



PROCEEDINGS OF THE
LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY

Wednesday, January 6, 2021
9:00 a.m.

Meeting Location: Virtual Setting (using Zoom)
Teleconference: 1-877-853-5257

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The January 6, 2021 Santa Cruz LAFCO meeting is called to order by declaration of Chairperson Roger Anderson. There are currently 29 public attendees joining this meeting.

ROLL CALL

Present and Voting:	Commissioners Jim Anderson, Coonerty, Cummings, Estrada, Friend, Lather, and Chairperson Roger Anderson
Absent:	None
Alternates Present:	Banks, Brooks, Hunt
Alternates Absent:	None
Staff:	Joe A. Serrano, Executive Officer Daniel H. Zazueta, LAFCO Counsel Debra Means, Commission Clerk Chris Carpenter, Commission Clerk

For the record, there is a quorum.

EXECUTIVE OFFICER'S MESSAGE

Mr. Serrano reports that future meetings will continue to be conducted remotely for the safety of the Commission, staff and the public. All Commissioners will have complete control of their webcams and microphones. The public's webcams and microphones have been disabled but they still have the ability to view and hear the presentations. For anyone who would like to address the Commission, they can either send staff an email where their comments will be read by staff on their behalf, or they can raise their hand on the Zoom platform. For those joining in on a conference call, pressing *9 will raise their hand if they wish to speak. Once staff acknowledges them to speak, they will have up to three minutes to address the Commission on a particular item. Staff will inform them when they have one minute left and when their time is up. Their microphone will again be muted once their time is up. For all items that require Commission action, there will be a roll call vote.

He would also like to introduce the new Commission Clerk, Chris Carpenter, who will be replacing Debra Means when she retires April 30th.

Chris Carpenter says he is honored by everyone's warm welcome. He is excited to be starting a new career path and he thinks he is in excellent hands learning from Ms. Means.

MINUTES

MOTION

Motion: J. Anderson Second: Cummings	To approve November 4th minutes. Motion carries with a unanimous voice vote.
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ORAL COMMUNICATIONS

Becky Steinbruner, an Aptos resident, thanks Mr. Serrano for his organization of the agenda packet.

She is aware of and supports the Pajaro Valley Water Management Agency's (PVWMA) decision to spend \$1.2 million on promoting water conservation in agricultural areas. 40% of their sustainability plan is conservation. She thinks other water districts should do more for conservation.

She thinks remote locations showing the LAFCO Aptos / La Selva and Central Fire Districts' Consolidation protest hearings should be considered since it would benefit the public. There can still be social distancing practiced and both fire districts continue to hold in-person board meetings at their respective administrative facilities.

SPECIAL BUSINESS

RESOLUTION OF APPRECIATION FOR COMMISSIONER JOHN LEOPOLD'S DISTINGUISHED PUBLIC SERVICE AND LEADERSHIP

Mr. Serrano appreciates Mr. Leopold as mentor and as a friend. CALAFCO and LAFCO have greatly benefitted from his many years of service.

Paul Novak, the Executive Officer for Los Angeles LAFCO, emailed that Mr. Leopold is one of the finest elected officials that he has known. He will miss his presence but he is hopeful that they will work together in the future.

Pamela Miller, CALAFCO's Executive Director, says on behalf of CALAFCO's Board of Directors, they express their gratitude and appreciation for many years of dedicated service to local government, to Santa Cruz LAFCO and CALAFCO. He made multiple contributions statewide through his leadership. The entire CALAFCO Board adopted and sent a framed Certificate of Appreciation.

Mr. Leopold served on CALAFCO for eight years from 2011 through 2018. He served on the Executive Committee and served as the Board Chair for two years which has only happened one other time throughout CALAFCO's history. He contributed to the testimony before the Little Hoover Commission where they fought for the existence of LAFCOs. He was awarded CALAFCO's Outstanding Member in 2016.

Clerk Means will not be surprised if Mr. Leopold resurfaces in LAFCO to some capacity. He was a valuable Commissioner and will be missed.

Pat McCormick is the former Santa Cruz LAFCO Executive Officer who worked for LAFCO since the 1970s. He worked with many elected officials for decades. Mr. Leopold is assertive for his cause whether it be the County, LAFCO or CALAFCO. He is highly ethical and made an effective contribution to LAFCO.

Commissioner Jim Anderson agrees with everyone's appreciation of Mr. Leopold. He was always passionate about holding his values.

