



**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 6, 2021
9:00 a.m.**

Attend Meeting by Internet: <https://us02web.zoom.us/j/84006160636?pwd=aE8xaUtVSjRrQWl2Mk10MjN4aFB5QT09>
(Webinar ID: 840 0616 0636)

Attend Meeting by Conference Call: **Dial 1-669-900-6833 or 1-253-215-8782**
(Passcode is 988539)

TELECONFERENCE MEETING PROCESS

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID-19 virus, Santa Cruz LAFCO has established a temporary meeting process:

- a) Commission Quorum: The Governor's Executive Order (N-29-20) indicates that a quorum can consist of Commissioners in person or via teleconference during these unique circumstances. This regular LAFCO meeting will be conducted remotely. A roll call vote will occur on each agenda item that requires Commission action.
- b) Public Comments: For those wishing to make public comments remotely, please submit your comments by email to be read aloud at the meeting by the Commission Clerk. Email comments must be submitted to the Commission Clerk at info@santacruzlafco.org. Email comments on matters not on the agenda must be submitted prior to the time the Chair calls for Oral Communications. Email comments on agenda items must be submitted prior to the time the Chair closes public comments on the agenda item.

For those wishing to speak during the online meeting, you must inform LAFCO staff of this request prior to the start of the meeting. If that has occurred, and after being recognized by the Chair, the identified individual will be unmuted and given up to 3 minutes to speak. Following those 3 minutes, their microphone will be muted.

- c) Accommodations for Persons with Disabilities: Santa Cruz LAFCO 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. If you are a person with a disability and wish to attend the meeting and you require special assistance in order to participate, please contact the Commission Clerk at (831) 454-2055 at least 24 hours in advance of the meeting to make arrangements. Persons with disabilities may request a copy of the agenda in an alternative format.

1. ROLL CALL

2. EXECUTIVE OFFICER'S MESSAGE

The Executive Officer may make brief announcements in the form of a written report or verbal update, and may not require Commission action.

a. Remote Meeting Protocol

The Commission will receive an update on the ongoing remote meeting process.

Recommended Action: No action required; Informational item only.

b. Welcome New Commission Clerk

The Commission will welcome Christopher Carpenter as LAFCO's new Commission Clerk.

Recommended Action: No action required; Informational item only.

3. ADOPTION OF MINUTES.....Page 5

The Commission will consider approving the minutes from the November 4, 2020 Regular LAFCO Meeting.

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

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. SPECIAL BUSINESS

Special business items typically involve resolutions of appreciation for outgoing Commissioners or staff members and are not subject to public hearings.

a. Resolution of Appreciation for Commissioner John Leopold's Distinguished Public Service and Leadership.....Page 16

The Commission will consider the adoption of a resolution of appreciation for John Leopold's 11 years of service on LAFCO. The Executive Director for the California Association of Local Agency Formation Commissions (CALAFCO) will also present a Certificate of Appreciation on behalf of CALAFCO.

Recommended Action: Adopt the draft resolution (No. 2021-01).

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 New Chair and Vice-Chair.....Page 18

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

Recommended Action: Elect Chair and Vice-Chair for the 2021 calendar year.

b. Appoint New Personnel Committee.....Page 20

The Commission will consider selecting its new personnel committee members.

Recommended Action: Select personnel committee members for a two-year term.

c. Fire Protection Service and Sphere Review – Proposed Outline.....Page 21

The Commission will review the proposed outline for the upcoming countywide service and sphere review involving fire protection.

Recommended Action: Discuss and approve the report's proposed outline.

d. Independent Special District Election Process.....Page 31

The Commission will receive an update on the upcoming elections for the regular and alternate district seats on LAFCO.

Recommended Action: No action required; Informational item only.

e. Fire Consolidation Update (LAFCO Project No. DC 20-02).....Page 34

The Commission will receive an update on the recently approved fire consolidation.

Recommended Action: No action required; Informational item only.

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. State Controller's Office – List of Inactive Districts.....Page 39

The Commission will receive an update on the State's List of Inactive Districts which includes County Service Area 60 (Huckleberry Island).

Recommended Action: No action required; Informational item only.

b. State Water Resources Control Board – SLVWD Sphere Support.....Page 44

The Commission will receive a letter from the State Water Resources Control Board's Division of Drinking Water regarding a recent sphere update for the San Lorenzo Valley Water District.

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 October to December.....Page 47

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 agenda 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 3, 2021 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.santacruzlafco.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

**Agenda
Item
No. 3**

Wednesday, November 4, 2020
9:00 a.m.

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

The November 4, 2020 Santa Cruz LAFCO meeting is called to order by declaration of Chairperson Roger Anderson. There currently are 13 public attendees joining this meeting.

ROLL CALL

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

For the record, there is a quorum.

EXECUTIVE OFFICER'S MESSAGE

Mr. Serrano reports that since May, the Commission has conducted meetings remotely to ensure the safety of the board, its staff, and the public. During this webinar, the Commissioners will have complete control over their webcams and microphones.

For members of the public, webcams and microphones have been disabled but they will be able to view the entire meeting. They will have the opportunity to address the Commission on any of the agenda items. They can either send an email to LAFCO and it will be read on their behalf or they can raise their hand on Zoom. For those who are teleconferencing, they can raise their hand by pressing *9. After staff has acknowledged the person raising their hand, their microphone will be unmuted and they will have up to 3 minutes to address the Commission. The Commission Clerk will notify them when they have 1 minute left and when their time is up.

For any Commission action, there will be a roll call vote for the record.

MINUTES

MOTION

Motion: J. Anderson	To approve October 7th minutes.
Second: Leopold	Motion carries with a unanimous voice vote.

PUBLIC HEARINGS

CENTRAL AND APTOS / LA SELVA FIRE CONSOLIDATION – LAFCO PROJECT No. DC 20-02

Mr. Serrano reports that this consolidation has been a multi-year process with extensive analysis from the two fire districts and LAFCO. He has worked on consolidations and fire projects in other LAFCOs during his career. There are three common questions associated with consolidation. Residents typically want to know how much it will cost them or whether their property taxes will increase. For this consolidation, there will be no change. The fire districts have indicated that the existing revenue sources will be transferred over to the successor agency. There will be no change to their residents' property taxes or any additional costs or assessments.

Residents also want to be assured of their services. They want to know if this will negatively impact the level of service, whether firefighters will lose their jobs as a result of this consolidation, or will their response time to an incident take longer. There will be no change to their existing services. State law and this Commission require that the level of service remain the same or improve as a result of a boundary change including consolidation.

The two fire districts have adopted a Plan for Service which is a transitional plan indicating how the current operations will be implemented into the successor agency.

Residents may wonder why it is worth consolidating if there is no change in costs and services. It is not about fixing what is not broken, it is making sure the residents are covered with the best fire protection available. Consolidation is merely a mechanism that special districts can use to improve efficiencies. These two fire districts can maximize their existing staff, equipment, facilities, and their best practices by becoming one special district through consolidation.

These two fire districts are direct results of previous consolidations. In 1982, Live Oak and Soquel Fire Districts applied for consolidation with this LAFCO and formed the Central Fire Protection District. In 1985, Aptos and La Selva Fire Protection Districts consolidated into Aptos / La Selva Fire Protection District. In 1987, Central and Capitola Fire Districts consolidated into Central Fire Protection District.

History shows that consolidation has been a proven concept. There still needs to be evidence that consolidation makes sense before the districts take action. Since the 1990s, Central and Aptos Fire Districts have considered the idea of consolidation. Finally, in 2018, the fire districts partnered with LAFCO and hired an outside consultant to conduct a feasibility study to figure out whether consolidation makes sense in today's world.

The final version of this report was presented to the residents at a town hall meeting in August 2018 and the report supported consolidation. The report was also used for a service review for the two fire districts and it was adopted by LAFCO in November 2018.

The fire districts still needed to take action to initiate this process. In 2019, the districts adopted several resolutions. State law requires that one of the affected fire district needs to adopt a resolution of initiation. Only one resolution is required but the districts both adopted similar resolutions. The districts are taking additional steps for more transparency so that the public is fully aware of their progress. Those resolutions were both adopted in July 2019.

They also adopted similar resolutions about the board composition. Central Fire is larger than Aptos/La Selva Fire in terms of acreage, population, the number of parcels, and the assessed value. In order to have fair representation, both boards decided to adopt a resolution indicating that 3 board members from Aptos and two from Central will serve on the new successor agency board. The districts also decided that by 2022, the successor agency's elections will transition from at-large to district-based. Under this proposed election format, there will be better representation of the former fire districts as well as residents themselves.

After the resolutions were adopted, the districts directed their fire chiefs to submit an application to LAFCO. A joint application signed by both districts was officially submitted to LAFCO December 30, 2019. This is when the LAFCO process officially begins.

State law requires a number of tasks to be completed before the consolidation can be presented to the Commission. Within 30 days of receiving the application, LAFCO needs to notify the applicants whether or not the application is complete.

A status letter was sent to the fire districts last January indicating that the application was incomplete. It still needed a property tax exchange agreement to be adopted by the Board of Supervisors. It was also suggested that another town hall meeting should be set up to discuss the consolidation. Within 30 days, State law also requires LAFCO to notify all affected and interested public agencies about the consolidation and solicit comments. To date, LAFCO has not received any written opposition from any local agency.

In March, the Board of Supervisors unanimously approved this property tax exchange agreement. This agreement makes sure the existing property taxes from both fire districts get transferred over to the successor agency. From April through August, the districts continued working together to address the items in LAFCO's status letter and other unresolved issues including the existing pension plans and obligations.

The two districts have different pension plans. It was unclear how that will affect the current pension obligations if they consolidate. LAFCO, CalPERS, Assembly Member Mark Stone and Senator Bill Monning helped get AB 1140 passed. This bill will help transition all existing pension obligations to the successor agency. In September, Governor Newsom approved AB 1140 and this bill will become law on January 1, 2021.

There was a virtual town hall meeting in September that was hosted by Supervisors Zach Friend and John Leopold and it was another opportunity for residents to learn more about consolidation and its benefits and offer an additional platform for the public to ask questions. Fire chiefs Don Jarvis and John Walbridge were guest speakers.

After receiving all the documentation in October, LAFCO staff signed the Certificate of Filing deeming the application complete and ready for the Commission's consideration. Staff advertised the public notice in the local Sentinel and Aptos Times.

Today the Commission is considering the proposed consolidation. There are still other milestones required. Assuming that the Commission approves the consolidation, State law requires two proceedings. The Request for Reconsideration is an opportunity to submit new substantial evidence that was not considered by the Commission that may overturn their approval. This period will be between November 5th to December 4th. A Protest Proceeding will follow which is an opportunity for the affected residents to submit petitions of opposition. This Protest Proceeding will occur from December 4th to January 6th. On January 6th, there will be a Protest Hearing in which LAFCO staff will gather any final petitions to determine whether or not those petitions will trigger an election or

terminate a consolidation. If 25% or less petitions in opposition are received, the Commission's approval stands. If 25% to 50% petitions in opposition are received, it triggers a special election. If more than 50% are received, this terminates the consolidation. During the entire LAFCO process, LAFCO staff did not receive any written opposition from the residents. Several inquiries with valid questions were received but no written opposition.

This consolidation was initiated by the two affected fire districts and it will not raise taxes or introduce any new costs or benefit assessments. It will not lower the level of service currently being provided by the two fire districts. The consolidation will maintain the level of service and ultimately improve the level of service. It will remove duplication in governance and it will maximize efficiencies and best practices.

He thanks Assembly Member Mark Stone, Senator Bill Monning and CalPERS for their efforts in introducing AB 1140 and getting the bill passed. Craig Scholer and Maureen McCarty from Stone's office were helpful in being LAFCO's direct contact for this effort. He thanks the County Departments that played a critical role in providing essential data for LAFCO's analysis. He also thanks Supervisors John Leopold and Zach Friend for providing leadership in adopting the property tax exchange agreement and hosting a virtual town hall meeting. The fire districts' board members, the union representatives and their staff deserve thanks for their time and effort in this multi-year process of completing this consolidation. He appreciates former fire chiefs Aaron Lowe and Steve Hall for initiating the consolidation. The current fire chiefs Don Jarvis and John Walbridge helped to spearhead this effort midway through the process. He appreciates the community members who participated in the board meetings, attended the town hall meetings, or were just aware of this process. Becky Steinbruner was also helpful with providing valid questions which helped him provide a more thorough analysis in his staff report. This consolidation should be useful as a model for other LAFCOs.

The draft resolution has a number of terms and conditions that need to be addressed before the resolution can be recorded, the consolidation can be finalized, and a new district is officially formed. The districts have up to one year to address those conditions.

Pat McCormick, retired EO from Santa Cruz LAFCO, has been following this effort and he congratulates everyone for their hard work.

Interim Fire Chief John Walbridge from Central Fire thinks Mr. Serrano did a great job thanking everyone involved. He appreciates Mr. Serrano's excellent presentation and LAFCO's partnership with the fire departments.

Commissioner Leopold thanks both fire districts for their hard work. The firefighters were the initial drivers of this effort and they recognize the value this consolidation could have for their community. It shows the firefighters' leadership when they help educate the community and it helped shape their boards' support. The boards and the fire chiefs have done an incredible job bringing all the pieces together. Four years ago, they began having conversations about consolidating. LAFCO played a role with an annexation that reshaped the size of the Central Fire board which made the consolidation easier. There were some obstacles but there is good data to support this move. It is easy to talk about merging fire departments together but to actually do it is much more difficult.

He wonders about the labor and benefits agreements. Passing AB 1140 will help allow this to happen. There are still two labor contracts between the individual unions. He wants to hear from the districts about what their plans are to become one unified labor contract, the timing of it and its priority.

