover were campaign running mates in the November 2018 election. Cummings urged the community to "really understand what they're voting for" in the coming election,

while Glover dubbed Cummings' action "incredibly disappointing" and warned his peers of setting a "dangerous precedent."

NO-CAMPING LAW

In the wake of a more than three-hour discussion Tuesday afternoon, the council also voted to continue negotiations with Santa Cruz County officials to identify additional sites for expanded North County winter shelters and to find a relocation option for the 1220 River St. tent camp's approximately 80 day- and night-shelter participants. The council also opted in a unanimous vote not to approve proposed updates to the city's no-camping ordinance before hearing feedback from the council-appointed Community Advisory Committee on Homelessness and other interested community civil rights group.

A central tension between council members centered on how quickly the city needed to move in approving a strengthened public camping ban, which significantly impacts the city's homeless population.

"My understanding is this came in response to when the new (homeless) camp was formed. There was a need, and because we saw some of the camps forming, there was a need to put on this emergency ordinance," Cummings said, raising concerns about lack of community involvement in the law's redrafting. "Now, it doesn't seem like there's as much of an emergency to deal with at this point in time."

Condotti urged the council to set a date for the revised ordinance to return, saying he believed it was a "tool that is lacking" for his office and the police department. The council agreed to continue the ordinance's discussion in January.

"What I think the impetus of this was also having a tool in place to potentially mitigate any large encampments that have proven to be very difficult and have not obviously been what we want to have in our community because we want to do better and also the public health considerations and challenges associated with that," Watkins said.

8A: ATTACHMENT 9

Focus Agriculture's Class 30 Graduation — Times Publishing Group, Inc.

by Michael Oppenheimer

At Bockius-Orr House

Fall brings graduation to the locally based national award-winning Focus Agriculture program. A ceremony and reception was held at the Pajaro Valley Historical Association's Bockius-Orr house on Beach Street in Watsonville for Class 30 of the Focus Agriculture program. John Laird, Secretary (Ret.), California Natural Resources Agency, and graduate of Focus Agriculture, was the featured speaker.



Top: Jess Brown, Claire Kehn, Jessica Parr, Lynne Petrovic, Nicole Coburn, Howard Feldstein, Ava Reinhold, Katharine Minott, Kayla Kumar, Stephanie Raugust, and Francisco Estrada. Bottom: Otto Kramm, Matthew Wetstein, Dan Brumbaugh, Khaled Mabrouk, Adam Weiss, Dori Rose Inda, Anne Hayes, Marliese Ward McWherter, Casey Muesel, and Matt Bloom.

Focus Agriculture, a program of the organization Agri-Culture is a “first-in-the-nation” program that allows community leaders to learn firsthand about agriculture in Santa Cruz County and the Pajaro Valley. The nine-session program covers topics such as ethnic groups in agriculture, labor, new technology, land use, politics, the environment and health care.

The graduation ceremony included a graduation certificate for all participants. President Bontadelli stated, “This was an excellent class. We are appreciative of the speakers and participants for giving their time during the year.”

If anyone is interested in applying for the next class, which will begin in March 2020, please contact the Agri-Culture office at (831) 722-6622 or you can email your request for an applicationtoagri-culture@sbcglobal.net. Your name will be placed on a mailing list for applications that will be released in early December. www.agri-culture.us

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The members of the graduating class for 2019 were:

- Matt Bloom: Sales/Food Service Manager, Clover Dairy (Retired)
- Dan Brumbaugh: Director, Coastal Training Program, Elkhorn Slough National Estuarine Research Reserve
- Nicole Coburn: Assistant County Administrative Officer, County of Santa Cruz
- Francisco Estrada: Mayor, City of Watsonville
- Howard Feldstein: Program Director, KSQD Radio 90.7 FM
- Anne Hayes: Director of Development, Western Region, Climate Central, Inc.