Commissioner Cummings thanks Mr. Leopold for his commitment to serving on LAFCO and for being a helpful mentor when he first started on LAFCO.

Chairperson Roger Anderson thanks Mr. Leopold for his extraordinary service on LAFCO and CALAFCO. His leadership on this Commission helped make progress on solving water, fire, and many other issues. He will miss Mr. Leopold's constructive efforts and outstanding work on this Commission, especially for water policies and public education about the issues. He added humor and was always very well prepared for LAFCO's meetings.

Commissioner Hunt thanks Mr. Leopold for helping him learn more about LAFCO when he became an alternate public member two years ago. John has been very generous with his time on CALAFCO matters as well.

Counsel Zazueta also thanks Mr. Leopold for his public service.

MOTION

Motion: Lather Second: J. Anderson	To approve Resolution No. 2021-01 in appreciation for John Leopold's service on LAFCO. Motion carries with a unanimous voice vote.
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Mr. Leopold thanks everyone for their kind words. He is grateful for the former Executive Officer, Pat McCormick's experience to decipher and reveal Cortese Knox Hertzberg legislation and its history. He also knew much of the history behind why some decisions were made by Santa Cruz LAFCO. That knowledge was very helpful to him.

Chairperson Anderson's invitation to join the CALAFCO Board was intimidating at first. Roger Anderson was the CALAFCO Chair at the time and he pushed Mr. Leopold to apply and was eventually elected. He worked with many elected officials and leaders across the State. He was honored to work with Paul Novak, Lou Ann Texeira, David Church and host of other LAFCO Executive Officers through the Legislative Committee and he appreciated the opportunity.

He enjoyed working with the former Executive Director, Bill Chiat. He is also proud to have worked on the Executive Committee that hired Pamela Miller to take his place when Bill resigned. She has done an incredible job making CALAFCO a more professional and solid organization.

He thinks everyone on Santa Cruz LAFCO are amazing professionals. He was able to connect with people that he would not have normally run across and has made good friends as a result.

He was happy to be part of the committee that hired Joe Serrano because he thinks Mr. Serrano is a great addition to Santa Cruz LAFCO who took over Pat McCormick's position.

He compliments Clerk Means for her competence, her friendliness, and her humor over her many years as Commission Clerk.

He enjoyed working with the CALAFCO Board on the Groundwater Sustainability Act. It was a great accomplishment to end his career with the consolidation of Aptos / La Selva and Central Fire Districts. It was a great win for their community and it shows that LAFCOs can play an important role in improving services.

OTHER BUSINESS

APPOINT CHAIR AND VICE-CHAIR

MOTION

Motion: J. Anderson Second: R. Anderson	To elect Justin Cummings as Chairperson and Rachel Lather as Vice-Chair for 2021. Motion carries with a unanimous voice vote.
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APPOINT NEW PERSONNEL COMMITTEE

MOTION

Motion: J. Anderson Second: R. Anderson	To appoint Justin Cummings and Roger Anderson to the Personnel Committee. Motion carries with a unanimous voice vote.
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FIRE PROTECTION SERVICE AND SPHERE REVIEW – PROPOSED OUTLINE

Mr. Serrano reports that the Commission has identified four service reviews to be completed in 2021. One of them is a countywide analysis on fire protection. The Commission requested that staff provide an outline of this service review to show the relevant topics and factors to be covered. He made a chart that shows the proposed chapters of the upcoming report.

All the local agencies that provide fire protection will be analyzed including cities, special districts, the County, and other entities. These agencies will be evaluated as a whole as well as individually. To produce a detailed report, staff will be sending out a survey to all the local fire agencies. A draft version of the survey is included in the agenda packet.

Ms. Steinbruner requests that the survey that is sent to County Fire have included a requirement that the Santa Cruz County Fire Department Advisory Commission (FDAC) review the survey before it is submitted to LAFCO. That Commission only meets in January and March.

She thinks it is a worthwhile survey and that the boards of the respective fire agencies should also be vetting the responses to their surveys. FDAC is the board of County Service Area 48 (County Fire).

She wonders about Aptos / La Selva FPD or the consolidated version will respond about boundaries and annexation. Her neighborhood, Redwood Drive, Newell Drive and Mesa Grande in Aptos are islands. Currently, they are in the process of reworking the agreement to respond to that area.

She appreciates it that the Insurance Services Office (ISO) rating will be included in the survey. She would also like to see how the various districts handle plan checks for building applications when working with the County or City Planning Department. Locally, it is contracted out and very expensive and does not always seem to be the best level of service.