Commissioner Friend thinks it cannot be overstated how much background work and public work has gone into this project. There have been many meetings and discussions with elected officials, the agencies' boards, firefighters, and community members to bring forth a robust prevention, operations, training, and a solvent organization from a financial standpoint. This will become the model agency countywide with the work that has already been done with respect to management and prevention. Other agencies will be looking to them for leadership. This benefits the two districts and their residents as well as everyone who sees the benefits of combining these two agencies. He knows this progress will help the residents receive better fire service long term. They will have a more financially responsible department. Mid-County and South County areas will be stronger from a fire prevention perspective. Those involved should be proud of the progress.

Chairperson Roger Anderson adds that there is a lot of documentation and detailed negotiated labor contracts. He asks if there are any substantial differences between the contracts. The pension issue appears to have been settled. He wonders if there will be an incentive for the residents in the consolidated district to get hired under one contract or the other, or are they the same contract.

Interim Aptos / La Selva Fire Chief Don Jarvis says it has already been acknowledged that fire district consolidations are extremely difficult. There are so many moving pieces and everyone is emotionally invested in each one of those pieces. Central and Aptos / La Selva Fire Districts each have a long history of proud service to their communities. Each has a host of retired firefighters that are still part of the fire service family and the fire agencies. The two districts have developed a culture and an organizational philosophy over time.

The two districts have grown up in the same environment, but they have turned out completely different, such as their labor contracts. The philosophy at Aptos / La Selva has been for higher wages and a lower tier of benefits but Central Fire's philosophy involves slightly lower wages but a higher tier of benefits.

Combining those two labor contracts has probably been the most challenging. The meetings are still continuing. The ad-hoc committee from both fire districts that includes both boards of directors have been meeting regularly with representatives of the two labor unions to hammer out some of the differences in these contracts. Currently, there are two separate labor contracts that are valid and binding until the end of 2021. Meetings are ongoing to continue working towards a single labor contract.

One scenario is that those labor contracts run in parallel and they expire in 2021. The new board of directors will undertake negotiations to develop a successor labor contract. Another possibility is that these meetings continue to be fruitful and the two contracts are not combined before they expire on their own terms.

Commissioner Leopold thinks it is very important that these critical issues are resolved. He wonders what the districts priorities are to resolve this before the consolidation is official which could still be several months away.

Chief Jarvis says all the involved parties recognize that the ultimate goal with the best advantage is to come to an agreement and combine the two contracts into a single memorandum of understanding (MOU). The problem is that this is easier said than done. Negotiations are ongoing and it is a high priority. Negotiations with labor can often be difficult. There are two different philosophies involved in these negotiations which makes it difficult to resolve. He cannot promise that they will come to an agreement with the labor unions before the consolidation is finalized. The boards of directors are involved with the negotiations and they realize what a high priority this is to get it resolved.

Commissioner Leopold is concerned because there is a new board with a majority of one culture and a minority of another culture. Trying to resolve this on an even playing field should be a priority.

Chief Jarvis agrees.

Commissioner Leopold wonders if there are any board members listening who could comment.

Chairperson Roger Anderson wonders what happens if there is not a labor agreement by the end of 2021 and where would it leave the status of the consolidation.

Chief Jarvis says that every labor contract has an expiration date. If Aptos / La Selva stayed as its own fire district, their labor contract would expire the end of 2021. The board and the union would enter into negotiations and they would hammer out a successor agreement. This is what they expect will happen at the end of 2021 and they are not sure whether it would be easy or difficult. They cannot short cut it and they cannot ignore it. The new successor board and the labor unions would go through the same process together or separately.

Commissioner Leopold asks if there are negotiations occurring now to work towards resolution before the consolidation occurs.

Chief Jarvis answers yes. There are regular meetings happening between the labor unions and the representatives of the two boards.

Mr. Serrano adds that the draft resolution includes a condition that all existing MOUs, contracts, and agreements will be honored by the successor agency. Any other MOUs, contracts and agreements that are adopted after November 4th but prior to recordation will be honored as well. This is an attempt to encourage ongoing negotiations and discussions between the two fire districts before it gets recorded.

Commissioner Jim Anderson asks if both contracts expire near or at the same time.

Mr. Serrano answers yes. Both contracts expire at the same time which is at the end of 2021.

Commissioner Leopold adds that what makes consolidations difficult is multiple hurdles that have to be overcome through persistence. He has noticed through this entire process that there has been incredible persistence from the firefighters, the fire boards, the districts, and LAFCO. There are other players who have tried to help with this consolidation. He hopes that the labor contract gets resolved before the consolidation happens.

MOTION AND ACTION

Motion: Leopold Second: Friend	To adopt the draft Resolution No. 2020-30 approving the fire consolidation and include: <ul style="list-style-type: none">• a minor edit to the proposed name which will now be "Central Fire District of Santa Cruz County" for the proposed agency, and• to get reports from the fire districts at the LAFCO meetings about the status of negotiations until the consolidation is complete. Motion passes with a unanimous voice vote.
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Commissioner Leopold is proud to have played some part in this and wants to recognize everyone who put time into it. He is proud of the work this LAFCO has done and its good government towards efficient government services. He thinks it is underappreciated what LAFCO does and the importance LAFCO plays in the community. When people have experiences with LAFCO, they find out what a valuable tool they offer.

Chairperson Roger Anderson appreciates Mr. Leopold's leadership locally and statewide.

* Commissioner Leopold leaves

SERVICE AND SPHERE REVIEW FOR THE SAN LORENZO VALLEY WATER DISTRICT (SLVWD)

Mr. Serrano reports that SLVWD was formed in 1941 to develop and provide water for domestic use, fire protection and recreation in San Lorenzo Valley. Since 1963, the district has experienced several boundary changes including the 2016 reorganization involving Lompico County Water District.

Currently, the district's service area encompasses approximately 60 square miles. Detailed analysis of the district was conducted as part of the service review. The district provides water service to approximately 20,000 residents. Their source of water comes from surface water and groundwater.

SLVWD also provides sewer service to a small community. During the countywide sanitation service review, SLVWD expressed interest in transferring over sewer responsibilities to another public agency and it is still the case. Their hope is for another public agency such as the County to assume sewer responsibilities for this small community.

This district is fiscally sound. They did not encounter any single deficit in the last six fiscal years. This is unique compared to the other agencies this LAFCO has analyzed this year. One reason why their revenues accurately cover their expenses is because they plan for capital improvement projects and they earmark necessary funds. 21 projects have been scheduled to be completed by 2022.

All special districts are now required by law to maintain a website. SLVWD is one of the districts that has maintained a website for a long time. It includes an array of information available to the public.

There has been substantial infrastructure damage due to the recent fires. It is unclear how it will impact the district's funding and operations. LAFCO is recommending an update be presented to this Commission by November 2021.

There are 24 unserved areas surrounded by the water district but outside its jurisdiction. These areas are excluded from the service boundary. He thinks the sphere boundary should include these unserved areas to encourage annexation in the future if desired by the residents and the water district. Any annexation would require additional analysis and an application. A precursor to these discussions would be updating the sphere boundary to include these 24 unserved areas.

Nicole Berridge is an HOA water commissioner for Brackenbrae. She just stumbled upon LAFCO's notice in the paper. Excluding the recent fires, they are happy with their water system. They have good quality water service. She asks if staff is recommending that the unserved islands within those boundaries be considered part of SLVWD's potential service area. If there is an independent water company with State oversight, she wonders if they can maintain their company without an imminent domain takeover.

Mr. Serrano answers that the intent of these sphere boundaries is that they are a planning tool. These areas may be part of the water district in the foreseeable future. These areas are not part of the district, but they are substantially surrounded by it. There is no imminent domain. There needs to be support by the affected area such as the private water system as well as the water district and it needs to be initiated by an application. There is no application currently and the Commission is not forcing annexation. If there is no interest from the water district, the private water system, or the residents, there is no need to move forward. This is just an informational report that can be used to start discussions if there is a desire to do so.

Ms. Berridge asks if LAFCO chose to explore this option of hooking up to the water district, could it be done without a potential threat of being taken over. There have been discussions with SLVWD and Big Basin about connecting with them. They want to explore all of their options because their water treatment plant was burnt down. They just restored their water storage. They plan to rebuild the water treatment plant and they want to look at all of their options.

Mr. Serrano replies that LAFCO staff encourages them to explore their options. If one of the options is to be part of SLVWD, then an application needs to be submitted and the LAFCO process begins. Any previous discussions of alternative approaches to ensure that these residents receive adequate water supply does not trigger any LAFCO action. LAFCO gets officially involved when an application is received.

Ms. Berridge asks if they were to have SLVWD serve them, who pays for funding the annexation. They have applied for a FEMA grant as a critical non-profit.

Mr. Serrano answers that the applicant, the landowner, the registered voter, or the private water system would be subject to any connection costs to the water district. He does not want residents to have any sticker shock when they find out how much it will cost to hook up to the water district. These questions should be answered before it is brought to LAFCO.

He thinks their private water system and Forest Springs water systems are already SLVWD's jurisdiction and so annexation would not be required. These discussions can occur with SLVWD without LAFCO approval or action. If it is decided that the connection makes sense, they do not have to go through the LAFCO process. Annexation only occurs if it is area outside the jurisdiction of the water district.

Rick Rogers, SLVWD's General Manager, thanks Mr. Serrano for his extra time spent on this review due to the recent fire. He agrees with the summary of recommendations that was submitted.

Chairperson Roger Anderson reviewed the rate study and a Lompico Assessment District Oversight Committee (LADOC) document. He asks if action has been taken on implementing the rate study and where does the LADOC plan fit into the overall future of SLVWD.

Mr. Rogers replies that the rate study has been implemented and they are getting ready to implement the fourth step on a five-year rate increase in a day or two. In its fourth year, they are moving ahead with the LADOC merger and they are currently constructing new storage. The LADOC merger outlines six different projects and it came with an assessment district. They are moving ahead with these projects, but they are a tad behind schedule.

MOTION AND ACTION

Motion: J. Anderson Second: Lather	<ul style="list-style-type: none">• To find the service review exempt from CEQA,• The service review meets the statutory requirements for Government Code Section 56425 sphere determinations and 56434 service determinations and,• To adopt draft Resolution No. 2020-31 approving the 2020 Service and Sphere Review for SLVWD, as recommended by staff. Motion carries with a unanimous voice vote.
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PROPOSED POLICY UPDATES

Mr. Serrano reports that these are the last two policies to review. The sphere policy was adopted in 1977 and was last reviewed in 2010. The purpose of this policy was to outline how to designate sphere boundaries for all of the county's cities and special districts. This policy simply needed minor edits such as revising outdated language and implementing the new standard format for policies.

The water policy was adopted in 1964 and was last reviewed in 2010. The intent of this policy was to determine how to analyze current and future water demand when considering boundary changes such as annexations. The current version of this policy was merely the proposal and the sphere policies combined with highlighted areas of water-related issues. Staff felt it was more appropriate to create a formal policy so this policy has been revamped while using the same language.

Commissioner Cummings is glad that the policies are getting updated and he thanks Mr. Serrano for his efforts.

Chairperson Roger Anderson asks whether the list of water information is intended to be exhaustive or is there some flexibility to consider other sources.

Mr. Serrano thinks there are other opportunities to amend, improve and add to this current policy. There was much effort in creating this water policy so he wanted to keep that context intact. With the notion that all of the policies have been reviewed, they can be combined as one Policies and Procedures Handbook. New policies or new language can be added to improve the structure and the information provided in these policies. There is room for improvement in all of the policies.

Commissioner Lather thought it was interesting and enlightening to go through the water policy and understand how policies are reviewed. She appreciates these policies being updated. She thanks LAFCO staff for their efforts.

Chairperson Roger Anderson appreciates all the effort in reorganizing this LAFCO's policies since it will make it easier for the Commission to understand them. It also allowed Commissioners to accumulate the history from these policies to make it clearer how they stand now.

MOTION AND ACTION

Motion: J. Anderson Second: Cummings	To adopt draft Resolutions No. 2020-32 and 2020-33 approving the proposed amendments to the Sphere of Influence Policy and the Water Policy, as recommended by staff. The Water Policy shall include one minor correction. The annual reports filed by the public water systems are no longer sent to the California Department of Public Health. They are sent to the State Water Resources Control Board.
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OTHER BUSINESS

CALAFCO ELECTION RESULTS

Mr. Serrano reports that there was no CALAFCO Conference due to the pandemic. The election for the CALAFCO Board was done with mail-in ballots. Most if not all of the incumbents were re-elected. Mike McGill from Contra Costa LAFCO was re-elected to represent the Coastal Region's special district seat. Christopher Lopez from Monterey LAFCO will be representing the Coastal Region for the county seat.

He wants to extend his appreciation to Commissioner Lather for her willingness to run and he encourages her and the rest of the Commission to continue working with CALAFCO. Hopefully, there will be a Santa Cruz Commissioner on the CALAFCO Board soon.

Chairperson Roger Anderson thanks Commissioner Lather for her interest. It is important to have some membership on the Board. He knows the power of incumbency. He tried three times before he was elected to the Board.

COMPREHENSIVE QUARTERLY REPORT – FIRST QUARTER (FY 2020-21)

Mr. Serrano reports that September was the end of the first quarter and his report shows the service reviews, projects and staff meetings that occurred during this time. As of the end of the first quarter, LAFCO has already received 99% of the projected revenue. The majority of funding comes from the allocations from the cities, the special districts, and the County. It is customary to receive a majority of the revenue at this time.

LAFCO has only incurred 20% of the projected costs for this fiscal year. By the end of the first quarter, it is wise to be at 25% or below. He anticipates that the revenues will cover the expenses at the end of this fiscal year.

Chairperson Roger Anderson appreciates the comprehensive report.

WORK PROGRAM REVIEW

Mr. Serrano reports that the work program adopted by the Commission in November 2019 lays out what the service reviews will be until 2024. In 2021, four service reviews are scheduled to be completed which will analyze about 18 special districts. The City of Scotts Valley will be the first review to tackle in March followed by the Scotts Valley Water District in May. The four recreation and park districts will all be analyzed in one service review that will be presented to the Commission in August.