- Dori Rose Inda: CEO, Salud Para La Gente
- Claire Kehn: Staff Accountant, UCSC
- Otto Kramm: Relationship Manager, Rabobank AgriFinance
- Kayla Kumar: Development Director, Food, What?!
- Khaled Mabrouk: Operational Engineering Leader, Sustainable Productivity Solutions
- Katharine Minott: Master of Urban & Regional Planning, San Jose State University
- Casey Meusel: Associate Hydrologist, Pajaro Valley Water Management Agency
- Jessica Beckett Parr: Foundation Director, CCOF
- Lynne Petrovic: Executive Director, CASA of Santa Cruz
- Stephanie Raugust: Part Owner/ Safety Officer, Whale City Bakery Bar & Grill/ New Davenport Corporation
- Ava Reinhold: Retail Store Manager/Buyer/Craftbar Manager, Annieglass
- Marliese Ward: Creative Marketing Manager, Lakeside Organic Gardens
- Adam Weiss: Vice President/Relationship Manager, Santa Cruz County Bank
- Matthew Wetstein: President, Cabrillo College

8A: ATTACHMENT 10

First African American Man To Serve As Santa Cruz Mayor Sworn In

[politics & government](#)

Justin Cummings, a biologist, became mayor during Tuesday's City Council meeting. His term expires in May 2022.

By [Courtney Teague, Patch Staff](#)

Dec 12, 2019 3:31 pm PT | Updated Dec 12, 2019 4:57 pm PT



Justin Cummings is sworn in as mayor, to applause in the background. (City of Santa Cruz)

SANTA CRUZ, CA — Justin Cummings, a biologist and the first African American man to serve at the city's helm — was sworn in as mayor at Tuesday's city council meeting. Cummings, formerly the vice mayor, was sworn in alongside new Vice Mayor Donna Meyers.

Cummings was sworn in to heavy applause from an enthusiastic audience. In remarks delivered shortly after, he reflected on musings that came out of a pair of retreats city council members attended earlier this year. They held a shared vision for Santa Cruz: a community inclusive of all people, family-friendly, environmentally sustainable, affordable and safe.

"As the mayor of Santa Cruz, I am committed to working with you, the community, for continuing to make this vision our reality," he said.

Cummings said he was committed to finding common ground with those who have differing perspectives and working within the city's means. Cummings, a Democrat, spoke of a need to find solutions for homeless people that balance compassion with public safety, create programs that keep tenants housed but still allow landlords to make a profit, increase density, provide incentives for those who create affordable housing and make the city more environmentally sustainable.

He spoke of his pride for a community that elected the first openly lesbian woman and first two African American to the council in 2018, even though a fraction — [1.4 percent](#), according to the U.S. Census Bureau estimates — of its residents are black or African American. Cummings said he followed in the footsteps of Mayor Martine Watkins, the first biracial woman to serve in the city's highest office.

"This truly reflects our commitment as a community to electing officials not based on their race, age or gender, but based on the content of our character," Cummings said. He ended his remarks by encouraging young people to get civically engaged, apply for commissions and speak up at city council meetings.

His term is set to expire May 2022.

[Next on Patch](#)

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Guest Commentary | Support CSA 48 Santa Cruz County Fire Assessment

By Pat McCormick

For more than 35 years, until I retired earlier this year, I was the executive officer of the Local Agency Formation Commission (LAFCO), at which one of my duties was to evaluate efficiency and reorganization options for the fire agencies in Santa Cruz County. I am writing to support the proposal being conducted by mail-in ballot in County Service Area 48 (CSA 48) to increase fire and emergency response assessments. CSA 48 pays for our Santa Cruz County Fire Department Volunteers and for CAL FIRE to operate paid companies outside the declared fire season in more than half the land area of the county, almost 300 square miles. The affected communities, with a population of approximately 24,000, include Davenport, Bonny Doon, South Skyline, Las Cumbres, Summit, Loma Prieta, and Corralitos. The Santa Cruz County Fire Volunteers and CAL FIRE companies respond to more than 2,200 incidents a year—medical emergencies, vehicle accidents, wildland fires, structure fires, and other emergencies.

The main funding sources for CSA 48 are property taxes and a fire assessment. The property tax share is set by a state formula enacted following Proposition 13 in the 1970s. The current assessments were last set by a landowner ballot in 1997 that created CSA 48 to help fund fire and emergency services in rural Santa Cruz County. The assessment levels vary based upon the fire flow demand, with a typical house paying \$159.56 per year. Fire assessments are common in rural areas with low tax bases.

Most people aware of CSA 48 operations and financing agree that more financial support is needed to bring the service level up. The main disagreement is whether to pass an increased assessment or whether to attempt to pressure the County Supervisors to reallocate some of its Proposition 172 funds from law enforcement to fire protection.