The question about climate change should maybe be reworded to say, "How do they anticipate climate change will affect their department?"

The issue of volunteer recruitment with County Fire should also be addressed. The last Grand Jury report also mentioned this issue.

Mr. Serrano adds that the survey will be sent out to the local agencies as well as other entities that may be providing fire protection but are not under LAFCO's purview. Whether or not they will provide responses is yet to be determined. LAFCO staff's intent is to get a better idea of how fire protection is being provided in the entire County. He wants to have a detailed story in the service review.

Staff will also be analyzing areas outside the jurisdiction of fire districts. The survey will ask how these areas are being provided fire protection, whether there is a difference in the level of service, and if there are ways to better provide service by annexation or another means.

Plan checks and volunteer recruitment will also be considered in the service review. The intent of this report is not only to fulfill the State mandate, but also to be a resourceful document for this Commission, the affected agencies, and the public.

Any feedback from the general public or the agencies providing the service will be implemented in this report. When the service review is presented in October, he hopes that it will be well-received due to the level of detail. With the Commission's approval, this outline will add value to the report.

Commissioner Jim Anderson says that the previous major fire study this LAFCO did was for South County fire agencies and it was done by a contractor. He asks if this next fire study will be done in-house.

Mr. Serrano answers that he has past experience working on countywide reports specifically for fire protection with two other LAFCOs. He is confident this type of analysis can be done in-house.

MOTION

Motion: J. Anderson	To approve the proposed outline and process.
Second: Cummings	Motion carries with a unanimous voice vote.

INDEPENDENT SPECIAL DISTRICT ELECTION PROCESS

Mr. Serrano reports that this May, there will be two vacancies on LAFCO involving the regular and alternate special district seats. Staff has developed a schedule outlining the election process. The first step is to solicit applications from any interested Santa Cruz special district board members. A letter was sent out last month. The deadline for submitting applications is Friday, January 8, 2021.

Afterwards, staff will send out ballots with the qualified applicant's names and is hoping to seat the elected Commissioners no later than June 2021. Both special district Commissioners have applied to renew their service on LAFCO.

FIRE CONSOLIDATION UPDATE – LAFCO PROJECT No. DC 20-02

Mr. Serrano reports that after the Commission's approval of the fire consolidation between Central and Aptos / La Selva FPDs, the Commission directed staff to provide updates on the final stage of the process. After the November meeting, LAFCO completed the Request for Reconsideration proceeding. This allowed anyone to submit new evidence that was not considered to perhaps overturn the Commission's approval.

There were no attempts during that 30-day period so that led to the beginning of the Protest Proceedings which is an opportunity for affected registered voters or landowners to submit petitions of opposition to the fire consolidation.

The deadline to submit petitions is today when the Protest Hearing will be conducted after this meeting at 11am. At this time, Once the Protest Hearing is concluded with any final petitions, staff will present a resolution certifying the results. The resolution will be presented to the Commission at February's meeting.

The two fire districts are continuing to work together to address and fulfill the terms and conditions outlined in the LAFCO Resolution that was adopted November 2020. The two districts are working closely with their unions to adopt a new employment agreement prior to this consolidation's completion.

Staff will continue to provide updates until the terms are fulfilled and it is ready to be recorded.

Commissioner Friend asks if any protests were received.

Mr. Serrano answers that zero protests were received from registered voters or landowners at this time.

Commissioner Friend adds that a lot of work has been done over the past several years to make this happen. To show no opposition at this point is a telling sign that everyone has put forth great outreach efforts to make the right decision. He thanks Mr. Serrano for his leadership in these efforts.

Ms. Steinbruner applauds LAFCO and the fire districts for holding an additional town hall meeting last fall. It was well attended so the interest is evident. While there were no protests, there are still some unanswered questions. She is still concerned about the level of service available to the rural dwellers because of the recent fires.

She thinks some conclusions about the consolidation have not been fully analyzed. She would have appreciated more of an environmental review. This consolidation was supposed to have some level of CEQA review. Their focus has been more on the labor unions' disparity. At the last board meeting, the labor union representative for Local 3535 said that the unions want a single contract. She is encouraged by the level of leadership and commitment to the public she has seen from the fire districts. She hopes there will be district-based elections for the consolidated board. She thinks civilians on the board are what is needed besides firefighters.