A countywide comprehensive fire district review will analyze all of the fire districts in the County. The Commission requested that the scope of work be presented to the Commission outlining what the report will cover, and he plans to provide this to the Commission in January. The service review will be ready for Commission consideration by October 2021. This report will also fulfill the request from the Grand Jury to analyze any areas of improvement or opportunities with the fire districts. This report will be an important resource for the Commission, the public and the fire districts.

Chairperson Roger Anderson wonders what role the districts involved in the consolidation will have.

Mr. Serrano answers that his intent is to involve the affected agencies when he conducts this review. It will be a working document that they will have the opportunity to provide comments. At the beginning of the year, he will send out a survey to all of the existing fire districts including Central and Aptos / La Selva FPDs. It is still unknown when their consolidation will be finalized. The consolidation effort will be emphasized in the report. He will request that they provide feedback as part of this service review because it will be countywide. Hopefully, this consolidation effort will be a success story and a potential model for other opportunities within the County.

LAFCO MEETING SCHEDULE

Mr. Serrano has proposed a 2021 meeting schedule of ten regular Commission meetings excluding the months of July and December.

Commissioner Cummings asks if the meeting time will still be 9:00 a.m.

Mr. Serrano answers yes.

MOTION AND ACTION

Motion: Cummings Second: J. Anderson	To approve the 2021 meeting schedule. Motion carries with a unanimous voice vote.
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WRITTEN CORRESPONDENCE

Mr. Serrano reports that staff received several items of late correspondence after the agenda packet was distributed. Two documents were from Becky Steinbruner and most of her questions were addressed during the fire consolidation discussion.

The third document was sent by a resident regarding SLVWD's recent service review. This document was given to the Commissioners and posted on the LAFCO website. The resident's comments were supporting staff's recommendations and findings in the service review. He hopes the district explores alternatives with the private water systems and the unserved areas. He is a resident affected by the recent fire and he would appreciate coordination between the residents and the water district. He supports staff's recommendation to have these discussions.

ADJOURNMENT

The next LAFCO meeting is scheduled for 9:00 a.m. Wednesday, January 6, 2021. There will be no LAFCO meeting in December.

CHAIRPERSON ROGER W. ANDERSON

Attest:

Joe A. Serrano, Executive Officer



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Resolution of Appreciation for Commissioner John Leopold**

SUMMARY OF RECOMMENDATION

After 11 years of dedicated service with Santa Cruz LAFCO, John Leopold will be stepping down as the Regular County Member. The Commission will recognize Mr. Leopold's past achievements and stellar career.

It is recommended that the Commission adopt a Resolution of Appreciation for outgoing Commissioner John Leopold (Resolution No. 2021-01).

EXECUTIVE OFFICER'S REPORT

Commissioner John Leopold served on LAFCO from June 3, 2009 to January 4, 2021. The Commission will act on a resolution honoring his distinguished service to LAFCO, Santa Cruz County, the California Association of LAFCOs (CALAFCO), and the State of California.


Pamela Miller, CALAFCO's Executive Director, has also requested the opportunity to acknowledge Mr. Leopold for his service and leadership at the state level.

Respectfully Submitted,

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

Joe A. Serrano
Executive Officer

Attachment: Resolution of Appreciation (No. 2021-01)



LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY

Resolution 2021-01 in Appreciation of Commissioner

John Leopold

For Dedicated and Outstanding Service

Whereas, John Leopold has served with distinction as the County Member for the Local Agency Formation Commission (LAFCO) for 11 years from 2009 to 2021; and

Whereas, Mr. Leopold was first elected to the Santa Cruz County Board of Supervisors in November 2008 and was re-elected for a second time in June 2016. He has served as both the Chair and Vice-Chair of the Board of Supervisors during his tenure. Mr. Leopold represented the First District, which includes Live Oak, Soquel, and the Summit Area. Mr. Leopold previously served on the Cabrillo College Governing Board for 8 years, as well as other organizations including the North California Manufacturing Exchange, the City of Santa Cruz Public Works Commission, Federal AIDS Housing Advisory Task Force, the Santa Cruz County Human Care Alliance, a nationally-rated charter school, his temple, and two philanthropic foundations; and

Whereas, Mr. Leopold has worked diligently to advance the interest of LAFCO and the ideology of encouraging orderly growth, preserving agricultural lands and improving municipal service provisions throughout Santa Cruz County. He has made significant contributions to the goals of the Commission as a highly respected champion of good government with almost 100 boundary changes and LAFCO actions processed during his tenure; and

Whereas, Mr. Leopold has shown leadership at the local level by supporting significant, and sometimes challenging projects, including but not limited to the reorganization between County Service Areas 10 and 57 in 2013, the merger between Lompico County Water District and San Lorenzo Valley Water District in 2016, the consolidation between Central and Aptos/La Selva Fire Protection Districts in 2020; and

Whereas, Mr. Leopold has also shown leadership at the state level by being heavily involved in both the “big picture” and detailed matters towards the California Association of LAFCOs (CALAFCO). He represented CALAFCO in stakeholder negotiations, such as those for the bill to allow the State Water Board to order water system mergers, and testifying before the Little Hoover Commission and State Legislature as the Chair of CALAFCO. He has led CALAFCO through years of responding to significant legislation and reorganizing the CALAFCO's board structure in order to optimize CALAFCO's effectiveness.

Now, therefore, be it resolved, the Local Agency Formation Commission of Santa Cruz County does hereby express its gratitude and appreciation to John Leopold for his dedication to extraordinary contributions to LAFCO, to the CALAFCO organization and its members, to the people of the Santa Cruz County, and to the State of California.

Passed and adopted by the Local Agency Formation Commission of Santa Cruz County this 6th day of January 2021.

Chair, Roger Anderson	Yvette Brooks	John Hunt
Vice Chair, Justin Cummings	Ryan Coonerty	Rachel Lather
Jim Anderson	Francisco Estrada	Debra Means Commission Clerk
Ed Banks	Zach Friend	Joe Serrano Executive Officer



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Selection of New LAFCO Chair and Vice-Chair**

SUMMARY OF RECOMMENDATION

The Commission selects a new Chair and Vice-Chair at the first meeting of each year. It is recommended that the Commission discuss and appoint a new LAFCO Chair and Vice-Chair for the 2021 calendar year.

EXECUTIVE OFFICER'S REPORT:

In accordance with the Commission's 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 3rd 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 six years are listed below.

Table 1: Chair and Vice-Chair Appointments (2015 – 2020)

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)
2020	Roger Anderson (Public)	Justin Cummings (City)

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

Representation (Seat)	Term Limit (Ending Date)	Commissioner (Current)
Regular Members		
1. County Seat	May 2023	John Leopold (BOS District 1)
2. County Seat	May 2024	Zach Friend (BOS District 2)
3. City Seat	May 2022	Justin Cummings (Santa Cruz)
4. City Seat	May 2023	Francisco Estrada (Watsonville)
5. District Seat	May 2021	Jim Anderson (Felton Fire)
6. District Seat	May 2023	Rachel Lather (Soquel Creek Water)
7. Public Seat	May 2024	Roger Anderson
Alternate Members		
8. County Seat	May 2023	Ryan Coonerty (BOS District 3)
9. City Seat	May 2022	Yvette Brooks (Capitola)
10. District Seat	May 2021	Ed Banks (Pajaro Valley Public Cemetery)
11. Public Seat	May 2024	John Hunt

Footnotes:

- a) City Representation** - 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.
- b) District Representation** - 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.
- c) County Representation** – The county members are appointed each January by the Board of Supervisors and may change each year at that time.
- d) Public Representation** – The public members are appointed by the Commission when a vacancy occurs.



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Selection of Personnel Committee Members**

SUMMARY OF RECOMMENDATION

The Commission's Personnel Policy establishes a Personnel Committee to evaluate the Executive Officer's performance and other administrative or financial matters that may lead to recommendations for Commission consideration.

It is recommended that the Commission discuss and assign at least two Commissioners to be part of LAFCO's Personnel Committee.

EXECUTIVE OFFICER'S REPORT

The Commission utilizes a Personnel Committee to lead the review of the Executive Officer's performance and to recommend any changes to the compensation provided to LAFCO staff (Executive Officer and Commission Clerk). Memberships are typically a two-year term. The last Personnel Committee was appointed in February 2020. However, the November 2020 elections have affected the current composition. Appointment to the committee is now required. The following table identifies the previous Personnel Committee members since 2016 and staff's suggestion for the new year.

Table 1: Personnel Committee Members (2017 – 2020)

Year	Commissioner #1	Commissioner #2
2017	John Leopold	Jim Anderson
2018	John Leopold (Chair)	Jim Anderson
2019	Roger Anderson	John Leopold
2020	Roger Anderson (Chair)	John Leopold

The policy indicates that the Personnel Committee membership should include the Chair. Staff is recommending that the Commission consider selecting the 2021 Chair and another Commissioner, such as the former Chair (2020), to represent the Personnel Committee from January 2021 to January 2022. The members typically meet twice a year. The first meeting is tentatively scheduled for mid-January.

Respectfully Submitted,

Joe A. Serrano
Executive Officer



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Fire Protection Service & Sphere Review – Proposed Outline**

SUMMARY OF RECOMMENDATION

State law requires LAFCO to conduct municipal service reviews and sphere of influence updates for each agency subject to LAFCO's boundary regulations. As part of the Commission's Multi-Year Work Program, LAFCO is scheduled to conduct a report that will collectively analyze 12 special districts that provide fire protection in Santa Cruz County. Today, the Commission will discuss the proposed outline of the report.

It is recommended that the Commission discuss and approve the proposed outline for the upcoming countywide service and sphere review regarding fire protection in Santa Cruz County.

EXECUTIVE OFFICER'S REPORT

A standard service and sphere review typically evaluates one local agency and identifies key findings and recommendations. The report includes an analysis of the agency's ongoing operations, current financial performance, existing governance structure, ability to provide services, and its importance within its jurisdictional area. The report concludes with determinations required by State law.

In some instances, a comprehensive service review analyzing multiple agencies that provide the same service may provide a better understanding of how similar agencies are financed, governed, and structured. Identifying best practices, regional issues and joint opportunities are key takeaways from comprehensive service reviews. The Commission followed this approach during its countywide analysis of sanitation districts in October 2019. That is why the Commission has scheduled another countywide analysis to be completed by October 2021 – this time evaluating all fire protection service providers.

Proposed Outline

During the review of the multi-year work program in late-2020, the Commission requested that staff provide an outline of the proposed fire report for discussion. **Table A** on page 2 provides an overview of the sections that will be covered in the upcoming countywide service review. Staff is suggesting up to seven different chapters that will focus on various factors. It is important to note that this is a draft outline, and the Commission is encouraged to identify any necessary modifications.

Table A – Proposed Outline for the Upcoming Fire Report

Chapters	Description
<u>Chapter One:</u> <i>Overview of Report</i>	This introductory section will specify the purpose of the report and how the comprehensive analysis will fulfill the state mandate outlined in the Cortese-Knox-Hertzberg Act (“CKH Act”).
<u>Chapter Two:</u> <i>Review of Fire Protection Services</i>	<p>This section will summarize the role of each agency that provides fire protection in Santa Cruz County, including cities, special districts, volunteer departments, and state and federal agencies. A comprehensive map showing these agencies will be included in the report. Only the public agencies under LAFCO’s purview will be evaluated in full detail.</p> <p>This section will also include comparison tables showing various factors, including but not limited to ISO (Insurance Services Office) ratings, population estimates, type of service calls, revenue sources, and status of contractual agreements.</p>
<u>Chapter Three:</u> <i>Challenges Facing Fire Districts</i>	This section will highlight current and potential issues faced by fire districts including but not limited to: rising costs and adequate funding, climate change, fire hazard severity zones, volunteer recruitment and retention, private fire companies, evacuation and recovery plans, and underserved communities.
<u>Chapter Four:</u> <i>Governance Options & Opportunities</i>	This section will identify possible opportunities that may or may not involve LAFCO action, including but not limited to: consolidations, mergers, formation of a joint powers authority, and/or establishment of new contractual agreements for shared services or other joint ventures.
<u>Chapter Five:</u> <i>Service Review Determinations</i>	This section will fulfill the service determinations in accordance with the CKH Act for all fire districts (Government Code Section 56430).
<u>Chapter Six:</u> <i>Sphere of Influence Determinations</i>	This section will fulfill the sphere determinations in accordance with the CKH Act for all fire districts (Government Code Section 56425).
<u>Chapter Seven:</u> <i>Agency Profiles</i>	This section will contain a review of each of the fire districts within Santa Cruz County. Each district profile will contain a summary of LAFCO’s findings, background information, and data regarding their operations and boundaries. The profiles will include tables and charts outlining the district’s formation and duties, revenue attributes, types of service, apparatus, and calls for service. A map of the districts’ jurisdictional and sphere boundaries will also be included.

Next Steps

In mid-January, LAFCO staff will be sending out a survey to all the fire districts in order to gather the necessary information for the countywide report. **Attachment 1** provides a copy of the draft questionnaire. The fire districts will have more than 60 days to respond to the survey. The deadline to submit responses will be April 2, 2021. After LAFCO receives the requested information, staff will prepare an administrative draft of the service review. The draft report will then be shared with the fire districts in June 2021 with a request for internal review and comments. This will be an opportunity to ensure accuracy in content and tone. Following the completion of the survey deadline and draft report, LAFCO staff is scheduled to present the final version of the countywide service and sphere review on October 6, 2021. **Attachment 2** outlines the service review process and highlights key dates.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. Fire Survey
2. Tentative Schedule



LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY

**Comprehensive Fire Protection Service & Sphere Review
(Survey Questions – Deadline is April 2, 2021)******Please refer to page 6 for information on how to respond to this survey****

Survey Questions	Agency Response
A. Overview: 1) Administrative Office Address and Mailing Address (if different) 2) Website Address 3) Contact Information of LAFCO Liaison (for any follow-up questions) 4) Number of Employees. Please indicate whether employees are full-time, part-time, seasonal, on-call, etc. 5) Current Board Members and Term Limits. Please indicate who is the current Board Chair/President. 6) Current Fire Chief. Please indicate the number of years serving as the current fire chief. 7) Regular Board meeting date and location. 8) Mission Statement (if applicable)	
B. Boundaries: 1) Does your agency desire to change its existing jurisdictional boundary? If yes, please indicate the area(s) and reason(s). 2) Does your agency desire to change its existing sphere of influence boundary? If yes, please indicate the area(s) and reason(s). 3) Does your agency plan to or currently provide services outside its existing boundaries? If yes, please indicate the area(s) and reason(s). 4) Are there any overlaps or duplicate services being provided by another fire department within your agency's boundaries?	