In a state fiscal crisis in 1992, the State of California took a radical action to permanently seize a significant portion of the local property taxes that were being disbursed to special districts, cities, and counties and to shift the funds to schools and community colleges. The counties were hurt the most. The state then gave the negatively-affected agencies a chance to recover a portion of the lost revenues by placing Proposition 172 on the 1993 ballot to raise the state sales tax 0.5% to support public safety. The measure passed, but the sales tax did not make the affected agencies whole. Typically, the sales tax paid back \$0.65 for every \$1 lost.

The disbursement method for the sales taxes is that the State sends a check to the County, and the County Board of Supervisors divides the funds to public safety entities. While some counties distribute a portion of the sales tax to fire agencies, it is typical in many counties that fire agencies do not benefit.

The fire agencies in the County have previously asked the County for a larger share of Proposition 172 revenues. The County has given them less than \$100,000, but the votes have not been there to move additional amounts away from the Sheriff, Probation, and District

Attorney. Even in non-crisis periods, the County struggles to fund these vital public safety services. It is unrealistic to expect the County to shift funds to any fire agencies, including Santa Cruz County Fire. The proposed fire and emergency response assessment is calculated using four factors with a typical home being charged approximately \$150 more per year. The assessment would pay for additional staffing for Cal Fire stations during the non-fire season and replacement of an aging fleet of volunteer engines to ensure timely 911 responses. It can only be spent for fire and emergency services within the rural communities in which it is collected.

If you live in one of the affected communities, please take time during this busy season to look for the ballot in the mail, vote “YES,” and mail in the ballot so that it gets to the County Elections Department no later than Jan. 13. If you have lost your ballot or have questions please call the County at 831-454-3416.

Pat McCormick is a Santa Cruz resident.

Santa Cruz County fire agencies inspect world's first all-electric 'concept' fire truck

LIVE OAK – Not unlike the tour bus it resembled, arrival of the world's first electric-powered fire engine Monday turned heads on the streets and drew a small crowd around it while parked.

The "Concept Fire Truck," an electric-powered vehicle first unveiled by Austria-based manufacturer Rosenbauer in 2016, added Central Fire District's administrative headquarters to stops at Pacific Coast "progressively minded fire departments." Central and Aptos-La Selva fire districts' Battalion Chief Anthony Cefaloni said the agencies purchased four traditional diesel-powered fire vehicles from the company in recent years, and so came up as a natural partner for the American tour.

"Fire engines take up a big carbon footprint. Right now, we run eight-cylinder diesel engines and they are constantly running," Cefaloni said. "We have a couple impacts that we know about — maintenance, diesel use and exhaust and just longevity."

Economics

Cefaloni said that, for small fire agency such as Central and Aptos-La Selva — which are in the process of merging — the trucks' expected \$1.2 million price tag could make for a long wait locally. The districts typically spend an average \$500,000 to \$600,000 on new fire engines, he said, and set aside annual funding on 15-year cycles to finance new purchases.

"It's starting to figure out what's out there, how do we take those next steps. We just bought those engines, but in two years, we have our next set coming up. Are we going to move to these in two years, probably not. How do we get closer," Cefaloni said. "We want to be on the cutting edge, for sure, of technology. But we're not going to be the guinea pigs, for sure, especially not at that cost."

Benefits

Rosenbauer America distributor Doug Feldman said he did not have access to a cost-benefit analysis for fire departments considering the electric apparatus' purchase.

"There are two-thirds the number of parts on this (Rosenbauer) truck than on that (Central Fire District) truck," Feldman said, gesturing. "So, what most departments are realizing is that their maintenance will be cut at least in half and they spend between \$50,000 and \$75,000 a year keeping those in service. Not new ones, but older ones, they're very expensive to keep in service. You can imagine, when you remove two-thirds of the components that break."

Rosenbauer has partnered with Volvo Penta to bring the trucks to market. In the meantime, Los Angeles Fire Department and agencies in Berlin, Amsterdam and Dubai have committed to purchasing completed models, Rosenbauer representatives said Monday.

The prototype Concept Fire Truck houses a 500-gallon water pump capable of delivering 1,000-gallons-per-minute and tank on board, rescue with hydraulic recovery equipment in the equipment compartments, special equipment storage and an “e-crawler” remote-controlled bot, useful in cases with hazardous materials or potential explosives.