WRITTEN CORRESPONDENCE

STATE CONTROLLER'S OFFICE – LIST OF INACTIVE DISTRICTS

Mr. Serrano reports that this Commission received a letter from the State Controller's Office indicating that CSA 60 is an inactive district and a mandatory dissolution is required. Staff anticipated this designation so the Commission adopted a zero sphere in their service review last March as a precursor. Staff is scheduled to present this dissolution at the February 3rd meeting.

STATE WATER RESOURCES CONTROL BOARD – SAN LORENZO VALLEY WATER DISTRICT's (SLVWD) SPHERE SUPPORT

Mr. Serrano reports that the State Water Resources Control Board sent a letter to this LAFCO supporting the Commission's recent update to SLVWD's sphere boundary. The sphere update now includes unserved areas and allows the district and/or the residents to pursue annexation if desired.

Ms. Steinbruner is a member of County Service Area (CSA) 33 for Redwood Drive in Aptos and CSA 48 for County Fire. She thinks that some of these CSAs may go inactive because they are having problems. She hopes this Commission will request staff to do a survey on how well the CSA platform is working for their residents.

She believes CSA 33 does not receive any financial reports without asking for them and these reports are often inaccurate. Public Works seems to have a rotating stream of people in charge of these CSAs. The contractors sometimes have problems getting paid by Public Works. She wonders why CSA 60 is going inactive and thinks the Commission should find out why.

There are 24 unserved islands within SLVWD that have been added to the sphere of influence. She asks how this action will affect those unserved islands and whether the property owners will be allowed to drill private wells now that they are within the service area of water district.

Mr. Serrano says that in response to Ms. Steinbruner's comments, the law about inactive districts is fairly new. The State Controller's Office has been developing a list of inactive districts. It is based upon statutory criteria that these agencies can be deemed inactive and lead to dissolutions.

Instead of just developing a report that fulfills a State mandate, this Commission has evolved its reviews to identify best practices and areas of improvement. CSA 60 is a good example of how the Commission identified serious issues about its inactivity for over five years. That information was relayed to the State Controller's Office and they confirmed that it meets the statutory criteria of an inactive district. CSA 60 will be dissolved next month.

For any other CSAs, cities or special districts, the crux of the service reviews is identifying what is working well and what is not. As the Commission follows through on its work program and the CSAs are analyzed, areas of improvement, best practices, and other factors will be identified.

As it stands, there is no change in what happens to the unserved areas now within SLVWD's sphere. Those properties will continue to have access from their current water source. Adding these areas to SLVWD's sphere just allows the district or the residents to pursue annexation if they want.

Chairperson Roger Anderson asks if someone is applying to redrill or drill a new well, he assumes there is some public health process that they would have to go through it was contaminated. He asks if they would have to connect to SLVWD.

Mr. Serrano thinks that is correct.

Commissioner Jim Anderson remembers that CSA 60 was formed to pay for a bridge to Huckleberry Island. He thinks the owners who live on Huckleberry Island figured out another way to pay for a new bridge since a new bridge currently exists. He does not think any tax revenue was ever collected.

Mr. Serrano adds that there are other examples of special districts or CSAs where they were formed for a purpose, and then time passed and the purpose was no longer needed, which he believes is the case for CSA 60.

PRESS ARTICLES

Mr. Serrano says that one article reflects the passing Sue Groszmann who was Santa Cruz LAFCO's former Commission Clerk.

He congratulates Commissioners Lather and Brooks for being the first Latinas in a leadership role within their respected boards.

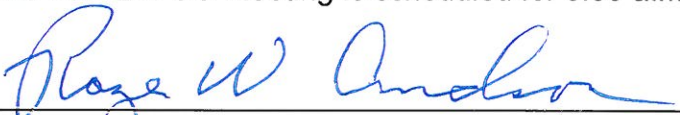
Ms. Steinbruner appreciates the links to applicable press articles. She also appreciates the supportive action Mr. Serrano has been taking towards the fire consolidation. She hopes the Grand Jury does a report on water districts in the County researching how they work, interact, and how Soquel Creek Water District and the City of Santa Cruz's water department could be improved with consolidation.

COMMISSIONERS' BUSINESS

Chairperson Roger Anderson says 2020 has been an interesting year chairing LAFCO meetings with the conversion of in person meetings in the Supervisors Chambers to online Zoom meetings. He congratulates Commissioners Cummings and Lather for chairing and vice-chairing LAFCO in 2021.

ADJOURNMENT

The next LAFCO meeting is scheduled for 9:00 a.m. Wednesday, February 3, 2021.


CHAIRPERSON ROGER W. ANDERSON

Attest:


Joe A. Serrano, Executive Officer