C. Service Provisions

Please indicate whether your agency provides the services listed below:

- 1) Advanced Life Support (ALS)
- 2) Ambulance Transportation
- 3) Ambulance Transportation (Non-Emergency)
- 4) Basic Life Support (BLS)
- 5) Basic Rescue
- 6) Community Education
- 7) Construction Plan Check
- 8) Fire Code Enforcement
- 9) Fire Code Permitting
- 10) Fire Investigation
- 11) Fire Suppression
- 12) Haz Mat Administration
- 13) Public Awareness/Information
- 14) Technical Rescue
- 15) Vegetation Management
- 16) Water Rescue
- 17) Other(s)?

Please indicate whether your agency provides these services in-house or by-contract with another agency within your boundaries, and whether your agency provides a service outside your boundaries.

D. Dispatch Services

- 1) Does your agency provide dispatch services in-house or by contract? If by contract, please indicate which organization provides the service.
- 2) How are 911 calls fielded?
- 3) Any plans to improve or upgrade your current dispatch services? Any recent changes?
- 4) Any ideas or suggestions to improve dispatch services within your agency or countywide?

E. Population

Please provide population estimates for the following years: 2020, 2025, 2030, 2035, and 2040. If a population forecast is unavailable, please provide the current population amount.

Do you believe future population or housing will affect your agency's service capacity?

F. Training

Please indicate whether your employees' training consist any of the following:

- 1) Administrative
- 2) Advanced Life Support (ALS)
- 3) Auto Extrication
- 4) Basic Life Support (BLS)
- 5) Confined Space Awareness
- 6) Fire Prevention & Inspection
- 7) Hazardous Materials
- 8) Ocean Rescue
- 9) Physical Fitness
- 10) Rapid Intervention
- 11) Rescue Systems
- 12) Surf Rescue
- 13) Swiftwater Rescue
- 14) Technical Rescue (i.e. low angle rescue)
- 15) Transport
- 16) Truck Company Operations
- 17) Other(s)?

G. Fire Stations

Please provide information for the following:

- 1) Number of fire stations
- 2) Name and location of fire stations
- 3) Built date of fire stations
- 4) Current condition of fire stations
- 5) Staffing and hourly positions for fire stations
- 6) Number of volunteers within fire stations

Are there any plans to upgrade current fire stations or construct new stations?

H. Finances

Please provide information for the following:

- 1) Adopted Financial Statements (2015 to 2020)
- 2) Adopted Budgets (2020 and 2021)
- 3) Capital Improvement Plans (if applicable)

I. Inventory

Please indicate whether your fire stations have any of the following vehicles or apparatus:

- 1) Air & Light
- 2) Aircraft Rescue
- 3) Battalion
- 4) Brush Patrol
- 5) Chief Officer
- 6) Command
- 7) EMS (Medic Vehicle)
- 8) Fire Captain Vehicle
- 9) Fire Engine (Type 1)
- 10) Fire Engine (Type 3)
- 11) Fire Engine (Type 5)
- 12) Fire Engine (Type 6)
- 13) Fire Engine (Parade)
- 14) Medium Rescue
- 15) Heavy Rescue
- 16) Medic Engine
- 17) MCI Trailer
- 18) Mobile Fire Pump Testing & Training Unit
- 19) Rescue Squad
- 20) Truck (4x4)
- 21) Truck (Ladder)
- 22) Truck (Medic)
- 23) Truck (Pickup)
- 24) Truck (Rescue)
- 25) Truck (Tanker)
- 26) Truck (Training)
- 27) Utility
- 28) Urban Search and Rescue (USAR)
- 29) Water Craft
- 30) Water Tank
- 31) Other(s)?

J. Shared Services

Please indicate whether your agency collaborates with other organizations through any of the following:

- 1) Automatic Aid Agreement
- 2) Mutual Aid Agreement
- 3) Memorandum of Understanding
- 4) Joint Power Authorities/Agreements
- 5) Other Contracts?

Please name the organizations that your agency collaborates with and provide documents, if possible. LAFCO would like to highlight these partnerships and joint efforts.

K. Call Data

Please indicate whether your agency addressed the following call types during 2015 to 2020. Also indicate how many times that call type was addressed:

- 1) Automatic Aid
- 2) EMS (non-vehicle)
- 3) False Alarm
- 4) Good Intent Call
- 5) Haz Mat
- 6) Mutual Aid
- 7) Overpressure, Explosion, Overheat
- 8) Service Call
- 9) Severe Weather & Natural Disaster
- 10) Special Incident
- 11) Structure Fire
- 12) Vegetation and Trash Fire
- 13) Vehicle Accident/Fire
- 14) Wildland Fire
- 15) Other(s)?

Please indicate the target and average response time for each type of call.

L. Other Information

Please provide the following:

- 1) ISO Rating
- 2) Does your agency have a Fire Hazard Mitigation Program? If so, please provide a copy/link to review the document.
- 3) Does your agency have an evacuation and/or recovery plan? If so please provide a copy/link to review the document.
- 4) Which Hazard Severity Zone is your agency currently in?
- 5) How has the recent fires affected your agency?
- 6) Has climate change affected your agency?
- 7) How is your agency preparing for future service needs/demands?

<p>L. Other Information (continued)</p> <p>8) Are there any new or pending laws that have affected your agency? If so, please provide information on such laws/bills.</p> <p>9) Are there any private fire companies that you are aware of that provide service within your jurisdiction or in Santa Cruz County?</p> <p>10) Are there any best practices or recent success stories you would like LAFCO to highlight in the upcoming service review?</p> <p>11) Are there any specific topics you would like LAFCO to analyze as part of the upcoming service review?</p>	
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LAFCO Staff Comments

Survey Reponses: If the requested information is available on the agency's website or online, please provide the hyperlink and direct us to the proper location. We understand that your time is limited, and LAFCO staff can retrieve the information if pointed in the right direction.

Thank you for participating in LAFCO's survey. Please send your responses to LAFCO no later than **Friday, April 2, 2021**. Responses can be sent by email at joe@santacruzlafco.org or by regular mail (701 Ocean Street, Room 318-D, Santa Cruz CA 95060). Feel free to contact LAFCO staff if you have any questions. The LAFCO office number is 831-454-2055.

Fire Protection Districts (12 in total)
Proposed Service & Sphere Review Schedule
(For Discussion Purposes Only - Dates Subject to Change)

6C: ATTACHMENT 2

Action	Responsible Agency(ies):	Target Date	Description
Pre-LAFCO Process			
Survey Distribution	LAFCO	January 11, 2021	LAFCO will solicit comments and information from all affected agencies. This will be an opportunity to gather the necessary data to conduct a comprehensive report that will be a resource for the Commission, the affected agencies, and the general public.
Discussion with District Representatives	Districts & LAFCO	January - March 2021	Prior to the development of the report, the Districts and LAFCO should schedule a meeting (virtual, conference call, or in-person) to discuss certain items, including but not limited to: *Purpose of the Service & Sphere Review *Status of Agency (issues/concerns/future) *Retrieval of required documents (ex. audited financial statements)
Survey Deadline	Districts	April 2, 2021	This is the deadline to submit survey responses for each affected agency. Please notify LAFCO if more time is needed.
During LAFCO Process			
Develop Administrative Draft of Service & Sphere Review	LAFCO	Late-June 2021	LAFCO staff will develop an administrative draft of the report that will fulfill the requirements outlined in Government Code Section 56425 (sphere determinations) and 56430 (service determinations).
Distribute Administrative Draft to District	LAFCO	Early-July 2021	LAFCO staff will provide the Districts an advance copy of the draft report for feedback. The purpose of this internal assessment is to ensure accuracy of the information.
Submit Comments on Administrative Draft	Districts	September 3, 2021	LAFCO encourages comments and questions to be submitted as soon as possible to ensure that the report addresses any discrepancies or issues prior to Commission consideration.
Record Environmental Document	LAFCO	September 13, 2021	Pursuant to State law, and based on local practices, LAFCO files an environmental document regarding the service review. LAFCO staff has determined that the service review is exempted from CEQA. Therefore, a Notice of Exemption will be recorded prior to the LAFCO hearing date.
Advertise LAFCO Hearing in Newspaper	LAFCO	September 14, 2021	Pursuant to State law, LAFCO will advertise the consideration of the Service & Sphere Review in a newspaper at least 21-days prior to the hearing date.
Post Draft Service & Sphere Review on Website	LAFCO	September 30, 2021	LAFCO publishes the meeting's agenda packet, with all staff reports and attachments, no later than the Thursday before the meeting date.
Conduct LAFCO Hearing to Consider Service & Sphere Review	LAFCO	October 6, 2021	The Commission will consider the 2021 Service & Sphere Review in a public forum. The Districts and members of the public will have an opportunity to address the Commission on this matter.
Post-LAFCO Process			
Distribute Copies of the adopted Resolution and Service & Sphere Review	LAFCO	November 2021	Copies of the signed resolution and 2021 Service & Sphere Review will be sent to the Districts for their records. The report will also be available on the LAFCO website.



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: Independent Special District Election Process

SUMMARY OF RECOMMENDATION

The independent special districts in Santa Cruz County get three seats on LAFCO. Two district seats are scheduled to expire in May 2021. The call for nominations officially begins the election process in accordance with the Commission's adopted policy. 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:

Santa Cruz County has 23 independent special districts providing an array of municipal services including, but not limited to water, sewer, and fire protection. Pursuant to the Cortese-Knox-Hertzberg Act, the independent special districts get three seats on LAFCO. The current representatives are shown in the table below.

Commissioner	Type of Seat	District Name	Term Limit
Jim Anderson	Regular	Felton Fire Protection District	May 2021
Rachel Lather	Regular	Soquel Creek Water District	May 2023
Ed Banks	Alternate	Pajaro Valley Public Cemetery District	May 2021

As the table shows, two seats will become vacant in May 2021 (one regular and one alternate). In December 2020, LAFCO staff sent out a letter soliciting nominations for the upcoming vacancies (**Attachment 1**). The deadline to submit applications is January 8, 2021. LAFCO staff also developed a schedule identifying key dates throughout the election process (**Attachment 2**).

Respectfully Submitted,

Joe A. Serrano
Executive Officer

Attachments:

1. Call for Nomination Letter (dated December 1, 2020)
2. Election Process (Tentative Schedule)

cc: Independent Special District Selection Committee



December 1, 2020

Chair

«DESCRIPTION»

«ADDRESS»

«CITY» «STATE» «ZIP»

SUBJECT: 2021 ELECTION OF LAFCO'S REGULAR AND ALTERNATE SPECIAL DISTRICT MEMBERS

Dear Board Chairperson:

The purpose of this letter is to solicit nominations for the regular and alternate member seats on the Local Agency Formation Commission ("LAFCO"). The independent special districts in Santa Cruz County get three positions on the LAFCO board. The regular member seats are currently held by Jim Anderson (Felton Fire Protection District) with a term ending in May 2021, and Rachel Lather (Soquel Creek Water District) with a term ending in May 2023. The alternate member seat is currently held by Ed Banks (Pajaro Valley Public Cemetery District) with a term ending in May 2021. As a result, two seats will become vacant in May 2021 (one regular and one alternate).

Nomination Process

The terms of office will begin May 1, 2021 and will end on May 5, 2025. Pursuant to the Commission's Independent Special District Selection Committee Policy, which is available on the LAFCO website, indicates that the two regular members cannot be from the same type of district (fire, water, recreation, miscellaneous). Since the regular member currently in the middle of a term is from a water district, the regular position being filled cannot be from a water district. Therefore, the pool of people eligible to apply for the regular member term is anyone who is on the board of an independent special district in Santa Cruz County, except for water district and water management agency board members.

The alternate member term will also expire in May 2021. The pool of people eligible to apply for the alternate seat is anyone who is on the board of any independent special district in Santa Cruz County. There are no restrictions regarding the type of district.

Nomination Deadline

Please share this memo with other members of your board. The deadline for returning completed nominations is **4:00 p.m. on January 8, 2021**. I have attached a form by which a board member may apply for either or both positions. An electronic version of the form can be accessed on the LAFCO website.

Feel free to contact me if you have any questions about the selection process. After January 8, 2021, each district's presiding officer will be sent the nominations, along with an explanation of the voting process.

Sincerely,

Joe A. Serrano
 Executive Officer

Attachment: Nomination Form

2021 Election Process (LAFCO's Special District Representation)

Steps	Deadline	Notes
Call for Nominations (Deadline Begins)	December 1, 2020	LAFCO staff will send out letters to all independent special districts. Letter will also be available on the LAFCO website.
Commission Update (LAFCO Meeting)	January 6, 2021	LAFCO staff will update the Commission on the election process.
Call for Nomination (Deadline Ends)	January 8, 2021	Applications are due back to the LAFCO Office no later than January 8 at 4pm.
Submittal of Regular Seat Ballots (Mailed-in Election Begins)	January 11, 2021	A mailed-in election process will be conducted for the regular member seat vacancy. District boards will take official action in order to fill out the submitted ballots.
Submittal of Regular Seat Ballots (Mailed-in Election Ends)	February 26, 2021	Ballots are due back to the LAFCO Office no later than February 26 at 4pm.
Submittal of Alternate Seat Ballots (Mailed-in Election Begins)	March 1, 2021	A mailed-in election process will be conducted for the alternate member seat vacancy. District boards will take official action in order to fill out the submitted ballots.
Commission Update (LAFCO Meeting)	March 3, 2021	LAFCO staff will update the Commission on the election process.
Submittal of Alternate Seat Ballots (Mailed-in Election Ends)	April 16, 2021	Ballots are due back to the LAFCO Office no later than April 16 at 4pm.
Commission Action (LAFCO Meeting)	May 5, 2021	The Commission will consider adopting a resolution certifying the election results.
Oath of Office (LAFCO Meeting)	June 2, 2021	The newly-elected district representatives will take their Oath of Office.