The one-piece, rather than segmented, vehicle has a tight turn radius and reaches speeds of at least 65 mph. Its appearance is more familiar in Europe, echoing emergency mobile command buses more than traditional American fire apparatus.

Greener future

Though exempt from the harshest of environmental regulations, California fire agencies are seeking new ways to reduce their agencies' carbon emissions, Cefaloni said. For example, he said, the jointly-managed fire districts' newest fire engines have idle-reduction technology, which turns off the vehicles' big motor and leaves a small generator motor running on-scene power for most incidents. Along a similar vein, the Concept Fire Truck includes a diesel-powered “range extender” to supply power for extended on-site water pumping, Rosenbauer demonstrators said Monday.

“It’s always going to behoove us to stay on top of technology, whether it’s apparatus or breathing equipment or turnouts or whatever we use, trying to stay on top technology and advancement,” Cefaloni said. “This just happens to be the newest, highest thing coming out.”

State funding could help preserve Santa Cruz County coastal old growth forests

SANTA CRUZ — Conservationists took a major step forward Thursday in a four-decade-long effort to preserve one of the most significant privately held old-growth coast redwood properties remaining in the Santa Cruz Mountains.

In a meeting held at Santa Cruz City Hall, the California Coastal Conservancy board unanimously voted to set aside as much as \$2.5 million toward the Save the Redwoods League's efforts to purchase the Cascade Creek (Holmes) Property, 554 acres of coastal land stretching from Año Nuevo State Reserve south to Big Basin Redwoods State Park.

"To me, this is one of those keystone pieces to help make sure that we stitch all of this land together for public access and that we don't lose opportunities," said state Assemblyman Mark Stone, D-Scotts Valley at Thursday's meeting. "There's a lot of money close by that would be very happy to invest in some of these areas and take it out of public hands. Just go over the Santa Cruz Mountains."

In other Central Coast projects, the conservancy board later voted also to approve awarding as much as nearly \$1.5 million, \$980,000 from the U.S. Fish and Wildlife Service's National Coastal Wetlands Conservation Grant Program, to the Elkhorn Slough Foundation for Phase 2 of the Elkhorn Slough Tidal Marsh Restoration Project. The city of Pacific Grove also was granted as much as \$1.8 million toward completing the last mile of a 4-mile segment of California Coastal Trail, with added new parking facilities and coastal dune restoration.

Land purchase negotiations

In the Santa Cruz County project, Cascade Creek owners and Save the Redwoods League have entered an option purchase agreement at a "bargain sale price" of \$9 million, according to the conservancy's agenda report. Additional land purchase funding commitments include \$2.25 million from the Gordon and Betty Moore Foundation and \$2 million from the Peninsula Open Space Trust. The property was appraised last year at a value of nearly \$10.2 million, according to the report. Save the Redwoods League is continuing to gather needed financial backing, including a planned ongoing public fundraising effort.

Board member and State Department of Finance representative Gayle Miller questioned officials on what would happen to the conservancy grant if all the Cascade Creek land purchase funding was not obtained and was told the money will not be disbursed until the property is in escrow. She also asked what risk the forest faces from catastrophic wildland fire.

Stone said the property, like all wooded areas, faces the potential for fire — though old-growth redwoods tend to fare better than chaparral-heavy woodlands. However, he said, regional State Parks units have been proactive throughout the area to manage fire risk through fuel breaks and limited strategic clearing.

Preservation efforts

The group hopes to obtain and manage the land in the short term, before eventually transferring the property to California State Parks. The site is a “critical inholding in an extensive network of 35,000 acres of contiguous protected lands,” according to a Coastal Conservancy agenda report. Nestled between Davenport and Pescadero and not far from Highway 1, the property is considered at high risk of potential private purchase for housing development or timber harvest.

Already, the conservancy has helped protect about 911 acres of land at Cascade Ranch, adjacent to the property in question. Combined, management of the two sites could help protect the entire Cascade Creek watershed. Site logging last occurred on the property in the late 1980s, which selectively harvested around one-third of the property and left about a remaining 50 acres of old-growth coast redwoods — some more than 500 years old.

Elsewhere in the Santa Cruz Mountains, the conservancy, Save the Redwoods League and other [partners also collaborated recently on protection of 8,532 acres](#) at the Cemex redwoods land, known as the San Vicente Redwood Property.