



NOTICE OF PROTEST HEARING LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that at 9:00 a.m., Thursday, March 31, 2022, the Local Agency Formation Commission of Santa Cruz County (LAFCO) will hold protest hearing regarding the reorganization approved by LAFCO on February 9, 2022. The proposed terms and conditions for the proposal are set forth in the LAFCO Resolution No. 2022-02.

- **“Opal Cliffs Recreation District Reorganization” (LAFCO Project No. RO 21-18):** The reorganization involves the dissolution of Opal Cliffs Recreation District (OCRD) and the concurrent annexation of the dissolved area into County Service Area 11 (CSA 11). OCRD consists of 440 parcels and encompasses approximately 67 acres. The proposal area is located in the coastal region of Santa Cruz County, south of the City of Capitola, north and west of the Pacific Ocean, and east of 41st Avenue. The annexation will exclude 11 parcels currently located in the City of Capitola, which has its own recreational department. If recorded, the reorganization will preserve the current levels of service and maintain local demand expectations by the Opal Cliffs community. The reorganization will also extend the previously authorized \$8.50/year parcel tax to the annexation area, pursuant to Government Code Section 57025(e), to not only ensure consistency with the other county residents but more importantly make certain that the level of service expected at the Opal Cliffs Park continues to be fulfilled by CSA 11. This Notice and all related documents (staff report, resolution, maps, etc.) are available on the LAFCO website. *If you have issues accessing information on the LAFCO website, please contact LAFCO at 831-454-2055.*

Why is this happening?

The Opal Cliffs Recreation District Board of Directors unanimously adopted a resolution to complete this change in governance. Why? They came to the conclusion that this action would benefit the Opal Cliffs community by having the County Parks Department assume the park and recreational service responsibilities. This reorganization will offer more transparency, better level of service, and an increase in the local oversight of the Opal Cliffs Park.

Protest Hearing Format

Due to COVID-19, the protest meeting will be conducted remotely pursuant to the provisions of the Governor’s Executive Orders and Assembly Bill 361, which suspend certain requirements of the Ralph M. Brown Act. Members of the public are encouraged to participate virtually. Instructions to participate remotely are available in the Agenda and Agenda Packet, which are available on the LAFCO website (refer to the LAFCO Homepage).

Who can File a Protest?

Landowners and registered voters within the proposal area may file a written protest using the official LAFCO Protest Form if they oppose this reorganization. Landowners and registered voters must include their name, the address of the land within the proposal area, and the Assessor Parcel Number. Agents submitting protest on behalf of the landowner/registered voter must attach proper authorization. This may include written consent of the landowner/registered voter, written consent from a trustee of property placed into a trust, signature authorization or majority shareholder consent of a corporation or LLC, or other suitable documentation. See Government Code Section 56704, 56708, and 56710 for more information.

Where to Get a Protest Form?

If you wish to protest the reorganization, you first need to obtain a Protest Form by either:

- Downloading the form from the LAFCO website: <https://www.santacruzlafco.org/forms/> (refer to *Forms 12 and 13*); or
- Calling the LAFCO office at 831-454-2055 or emailing LAFCO at info@santacruzlafco.org to have a form mailed to you.

How to Submit Protest Form?

Because the Protest Hearing is being conducted remotely, written protests cannot be submitted or presented at the virtual hearing. Therefore, all protest must be made by filling out a Protest Form and submitted:

- In person at the LAFCO office prior to the conclusion of the protest hearing on March 31, 2022. The LAFCO office is located at **701 Ocean Street, Room 318-D, Santa Cruz, CA 95060**; or
- By mail addressed to LAFCO at 701 Ocean Street, Room 318-D, Santa Cruz, CA 95060. *If your mailed protest form is postmarked by March 31, 2022 and received by LAFCO within four (4) days of a March 31, 2022 postmark, we will process, verify, and count that protest.*

The written protest must be signed and dated during the official protest period, which begins on March 11, 2022 and ends on March 31, 2022. Any protest without a date, bearing a date prior to March 11, 2022, received in-person after the conclusion of the Protest Hearing, or postmarked after March 31, 2022 and not received by LAFCO within four (4) days of a March 31, 2022 postmark, shall be disregarded for purposes of determining the value of any written protests. Protest cannot be accepted by fax or email.

How will the Protest be Evaluated?

Within 30 days following the conclusion of the Protest Hearing, the Executive Officer will make a determination on whether the reorganization is terminated or approved, as follows:

- **Approve** the proposal if written protest is less than 25% of the landowners and/or registered voters;
- **Conduct** a special election if written protest is more than 25% but less than 50% of the landowners and/or registered voters;
- **Terminate** the proposal if written protest is received from landowners who own more than 50% of the total value within the reorganization area; or
- **Terminate** the proposal if written protest is received from registered voters who reside in the reorganization area reaches beyond 50%;

A resolution, finalizing the protest results, will be considered by the Commission during the April 6, 2022 LAFCO Meeting. If you have any questions regarding this Notice, please contact the LAFCO office at 831-454-2055 or by email at info@santacruzlafco.org.



Joe A. Serrano
Executive Officer
Date: March 10, 2022