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Fire Consolidation Update (LAFCO Project No. DC 20-02)**

SUMMARY OF RECOMMENDATION

The Commission approved a consolidation between Central and Aptos/La Selva Fire Protection Districts (FPDs) in November 2020. As part of that approval, the Commission directed LAFCO staff to provide periodic updates on the consolidation process. 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 recently-approved consolidation involves the existing jurisdictional boundaries of Central and Aptos/La Selva FPDs, which encompasses an estimated 25,000 acres, over 30,000 parcels, and approximately 90,000 residents. The purpose of the consolidation is to facilitate the efficient delivery of fire protection to the communities within the affected territory. Once finalized, the consolidation will preserve the current levels of service, maintain local demand expectations, and continue the existing funding sources.

The consolidation can be recorded after three statutory requirements are completed: completion of the Request for Reconsideration Period, conclusion of the Protest Proceeding, and fulfillment of all terms and conditions outlined in the adopted LAFCO resolution. The following sections provide an update on these requirements.

Request for Reconsideration Period

Pursuant to Government Code Section 56895, when the Commission adopts a resolution making determinations regarding a change of organization, any person or affected agency may file a written request with the Executive Officer requesting amendments to or reconsideration of the resolution. The deadline to submit new evidence was Friday, December 4. LAFCO did not receive any claims of new evidence or requests to modify the Commission's adopted resolution approving the consolidation.

During this time period, LAFCO received written correspondence from Becky Steinbruner, a Santa Cruz County resident. Her email, which is shown in **Attachment 1**, focuses on three key areas of the fire consolidation proposal: (1) Level of Service, (2) Cost of Service, and (3) Governance. These three areas were addressed in LAFCO's November 4 staff report, as well as in the application's Plan for Service document. LAFCO staff appreciates the comments provided by Ms. Steinbruner and will record her email, and all other written correspondence, in the project folder for the fire consolidation.

Protest Proceeding

Pursuant to Government Code Section 57000, when the Commission adopts a resolution making determinations regarding a change of organization, affected residents within the proposal area will have an opportunity to voice their opposition during a protest period. The protest proceeding occurred from December 4 to January 6. A protest hearing will be held on January 6 at 11am and will be the last opportunity to submit petitions.

Protest Threshold

Upon determination of the value of written protests filed and not withdrawn, the Executive Officer shall take one of the following actions:

- a) If less than 25% of the affected registered voters or landowners oppose the proposal, then a form of resolution making determinations and ordering the change of organization or reorganization will be adopted without an election;
- b) If 25% to 50% of the affected registered voters or landowners oppose the proposal, then a form of resolution making determinations and ordering the change of organization or reorganization will be adopted subject to confirmation by the voters; or
- c) If more than 50% of the affected registered voters or landowners oppose the proposal, then a certificate of termination will be issued, which ends the LAFCO proceedings.

Pursuant to Government Code Section 57075, the protest threshold for registered voters is based on the amounts of petitions received. For landowners, the threshold is based on the assessed land value. As of the date of this report's distribution, LAFCO has not received petitions from registered voters or landowners. The complete count will be determined after the protest hearing on January 6. The Commission will consider a resolution certifying the results of the protest proceedings at the next regularly scheduled meeting (February 3, 2021).

Terms & Conditions

Since the November 4th LAFCO Meeting, the two fire districts have held several meetings with board members, staff, and union representatives to consider new contractual agreements before consolidation. Such meetings have occurred on November 10, December 11, and December 22. It is LAFCO staff's understanding that progress is being made. There is a draft agreement currently being reviewed and all affected parties are diligently working towards a solution.

As previously stated, all terms and conditions within LAFCO's adopted resolution are required to be fulfilled before recordation. Staff will continue to provide regular updates until the consolidation is finalized.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachment: Written Correspondence (dated December 4, 2020)

Joe Serrano

From: Becky Steinbruner <ki6tkb@yahoo.com>
Sent: Friday, December 4, 2020 4:41 PM
To: Joe Serrano
Cc: Debra Means; Don Jarvis; John Walbridge; Becky Steinbruner
Subject: Public Comment and Reconsideration of Aptos/La Selva and Central Fire Protection District Consolidation
Attachments: Screenshot at 2020-12-04 15-38-08.png

******CAUTION:**This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email.****

Dear Mr. Serrano,
 I understand that the LAFCO Period of Reconsideration for the Consolidation of the Aptos/La Selva and Central Fire Protection Districts terminates today, December 4, 2020.

While I am not asking for a reversal of the Commission's approval to move forward on the Consolidation, I do feel there have been issues that would have been addressed in the process had there been CEQA analysis of some degree. It is those issues I would like to express now in correspondence for the Public Record because as I understand the Protest Process, my comments may be deemed of little value at the Commission's January 6, 2021 Protest Hearing, according to Item #5.

<https://www.santacruzlafco.org/wp-content/uploads/2020/12/Protest-Hearing-Agenda-Early-Version.pdf> Because I do not own property in either District, and do not reside within the Service Boundaries of either District, I feel that my comments may be deemed as having less value at the Protest Hearing.

The value of a CEQA analysis is great because it causes administration to evaluate all possible impacts of an action, and to include thoughtful analysis of issues that may otherwise be overlooked by those who are focused on overcoming the greatest obstacles to the action and successfully accomplishing the Consolidation. Clearly, the affected administrations have focused on the disparity in Union salaries and benefits. However, there are other aspects that may affect the public that may not have been given such high priority but merit careful consideration, and would have received this had there been some level of CEQA analysis by LAFCO or the Districts themselves.

1) LEVEL OF SERVICE EVALUATION WITH EMPHASIS ON RURAL AREAS OF THE CONSOLIDATED DISTRICT

In my opinion, the greatest issue from the public's perspective is potential changes to level of service.

The recent CZU Lightning Fires taught us all that we cannot depend on there being adequate local staffing and resources available when large disasters occur if those events happen when other disasters are occurring in other areas of the State. Aptos/La Selva and Central Fire Districts have both sent strike teams regularly to the large wildfires throughout California, effectively reducing the staffing and resources available in their Districts and in Santa Cruz County for mutual aid.

Central Fire Protection District has a policy of paid-call service by trained firefighters to supplement events such as this. Aptos/La Selva Fire Protection District does not. This disparity in policy needs to be evaluated, and to encourage this resource back-up to remain and effective throughout the Consolidated District. This issue might have been evaluated and addressed in a CEQA analysis, and would have provided the public with an opportunity to understand and appreciate the benefits of a paid-call policy, or to even ask to include that the Consolidated District consider including a volunteer responder training program to augment the level of service to rural areas in particular.

Instead, the public has been vaguely assured that there will be no change to level of service, and that in the future, the service will even improve. This has not been explained. Consolidation understandably reduces administrative costs, but how the consolidation could improve future levels of service merits a more concrete public explanation, especially to those in the rural areas of the Service District boundaries.

Will the Consolidated Central Fire Protection District of Santa Cruz County now send strike team units based on a single agency response and thereby leave more resources within the County for District and Countywide emergency response?

Maps included in the Consolidation documents clearly show the bulk of the calls for response are in the urban areas. A CEQA analysis would have, I feel, examined how likely a large-scale disaster might affect response scenario to the rural areas of the Consolidated District vs. service within individual existing Districts. We know that the County's Sustainable Santa Cruz County Plan and soon-to-be-updated County General Plan will increase the density within the Urban Services Line in the unincorporated areas, and will inherently affect the location and number of emergency response calls to those areas in the future. Neither LAFCO nor the Fire Districts have examined the Consolidation at this level because the focus has been necessary on negotiating agreements between the Unions and staff involved.

Once consolidation is complete, I would hope that the Consolidated District administration and Board spend time publicly discussing and taking action to address these issues.

2) COST OF SERVICE

The initial announcement by the Aptos/La Selva Fire District Board, and later the LAFCO Director, that issues regarding a disparity in assessments within the District would be addressed during the consolidation were never addressed. Instead, the final LAFCO approval of the Consolidation is under the agreement that all existing assessments will remain unchanged.

I understand the need to simplify the number of issues and obstacles to overcome in order to move forward with the consolidation process.

While CEQA analysis does not necessarily include assessments, it can examine the feasibility of a project. In this case, the Fire Districts did commission ESCI Consultants to do a Consolidation Feasibility Study in 2018. The Report provided information about assessment levels showing a disparity in assessment rates between two Districts. This information provided in the Report does not agree with the assessment rates stated in the Santa Cruz County Property Tax Assessment Book. I have written LAFCO and the District Boards about this previously.

This disparity caused me to have many conversations and e-mail exchanges with the two administrations because neither District's Board could address the issue. I appreciate the willingness of Chief Jarvis and Chief Walbridge to discuss the assessment disparities with me, but I feel that this level of examination could have better been accomplished in a LAFCO CEQA analysis made available to the public.

I have concerns that Chief Jarvis has stated :

"The Districts have no role in collecting or allocating property taxes. That is all done at the County level, so no district "is allowed to collect tax money from outside it's jurisdictional boundaries""

It is my understanding that a Special District does have jurisdiction over what the District charges for maintenance and operation necessary to providing the service to those within it's boundaries.

"Assessments California Constitution Article XIII D

A

special district may finance the maintenance and operation of public systems that include, but are not limited to, drainage, flood control, and street lighting. Assessments are involuntary charges on property owners to pay for these public works when their properties benefit from the improvements through increased property values. Assessments include special, benefit, and maintenance assessments, and special assessment taxes. Assessments are subject to a weighted election. "

https://calafco.org/sites/default/files/resources/CSDA_Guide_to_Laws_&Codes.pdf

Therefore, an evaluation that would analyze and compare the cost of service for the Consolidated District vs. the two individual existing Districts would be valuable information. This would provide a foundation for assessing properties throughout the Consolidated District equitably, if not now, in the future.

It would provide necessary information to determine whether there is adequate revenue to maintain the level of service and meet daunting unfunded pension liabilities that are also at disparate levels between the two existing Districts. It would provide a basis for possible Prop. 218 assessment increases necessary in the future to address the 2017 CityGate Associates recommendations that some existing fire stations be relocated for improved effectiveness and response performance service. <https://www.aptosfire.com/DocumentCenter/View/265/Master-Plan-Part-1---Technical-Report-?bidId=>

It is my hope that once the consolidation has occurred, the new Board will address these concerns publicly.

3) GOVERNANCE

I have observed many local agencies suffer when the public is no longer involved. Both Aptos/La Selva Fire and Central Fire Districts have experienced significant difficulties with this regard that negatively affected the morale of the firefighters and staff. Therefore, the importance of a governance model that prioritizes transparency and active public engagement is paramount.

In my opinion, this issue has not been given adequate consideration by the District administration, the Consolidation Ad Hoc Committee (whose meetings have been closed to the public) or LAFCO until recently. The difficulty is that at a time when a balanced Consolidated Board composition could have been structured into the process at the November 3, 2020 election period, it was not. In fact, the five new Board members who will serve once they are seated at next week's respective Board meetings will be ephemeral, because the LAFCO consolidation approval occurred last month, effectively abolishing their Board positions within weeks. There was no notation of this temporary service on either of the District Board election sites. The Consolidated Board of five existing Board members, three from Aptos/La Selva and two from Central, was pre-determined and provides unbalanced per-capita representation.

I am hopeful this will be rectified upon the 2022 District-based Consolidated Board election. However, it must be made known, for the Public Record, that this action was not even publicly discussed or seemingly planned until Mr. Victor Marani, as a member of the concerned public, brought the issue forward to Central Fire District Board members during their September 15, 2020 meeting <https://www.centralfpd.com/DocumentCenter/View/1617/09152020-Board-Meeting-Minutes> and again, accompanied by Ms. Marsha Larkin-Marani (one of the 2020 appointed in-lieu Board Members) to the Aptos/La Selva Fire District Board members during their October 8, 2020 meeting (the website has no record of the October 8, 2020 minutes or the November 12, 2020 Board meetings; see attached screen shot). <https://www.aptosfire.com/DocumentCenter/Index/23>

This again points to the clear focus on Union issue disparities that the District administrations and Consolidation Ad Hoc Committee members (whose meetings are not open to the public) have shown. I understand this has been a serious and pressing consideration, evidenced by the fact that it required State Assemblyman Mark Stone to intervene with a gut-and-amend legislative action, AB 1140, signed by Governor Newsom to become effective by January, 2021 and enable the LAFCO approval initiating the Consolidation.

However, the issue of Governance is of equal importance to the public and required, in my opinion, equal energy and consideration throughout the process. It is equally important to ensure that the people who will be served by the Consolidation are engaged in the process, the future agency's transition, and ultimately, the future public involvement in matters of the Consolidated Central Fire Protection District of Santa Cruz County.

I hope that the new Board will address these concerns and invent a way to include the five new Board members who have been appointed in-lieu of election in November, 2020 as the transition in consolidation moves forward.

In closing, I would like to make it clear to LAFCO and the leadership of both Districts that I support the consolidation. It has only been the issues that I have raised above and throughout the consolidation process that have concerned me as an active and sincerely interested member of the public who has lived here for nearly 36 years. I care deeply about the County and its residents as a whole, including those women and men who serve the public within the Aptos/La Selva and Central Fire Protection Districts, and want only what is fair and beneficial to all.

Thank you for including my letter as Public Correspondence on this matter at the January 6, 2021 LAFCO public hearing for the Consolidation of Aptos/La Selva and Central Fire Protection Districts.

Sincerely,
Becky Steinbruner
3441 Redwood Drive
Aptos, CA 95003
ki6tkb@yahoo.com



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **State Controller's List of Inactive Districts - County Service Area 60**

SUMMARY OF RECOMMENDATION

In March 2020, the Commission adopted a service and sphere review for CSA 60 but deferred action on the sphere of influence until August 2020 so that LAFCO staff could coordinate with Public Works and the Huckleberry Island community to develop an action plan that would begin CSA 60's services and funding operations. Since no plan was developed by the County or the community, the Commission adopted a zero sphere of influence in August 2020. A zero sphere designation calls for future dissolution of CSA 60 based on the Commission's findings. 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:

This Commission adopted a service and sphere review for CSA 60 on March 4, 2020. The report included significant findings about the District, specifically its inactivity during the past five years. Based on the criteria under state law, LAFCO staff predicted that CSA 60 would be identified in the State Controller's List of Inactive Districts. If that occurs, it will trigger the mandatory dissolution process outlined in Government Code Section 56879. In anticipation, the Commission adopted a "zero" sphere of influence (encompassing no territory) for CSA 60. A zero sphere is designated to a district when the Commission has determined that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other municipal government. The designation was the preliminary step towards a future dissolution.

List of Inactive Districts

In November 2020, the State Controller's Office sent LAFCO a letter notifying the Commission that CSA 60 meets the criteria of an inactive district, and therefore, requires a mandatory dissolution within 90 days of receiving their letter (see **Attachment 1**). Based on the state mandate, and in compliance to the attached letter, the proposed dissolution will be presented to the Commission for consideration on February 3, 2021.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Joe Serrano', written over a horizontal line.

Joe A. Serrano
Executive Officer

Attachment: State Controller's Office Letter (dated November 5, 2020)



BETTY T. YEE
California State Controller

RECEIVED

NOV 9 2020

Santa Cruz LAFCO

November 5, 2020

Joe Serrano
 Santa Cruz LAFCO
 701 Ocean Street, Room 318-D
 Santa Cruz, CA, 95060

SUBJECT: Notification of Inactive Special Districts in County

Dear Joe Serrano:

Chapter 334, Statutes of 2017, also known as Senate Bill (SB) 448, added various provisions to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 regarding special districts that are inactive. It requires the State Controller's Office (SCO) to create a list of inactive special districts based on information in the special district's Financial Transactions Report (FTR), to publish the list of inactive special districts on its website annually, and to notify the local agency formation commission in the county or counties in which the inactive special district is located.

Pursuant to Government Code (GC) section 56042, an "inactive special district" must:

- Meet the definition set forth in GC section 56036;
- Have no financial transactions in the previous fiscal year; and
- Have no assets, liabilities, outstanding debts, judgments, litigation, contracts, liens, or claims.

Pursuant to GC 56879, within 90 days of receiving this notice, the Commission is required to initiate dissolution of inactive special districts by resolution, unless the Commission determines that a district does not meet the criteria set forth in GC 56042. Additionally, the Commission is required to notify SCO if it determines that district does not meet the dissolution criteria in GC 56042. Once the dissolution process is complete, please inform SCO using the contact information on page 2.

The enclosure lists the special districts within your jurisdiction that are inactive, based on financial data in each special district's fiscal year 2018-19 FTR. The complete list of inactive California special districts may be found at:
https://www.sco.ca.gov/ard_local_rep_freq_requested.html.

Local Government Programs and Services Division
 MAILING ADDRESS P.O. Box 942850, Sacramento, CA 94250
 3301 C Street, Suite 700, Sacramento, CA 95816

Joe Serrano
November 5, 2020
Page 2

If you have any questions or need to notify us of a special district's status, please contact Derek Miller by telephone at (916) 322-5579, or by email at dmiller@sco.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Pangilinan", written in a cursive style.

PHILLIP PANGILINAN
Manager
Local Government Reporting Section

Enclosure

State Controller's Office
2018-19 Inactive Districts for Santa Cruz County

County Name	District Name	District Type	Email Address	Street Address 1	Street Address 2	P.O. Box	City	Zip
Santa Cruz	County Service Area No. 60 (Santa Cruz)	Dependent		Auditor-Controller	701 Ocean Street, Room 100		Santa Cruz	95060-4007

Note: Email Address belongs to the Financial Transactions Report preparer; in some cases this may be an outside consultant.

Proof of Service by Mail

I declare: I am a citizen of the United States, over the age of 18 years, and not a party to this action. My business address is State Controller's Office, 3301 C Street, Suite 740, Sacramento, California 95816.

On the date set forth below, I served the following entitled document:

Notification of Inactive Special Districts in County

by placing a true copy thereof in a sealed envelope addressed to the person(s) named below at the address(es) shown and by placing said envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

Name: Joe Serrano
Santa Cruz Local Agency Formation Commission

Address: Santa Cruz LAFCO
701 Ocean Street, Room 318-D
Santa Cruz, CA 95060

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 05, 2020, at Sacramento, California.

Signature: Derek Miller

Printed Name: Derek Miller



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **State Water Resources Control Board – SLVWD Sphere Support**

SUMMARY OF RECOMMENDATION

In November 2020, the Commission adopted a service and sphere review for the San Lorenzo Valley Water District (SLVWD), which included a sphere update to include a total of 24 unserved islands substantially surrounded by the water district. The State Water Resources Control Board's Division of Drinking Water recently submitted a letter supporting the sphere amendment. 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:

Santa Cruz LAFCO adopted SLVWD's first sphere of influence on October 16, 1985. The previous sphere update occurred back in August 2016 following the Lompico Reorganization. In the November 2020 Service & Sphere Review, the Commission identified a total of 24 unserved islands which were substantially surrounded by the water district. Based on the Commission's findings, the District's sphere boundary was expanded to include those areas, which may be considered for annexation in the foreseeable future, if desired by the residents and SLVWD.

State Water Resources Control Board (SWRCB)

Since its creation in 1967, the SWRCB allocates water rights, adjudicates water right disputes, develops statewide water protection plans, establishes water quality standards, and guides the nine Regional Water Quality Control Boards located in the major watersheds of California. In December 2020, the SWRCB's Division of Drinking Water sent LAFCO a letter supporting SLVWD's recent sphere amendment, as shown in **Attachment 1**.

Respectfully Submitted,

A blue ink signature of Joe A. Serrano is written over the text 'Respectfully Submitted,'.

Joe A. Serrano
Executive Officer

Attachment: State Water Board Letter (dated December 15, 2020)

GAVIN NEWSOM
GOVERNORJARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

December 15, 2020

Mr. Joe Serrano
Santa Cruz LAFCO
701 Ocean St #318D,
Santa Cruz, CA 95060

Letter of Support for San Lorenzo Valley Water District's Sphere of Influence

Dear Mr. Serrano,

The State Water Resources Control Board's Division of Drinking Water (Division) was made aware of the Santa Cruz Local Agency Formation Commission (LAFCO) meeting on Wednesday, November 4, 2020, at 9:00 AM. The purpose of this letter is to express support for the expansion of the San Lorenzo Valley Water District's (SLVWD) sphere of influence and exploring neighboring water systems for consolidation. The Division strongly supports the proposals for annexations and boundary changes with the focus on providing an adequate supply of pure, wholesome, potable, and healthy water to the residents in Santa Cruz County.

The Division promotes and supports consolidation between drinking water systems whenever feasible. Small public water systems are often less resilient to natural disasters, such as drought and fire, have more difficulty adjusting to regulatory changes, and may struggle to fund infrastructure maintenance and replacement due to poor economies of scale and lack of staff. As a result, the Division believes that water systems can benefit from consolidation by achieving rate affordability, water supply security, water service safety, and community confidence. There are neighboring water systems that have had MCL violations such as, but not limited to: total coliform, nitrate, 1,2,3-Trichloropropane (1,2,3 TCP), and failure to meet the Surface Water Treatment Rule. These neighboring water systems can potentially benefit from the expansion of the SLVWD's sphere of influence.

The Division would also like to mention the consolidation incentives for larger water systems such as SLVWD. The State Water Resources Control Board's, Division of Financial Assistance provides incentives to encourage the consolidation of public water systems, especially to water systems that experience serious drinking water public health issues. The following incentives are available to public water systems for full consolidation with one or more small water systems with at least 15 service connections.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

1 Lower Ragsdale Drive, Bldg. 1, Suite 120, Monterey, CA 93940 | www.waterboards.ca.gov

- Prioritization of consolidation projects for DWSRF and associated drinking water funding;
- Eligible PF/grant funding to increase a receiving PWS's water supply capacity if the PWS does not have sufficient capacity to serve the additional customers of the subsumed PWS; if repayable financing is needed to provide additional capacity to consolidate a PWS, it will be provided at zero percent (0%);
- Up to \$10 million in zero percent (0%) interest rate financing from available sources for a construction project that solely benefits a receiving PWS (Incentive Project) when the PWS fully consolidates one or more small water systems or extends service to one or more communities having at least 15 service connections or a year-round population of at least 25 people that are not currently served by a PWS (Consolidation Incentive); the Deputy Director may approve an interest rate for repayable DWSRF financing for the consolidation project not less than 0%.
- PF/grant funding of up to \$5,000 per connection when consolidating a small DAC water system, and up to \$10,000 per connection for a small SDAC water system, with maximum of \$5 million per water system. Grant funding will be prioritized for category A-C projects.

The Division looks forward to working with you to provide safe and affordable drinking water for all.

If you have any questions regarding this letter, please contact Guadalupe Gonzalez of my staff by email at Guadalupe.Gonzalez@waterboards.ca.gov.

Sincerely,

Brian Kidwell Digitally signed by Brian Kidwell
Date: 2020.12.15 14:31:49 -08'00'

Water Boards

Brian Kidwell, P.E.
Senior Water Resource Control Engineer
Safe and Affordable Funding for Equality and Resilience, Northern Engagement Unit
Division of Drinking Water

Cc (via email): Santa Cruz County Environmental Health Department,
Monterey District Office, SWRCB



Santa Cruz Local Agency Formation Commission

Date: January 6, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Press Articles during the Months of October to 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.

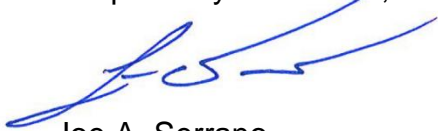
EXECUTIVE OFFICER'S REPORT

The following is a summary of recent press articles. Full articles are attached.

1. **"Public Law Newsletter – Fall 2020 Edition"**: LAFCO staff receives periodical newsletters from Colantuono, Highsmith & Whatley PC, a law firm familiar with LAFCO and the Cortese-Knox-Hertzberg Act. This edition focuses on a number of interesting topics including Proposition 218's requirements for special taxes, the upcoming redrawing of electoral districts reflecting the 2020 Census, and the cost for public agencies to relocate utility infrastructure.
2. **"Public water buyout EIR review postponed to Thursday"**: The article, dated October 26, notes that an environmental review is underway for a proposed reorganization between a water district and private water system in Monterey County. The environmental impact report analyzes the potential buyout and transfer of water responsibility from the California American Water to the Monterey Peninsula Water Management District. This proposed buyout and subsequent transfer will require annexation and approval by Monterey LAFCO.
3. **"Merger approved for two Santa Cruz County fire agencies"**: The article, dated November 4, highlights the Commission's unanimous vote approving the proposed consolidation between Central and Aptos/La Selva Fire Protection Districts. The article summarizes the history of the fire districts and the benefits associated with the recently-approved consolidation.
4. **"Update on Fire District Consolidation"**: The article, dated November 15, was written by Supervisor Zach Friend and focused on the recent fire consolidation between Central and Aptos/La Selva Fire Protection Districts. Supervisor Friend discussed LAFCO's role, summarized the history of the two fire districts, explained how the consolidation will maintain the level of service and financing, clarified the proposed governance structure, and outlined the next steps in the consolidation process.

5. **“After 45 years Central Fire and Aptos-La Selva Fire Departments merge”**: The article, dated November 19, recapped KSBW Channel 8’s coverage of the recently-approved fire consolidation. The special coverage included an interview with Fire Chief Don Jarvis of Aptos/La Selva Fire Protection District.
6. **“Susan Groszmann – March 1936 to November 2020”**: The obituary, dated November 21, sadly informs us that Susan Groszmann has passed way. Ms. Groszmann was a Santa Cruz resident for more than 30 years and was LAFCO’s former Commission Clerk. She was part of the Santa Cruz LAFCO family for 10 years and will be greatly missed.
7. **“SLVWD inches closer to completion on major projects”**: The article, dated December 4, indicated that the San Lorenzo Valley Water District is in the process of replacing three redwood tanks located in the Lompico area. The District is also in the process of replacing over three miles of pipeline in the Ben Lomond and Boulder Creek communities.
8. **“County agency ignites fire district review process”**: The article, dated December 9, states that the recent fires have prompted consideration of district reorganizations within Santa Clara County. The members of the Santa Clara County Board of Supervisors requested that LAFCO conduct a countywide service review for fire protection earlier than originally scheduled. The Commission agreed to revise their workplan schedule and present a service review for consideration in 2021.
9. **“Yvette Brooks to focus on equity, recovery as she leads Capitola through crisis”**: The article, dated December 11, notes how the first Latina Capitola Mayor, Yvette Brooks, will lead the City through the current health and economic crisis being faced by her constituents and by all local governments. Ms. Brooks has been a Commissioner on LAFCO since June 2019.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. “Public Law Newsletter – Fall 2020 Edition”
2. “Public water buyout EIR review postponed to Thursday”
3. “Merger approved for two Santa Cruz County fire agencies”
4. “Update on Fire District Consolidation”
5. “After 45 years Central Fire and Aptos-La Selva Fire Departments merge”
6. “Susan Groszmann – March 1936 to November 2020”
7. “SLVWD inches closer to completion on major projects”
8. “County agency ignites fire district review process”
9. “Yvette Brooks to focus on equity, recovery as she leads Capitola through crisis”

COLANTUONO, HIGHSMITH & WHATLEY PC

PASADENA | GRASS VALLEY

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HIGHSMITH
WHATLEY, PC

Newsletter | Fall 2020

Update on Public Law

How Many Voters Does It Take to Pass a Special Tax?

By Michael G. Colantuono

City and County of San Francisco v. All Persons Interested in the Matter of Proposition C is a recent, landmark Court of Appeal decision allowing special taxes proposed by initiative to be approved by a simple majority — not two-thirds — of voters. It follows on a 2017 decision of the California Supreme Court in *California Cannabis Coalition v. City of Upland*. That case concluded that Prop. 218 did not apply to initiative tax proposals because “local government” did not include the electorate exercising its initiative power. The decision was written broadly and raised questions about Prop. 218’s two-thirds-voter-approval requirement for special taxes.

San Francisco voters approved Measure C in 2018 to raise a business license tax to fund homeless services. It passed with 61 percent approval, and the city filed a validation action to test whether it could be enforced without two-thirds voter approval. The trial court ruled for the city, citing *Upland*. Three business associations argued that two-thirds voter approval was required by Prop. 13, Prop. 218, and the city charter, which extends the initiative power to measures “within the powers conferred upon the Board of Supervisors to enact.” The Court of Appeal disagreed in a published opinion.

The business associations sought review in the California Supreme Court, but that court denied review. As a result, the Court of Appeal opinion is now the law of California — for now. At least six other cases are pending to test this issue in other courts. If another Court of Appeal disagrees with the *San Francisco* ruling, trial courts will be free to choose between the two decisions until the California Supreme Court resolves the issue. Alameda County has two cases pending in the trial court, San Francisco has two cases pending in the Court of Appeal, and Oakland and Fresno have one appeal each in progress. Most likely to be decided next is Fresno’s appeal, which is set for argument on December 15, 2020, meaning decision is likely by March 15, 2021. Stay tuned!

For more information, contact Michael at MColantuono@chwlaw.us or (530) 432-7359.

We’ve Got Webinars!

CH&W offers webinars on a variety of public law topics including redistricting after 2020 Census data are released in March 2021; the welter of new housing laws; personnel, public works, and management issues under COVID-19; and, police personnel records. Current topics are listed on our website (www.chwlaw.us) under “Resources.”

Our webinars provide advice and Q&A for public agency counsel and staff in an attorney-client-privileged setting for \$1,000 per agency. To schedule a webinar, contact Bill Weech at BWeech@chwlaw.us or (213) 542-5700.

Redistricting: 2021 Remapping Process is Upon Us

By Matthew T. Summers

Next year, all public agencies with district elections will need to redraw electoral districts to reflect the results of the 2020 Census. For the many agencies which adopted districts in response to demands under the California Voting Rights Act, this will be entirely new. For agencies with a history of district voting, the 2021 redistricting will be substantially different due to new legislation.

The Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act (FAIR MAPS Act), AB 849 (Bonta, D-Alameda) imposes new procedural and substantive requirements on cities and counties, but not special districts. Previously, all agencies could — but were not required to — consider topography, geography, communities of interest, cohesiveness, contiguity, integrity, and compactness when drawing or revising districts. Special districts can apply the same rules as before. Los Angeles and San Diego Counties will redraw districts through existing commissions. For all other cities and counties, including charter cities, new requirements apply.

Substantively, cities and counties are now required to apply uniform, mandatory criteria. Under AB 849, they must now draw or re-draw districts of equal population applying these criteria, in order of priority: 1) geographical contiguity; 2) cohesion of local neighborhoods and communities of interest; 3) easily identifiable and understandable boundaries, using natural and artificial barriers when possible; 4) compact, to the extent practical in light of higher-ranked criteria. These new criteria may require significant alteration of districts, even those established relatively recently.

The public will have increased opportunities to participate. Cities and counties must hold at least four public hearings before adopting districts, including one before drafting maps and two after publishing draft maps for public comment. Clerks

must create redistricting websites, with specified information about the process, all notices, and draft and final maps, available in English and any other language spoken by at least 3% of the agency's residents. Agencies must complete redistricting 151 days before their first regular election in 2022 (i.e., by June 10, 2022 for the November 8, 2022 election), but cannot publish a draft map before August 1, 2021. Local governments embarking upon redistricting should start promptly after Census data are available, now slated for March 31, 2021 to allow sufficient time.

Districting can be contentious and can invite litigation. Accordingly, agencies are well advised to seek the support of qualified demographers (who may be in short supply for those who delay) and experienced legal counsel.

For more information, contact Matt at MSummers@chwlaw.us or (213) 542-5719.

We're Blogging!

CHW is now blogging on issues of interest to California local government officials. The California Public Law Report is available here:

www.CaliforniaPublicLawReport.com

We provide regular updates on legal and other developments of interest to local government leaders. Readers can visit when they wish or subscribe to the blog via an RSS (really simple syndication) feed or email notices.

Check it out!

Win for Government on Cost to Relocate Utilities

By Holly O. Whatley

In *Riverside County Transportation Comm'n v. Southern California Gas Co.*, the Court of Appeal extended to a public agency that did not grant the franchise the benefits of a utility franchise provision on the cost to relocate utility infrastructure. In 1939, the City of Riverside and, in 1953, the City of Perris granted franchises to SoCal Gas for pipelines under streets. SoCal Gas accepted the franchises, installed the lines, and paid annual franchise fees. As is typical, the franchises required SoCal Gas to pay to relocate pipelines to allow any lawful change of street grade, alignment, or width.

When the RCTC extended Metrolink from Riverside to Perris, it identified five utility conflicts. SoCal Gas had license agreements (akin to leases) with railroads for four of the five, and RCTC succeeded to the railroads' interest in those agreements. RCTC demanded SoCal Gas pay to relocate the pipelines, but it refused.

To avoid delaying its Metrolink project, RCTC paid about \$562,000 to SoCal Gas under protest to relocate the pipelines. RCTC sued to recover the money and for breach of license, trespass, quiet title and common counts. On summary judgment, the trial court ruled for RCTC as to reimbursement, but for SoCal Gas on other claims. Both appealed.

As to the location for which SoCal Gas had no license, the Court of Appeal affirmed that RCTC could recover relocation costs under the franchises. It found Public Utilities Code § 6297 did not apply to require the utility to fund the relocation, but a common law (i.e., judge-made) rule did. That rule requires a franchised utility "to make way for a proper governmental use of the streets." SoCal Gas argued RCTC's use was "proprietary," not governmental. The Court rejected the argument with a lengthy review of the history of that distinction: "[T]he reasons underlying the governmental-proprietary distinction in the utility relocation context are no longer valid." Because RCTC was a government authorized to construct and operate

public transit, its project was necessarily governmental. The Court also held the RCTC properly terminated the licenses, obliging SoCal Gas to remove its pipelines from those locations.

This is welcome news for public agencies, as utilities frequently dispute relocation costs, forcing agencies to litigate to recover costs they advance under protest.

For more information, contact Holly at HWhatley@chwlaw.us or (213) 542-5704.

Gary Bell and Ryan Reed Recognized

The Daily Journal Corporation, publisher of California's leading legal trade paper, named **Gary B. Bell** to its "Top 40 Under 40" list. The annual list honors California's leading lawyers under the age of 40, selected from hundreds of nominees across all legal fields and throughout the state. The award highlights Gary's work as Auburn City Attorney, and his successful defense of the City's imposition of a lien for costs to abate prostitution at a massage establishment. After successfully defending the City in administrative proceedings, Gary successfully defended a suit to overturn the decision, achieving a complete victory for the City. Jon R. di Cristina also represented the City.

Best Lawyers included **Ryan A. Reed** in the 2021 Best Lawyers: Ones to Watch. This list is a peer-reviewed recognition of younger attorneys for professional excellence. Ryan is recognized in Municipal Law. He graduated *cum laude* from Georgetown Law in 2018, and currently serves as the Assistant City Attorney for the Cities of Auburn, Chico, and Grass Valley, Assistant Town Attorney for Yountville, and Assistant General Counsel for a number of our special district clients. He advises clients on municipal issues ranging from land use to cannabis regulation to labor and employment.



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Public water buyout EIR review postponed to Thursday

Monterey Peninsula Water Management District board members are getting a little extra time to consider a lengthy final environmental impact report for a potential public buyout and takeover of California American Water's local water system.

After deciding last week to postpone review of the crucial 430-page document, the board is set to conduct a special meeting on Thursday to consider certification of the final EIR for the potential public acquisition and operation of Cal Am's Monterey district system.

The special meeting is set to start at 5:30 p.m. and be held remotely. Visit the district website at www.mpwmd.net for more information, including an agenda and online meeting link.

On Monday last week, the board voted 6-1 to postpone review of the final EIR until later in the week after director Molly Evans said she hadn't had enough time to read and digest the entire document, arguing the board is facing a "very big decision" and she wanted to be fully prepared.

Other board members, including Gary Hoffmann, Dave Potter and Jeannie Byrne, agreed there had not been enough time to review the final EIR. Board members George Riley and Mary Adams joined the majority on the condition that the final EIR consideration be rescheduled to a special meeting within a few days.

Only board chairman Alvin Edwards dissented, arguing there had been nearly a week to read the document and "we need to move this on" to the Local Agency Formation Commission. He also urged the board to only postpone the item for a few days if it agreed to delay the item.

LAFCO will process the district's application, including the final EIR, to expand its authority to include retail water sales as part of the proposed public takeover of the 40,000-customer water system, including the company's proposed desal project, and the proposed annexation of about 56 additional residential customers including the Yankee Point and Hidden Hills communities.

However, district General Manager Dave Stoldt told The Herald the board couldn't pull together a quorum for a special meeting last week and had to reschedule to Thursday this week instead.

The board is also set to consider adopting proposed operations and contract management plans as part of the potential water system buyout and takeover during Thursday's meeting after the board voted 4-3 to postpone that item from last week's meeting as well.

Hoffmann made the motion to continue the plans, arguing that he hadn't had enough time to fully review that document either. Potter and Byrne agreed they needed more time. Evans said she was prepared to consider the plans, but ultimately cast the deciding vote to postpone the item.

Riley and Adams joined Edwards in voting against postponing the operations plans consideration.

The operations plan includes a description of services to be provided, financing, capacity of the existing systems, and other related information based on the integration of Cal Am staff and methods under the district's management, and the contract management plan assumes a third-party contract operator will be required.

If approved, the plans will also be part of the LAFCO application, which Stoldt said will take up to four weeks more to complete after meeting with commission staff last week.

Stoldt told the board the LAFCO review will be the "lengthiest part" of the remaining public buyout and takeover schedule, noting the commission could end up taking two meetings to consider the application if the bid "becomes strongly controversial." He told The Herald last week that it could be March or later when LAFCO considers the application.

During public comment, public water supporter Michael Baer said he had heard some LAFCO members weren't "friendly" to public water and were "pro-Cal Am," and the district should find out if the commission could be a potential "bottleneck" for the buyout bid like the Coastal Commission has been for Cal Am's desal project. Baer said Cal Am would likely be "working behind the scenes" with sympathetic LAFCO members and the district should "keep the ball rolling and get (the application and accompanying documents) to them in a timely manner."

A formal, updated appraisal would follow a LAFCO approval, followed by a formal offer to Cal Am, which could occur by May. If Cal Am rejects the offer as expected, the district board would need to approve a resolution of necessity, probably by next summer, as part of an attempt at a forced acquisition of the local system using eminent domain, which would end up decided by the courts if no agreement is reached.

Last week, the board adopted a resolution of appreciation for both the late Bob Brower, who served on the district board from 2007 to 2018, and Evans, who is resigning her Division 3 board seat to move to New York and whose last meeting on the board will be next month.

Stoldt said the district board will decide how to replace Evans at its December meeting. The board could decide to appoint a replacement or conduct a special election to fill the seat.

Merger approved for two Santa Cruz County fire agencies

SANTA CRUZ — The countdown to a merger between two neighboring Santa Cruz County fire agencies has begun, its momentum only to be halted by significant late-organized public opposition.

The Santa Cruz Local Agency Formation Commission voted unanimously Wednesday morning to approve a years-in-the-making proposal to conjoin Central and Aptos/La Selva fire protection districts by early next year. The combined fire district, named “Central Fire District of Santa Cruz County,” would cover nearly 40 square miles of Santa Cruz County and provide services to more than 90,000 residents in Capitola, Live Oak, Soquel, Aptos, Rio Del Mar and La Selva Beach according to a report by agency Executive Officer Joe Serrano.

The state-empowered Local Agency Formation Commission oversees jurisdictional boundary modifications.

“This collaborative effort will preserve the current levels of service, maintain local demand expectations and continue the existing funding sources while maximizing economies of scale, combining best practices and ultimately lead to cost-savings,” Serrano’s report concluded.

Merger history

Already, in April 2019, the Aptos/La Selva and Central fire protection districts had merged their operations, ahead of its formalization. The internal “consolidation” allowed the two fire districts to share space and resources under a shared services agreement adopted by both district boards, according to Serrano’s report. Even before that, both agencies are the products of several earlier fire district mergers, ongoing since the 1980s.

Commissioner Zach Friend, also 2nd District Santa Cruz County Supervisor, predicted that the merged agencies would be “the most robust prevention operations training and even, from a financial standpoint, solvent organization from a fire perspective within the county.”

“We are a county that, these are departments, as Mr. Serrano had noted, that have a history of merging,” Friend said. “But combined, they really will be the model agency countywide to look toward. They already lead in a lot of respects, but together and combined, as has been seen with the work they’ve already done on the managerial side and on the prevention side.”

Commissioner and Santa Cruz County 1st District Supervisor John Leopold, in what he said is likely his last meeting serving on the body after Tuesday’s election, commended the work of all involved.

“I’m very proud of the work that this commission has done and proud to see these kind of good government and efficient government services work happening,” Leopold said.

Earlier in the meeting, Leopold raised concerns echoed by some of his peers about one missing piece of the planned merger — a unified labor contract for firefighters from both agencies.

“I do wonder whether there’ll be an incentive for people in the consolidated district to get hired under one contractor or the other, or are they the same now?” Commission Chairman Roger Anderson asked.

Aptos/La Selva fire district Interim Chief Don Jarvis said the two agencies’ compensation differed. While his Aptos/La Selva firefighter contract favored relatively higher wages and a lower tier of benefits, Central Fire’s contract had “slightly lower” wages, but higher benefits. He added that a task force including members of each board and labor representatives were meeting to negotiate a new combined contract, but if no resolution could be found, a new joint contract would be drawn up once existing agreements expired at the end of 2021.

New agency look

Going forward, the newly merged agency will maintain the same existing property tax rates and its combined 103 active employees, plus 15 pay-per-call firefighters positions, but would reduce its two interim chief positions into one overall fire chief. Any reduction in the number of positions will be accomplished through future attrition or job reassignment, per the agreement.

The districts’ governance boards will be merged into a “successor” board with three Aptos/La Selva members and two Central Fire members. In its 2022 election, the board will transition to one where seats are elected by-district, rather than at large, with district borders determined by the successor board. Employees will maintain their existing pension benefits. A combined seven fire stations will continue their existing operations.

The next steps in the merger process include a 30-day review process, through Dec. 4, where any person or affected agency may file a written request with the executive officer requesting amendments to or reconsideration of the resolution. After that, from Dec. 4 to Jan. 6, a protest period will allow affected residents within the affected area to voice their opposition through written dissent. A protest hearing will be held on Jan. 6 where, if more than half of the more than 52,000 affected registered voters or landowners have submitted opposition to the proposal, the effort will be halted. If there is less than 25% opposition, the project will move forward. Finally, if there is between a 25% and 50% rate of opposition — 13,000 to 25,000 opponents — the issue goes to a public vote.

8A: ATTACHMENT 4

Update on Fire District Consolidation

See Below

By Zach Friend, Second District Supervisor

Recently, the Santa Cruz Local Agency Formation Commission (LAFCO) voted unanimously to approve the consolidation of the Central and Aptos/La Selva Fire Protection Districts. Here are answers to some of the most frequently asked questions about the consolidation.

Why is LAFCO involved in the consolidation?



LAFCOs have broad authority under the state Cortese-Knox-Hertzberg Act in regards to boundary changes for cities and special districts (like the Central and Aptos/La Selva Fire Protection Districts). Specifically, under this authority LAFCO can deny or approve, with or without conditions, a wide range of boundary changes including annexations, dissolutions, detachments, formations, consolidations, and mergers. These two Fire Protection Districts requested LAFCO consideration of their proposed consolidation.

What is the history of this request?

Both departments are products of previous consolidations. In 1982, the Boards for the Live Oak Fire Protection District and the Soquel Fire Protection District approved resolutions requesting consolidation. In 1983, LAFCO approved the creation of the new Central Fire Protection District of Santa Cruz County.



In 1987, the Boards of the Capitola Fire Protection District and Central Fire Protection District passed resolutions requesting consolidation which was also approved creating the district as it currently exists.

Similarly, in 1985, the Boards of the Aptos Fire Protection District and the La Selva Fire Protection District approved resolutions requesting consolidation. In 1986, LAFCO approved the consolidation and the Aptos/La Selva Fire Protection District was created as we know it today.

Since that time, multiple studies have been completed reviewing how these two districts could work more efficiently together through shared services or even consolidation.



A few years ago, the boards of both fire districts partnered with LAFCO to look more specifically at the possibilities. An independent firm was hired to complete a feasibility study, which included a thorough service review, interviews with line level staff,

administration, local government officials and community members of both districts.

The report was presented at a public town hall meeting at Cabrillo College in August 2018 hosted by the fire districts and LAFCO.



The feasibility study identified a number of benefits to potential consolidation and, as a result, the two fire districts began the preliminary steps for consolidation in mid-2019.

An official application was submitted to LAFCO in December 2019.

Multiple public meetings — at the two districts, LAFCO and a recent community (virtual) town hall — have been held to discuss the proposals since that time.

Will the Level of Service Change?

There will be no change in the level of service and there will be no change in firefighters or non-management staff.

All current personnel of the two agencies will become employees of the new agency. However, there will be the elimination of one fire chief position.

All personnel will keep the salary schedule and benefits of the current contracts and won't be adversely impacted by consolidation.

Will any Fire Stations Close?

No. All current stations and facilities (and equipment) will be transferred to the new successor agency.

How will it be Governed?

Currently there are two fire boards. The new agency will have a singular, five-member, consolidated board. The new board will transition to a district-based election for its five positions in the 2022 election.

Will it Cost More?

No. Based on LAFCO staff's analysis, the consolidation will result in an overall financial surplus of approximately \$3 million by 2026.

What are the Next Steps?

State law requires the commencement of a request for reconsideration period and a protest proceeding. First, any person or affected agency may file a written request with the Executive Officer of LAFCO requesting amendments to or reconsideration of the resolution.

The request shall state the specific modification to the resolution being requested and shall state what new or different facts that could not have been presented previously warrant the reconsideration.

The request for reconsideration period is scheduled for Nov. 5 to Dec. 4.

Additionally, affected residents within the proposal area will have an opportunity to voice their opposition during the protest period. The protest period is scheduled for Dec. 4 to Jan. 6, 2021.

A protest hearing will be held on Jan. 6, 2021 to collect the final petitions and hear any resident feedback. If less than 25% of the affected registered voters or landowners oppose the proposal, the a

form of resolution making determinations and ordering the change of organization or reorganization will be adopted without an election.

If 25% to 50% of the affected registered voters or landowners oppose the proposal, then a form of resolution making determinations and ordering the change of organization or reorganization will be adopted subject to confirmation by the voters.

If more than 50% of the affected registered voters or landowners oppose the proposal, then a certificate of termination will be issued.

If finalized, after the effective date of a consolidation, the newly-consolidated district succeeds to all of the powers, rights, duties, obligations, functions, and properties of all predecessor districts which have been united or joined into the consolidated district. The proposed name of the new district is the Central Fire Protection District.

The effective date of this consolidation, if finalized, is projected to be in the February-March, 2021 timeframe.

...

As always, I appreciate any feedback you may have on this (or any other County issue). I'm maintaining regular updates on social media at www.facebook.com/supervisorfriend and I've been hosting regular tele-townhalls with County and community leaders on most Tuesday nights from 6-7 pm. The call in information for the town halls is 454-2222 with the Meeting ID: 145384# – you are welcome to speak about any issue during the town halls or you can always call me at 454-2200.

co.santa-cruz.ca.us/zach_friend

After 45 years Central Fire and Aptos-La Selva Fire Departments merge

Phil Gomez

For over 40 years, Central Fire and Aptos-La Selva Fire Departments have been working to consolidate their departments. Now, they're close to making that a reality. It's taken 45 years and four generations of fire chiefs to lay the groundwork for the consolidation. "The next firehouse was built in '53 and that's, Aptos BBQ now," recalled John Hibble. Hibble is the curator of the Aptos History Museum and Co-Executive Director of the Aptos Chamber. He says Aptos Fire was established in 1930, as an all-volunteer department that lasted until 1960. "Actually in 1926 they had a bunch of fires in the town and they didn't have enough water so they built a fire building in 1928 and they purchased a locomobile, it was called and put a chassis on it," said Hibble. Fast forward to 1986, and that's when Aptos fire protection district consolidated with La Selva Beach Fire Protection, however, the seeds for consolidation were planted years before. "We're standing in front of the 1949, Mack fire engine here which was purchased when my grandfather, Fred Jarvis was the Fire Chief in Capitola Fire District When he died in 1964, my father became the fire chief," said, Aptos-La Selva Beach, Interim Fire Chief, Don Jarvis. That's Don's Father kneeling by the front tire and Chief Fred Jarvis, standing next to the oxygen tanks. Back in the 1960s, Chief Fred Jarvis was approached to consolidate Capitola, Live Oak & Aptos into one district but it was considered too big a service area to protect. In 1975, Chief Harold Jarvis wanted to expand but didn't get support. "He was actually ridiculed for taking a stance on consolidation for the fire departments," said Jarvis. Don came out of retirement and was hired in August to lead the consolidation effort with the Central Fire Department. "It's finally happening, here in 2020. 45 years later? Yeah, 45 years in the making." As for an impact on the community--it'll be the same firefighters; from the same station; driving the same fire trucks but under a different name--Central Fire. If all goes well, the consolidation could be finalized by February or March of next year.

APTOS, Calif. —

For over 40 years, Central Fire and Aptos-La Selva Fire Departments have been working to consolidate their departments. Now, they're close to making that a reality.

It's taken 45 years and four generations of fire chiefs to lay the groundwork for the consolidation.

"The next firehouse was built in '53 and that's, Aptos BBQ now," recalled John Hibble. Hibble is the curator of the Aptos History Museum and Co-Executive Director of the Aptos Chamber.

He says Aptos Fire was established in 1930, as an all-volunteer department that lasted until 1960.

"Actually in 1926 they had a bunch of fires in the town and they didn't have enough water so they built a fire building in 1928 and they purchased a locomobile, it was called and put a chassis on it," said Hibble.

Fast forward to 1986, and that's when Aptos fire protection district consolidated with La Selva Beach Fire Protection, however, the seeds for consolidation were planted years before.

"We're standing in front of the 1949, Mack fire engine here which was purchased when my grandfather, Fred Jarvis was the Fire Chief in Capitola Fire District When he died in 1964, my father became the fire chief," said, Aptos-La Selva Beach, Interim Fire Chief, Don Jarvis.

That's Don's Father kneeling by the front tire and Chief Fred Jarvis, standing next to the oxygen tanks.

Back in the 1960s, Chief Fred Jarvis was approached to consolidate Capitola, Live Oak & Aptos into one district but it was considered too big a service area to protect.

In 1975, Chief Harold Jarvis wanted to expand but didn't get support.

"He was actually ridiculed for taking a stance on consolidation for the fire departments," said Jarvis.

Don came out of retirement and was hired in August to lead the consolidation effort with the Central Fire Department.

"It's finally happening, here in 2020. 45 years later? Yeah, 45 years in the making."

As for an impact on the community--it'll be the same firefighters; from the same station; driving the same fire trucks but under a different name--Central Fire.

If all goes well, the consolidation could be finalized by February or March of next year.

Susan Groszmann

March 4, 1936 - November 6, 2020 Forest Grove, Oregon

Susan (Goerisch Winters) Groszmann, a former Santa Cruz resident for more than 30 years, passed away on Friday, November 6, 2020, in Portland, Oregon, due to complications from hip surgery, at the age of 84. Known to her friends and family as “Sue”, she was born and raised in the Princeton Heights neighborhood of St. Louis, Missouri, to William and Norma (Winkel) Goerisch. After graduating college from Millikin University and receiving her teaching credential, she began as an elementary school teacher in Denver Colorado. where she met and married Don Winters. The two moved to Bimidji, MN, where Sue continued her teaching career. In the mid 60’s they moved to San Francisco, again where Sue taught, and eventually moved to Santa Cruz, where she initially worked as an office manager for Merit McBride Realty while at night began teaching play production at Santa Cruz High School for the Santa Cruz School District. Sue later began a day care at her home on Buena Vista Avenue in Santa Cruz, while earning her cosmetology license and began a career as proprietor and stylist of her own beauty salon. Sue then proceeded to purchase and operate a soaps and lotions business located in the original Cooper House in Santa Cruz, which she named “Act V”, a befitting name, she felt, due to her extensive theatrical experience as well as it being her fifth, and she expected “final” career. The business, although successful, was seriously impacted by the 1989 earthquake, leading her to seek other employment by becoming administrative assistant to the Director of LAFCO for 10 years. After “retiring” and before leaving Santa Cruz, she taught water aerobics at the Simpkins Family Swim Center.

Sue and Don would eventually separate, but remained lifelong friends. By chance, while working backstage during a play production, Sue met her future life partner and lifelong Santa Cruzan, Maximillian (Max) Paul Eugen Groszmann, III, and after a 17 year courtship, married. Remarkably, it should be noted that their wedding reception had the distinction of filling both floors of the old Cooper House and was a joyous occasion for many. After retirement from

of Forest Grove, OR, along with his son, Aaron Groszmann, his wife, Lisa, and son Finn, of Atwater Village, CA., as well as her niece, Nancy (Molin) Longatan and her husband Danny of the Philippines, her nephews Arthur Molin and wife Andrea Hoekstra, of Seattle, and Steven Molin and wife Terrie and their children Sydney and Isaac, of Forest Grove, OR. Sue was preceded in death by her mother and father, William and Norma Goerisch, and by her sisters Noel and Carol, and brother in law, Art Molin.

Within Sue’s extended family she is survived by dozens of her children, grandchildren and great children including the Joe Axton family of Phoenix, AZ; The David Parks Family of Santa Cruz, San Francisco and Broomfield, CO; The Dana, Stan and Adrienne Wyman families of Texas, Seaside and Sonoma, CA and Kona, HI; the Deborah Burkett family of Phoenix, AZ; the Deb Behringer (formerly Wyman) family of Burnsville, MN; the Baidra Murphy family of Mountain View, CA, and the Catherine Gallegher family of Washington State. Sue is also survived by her closest and dearest friends, Sue Clow, Wendy Baldwin and Steve Tripp of Santa Cruz, Betty Gladfelder of Fife, WA, Rena Saunders of Salem, OR, and Nola Bonecutter of Las Vegas, NV. Sue was also preceded in death by her dearest friends Sandy Wyman, Normann Eugene Pesenti, John Perriman, Michael Bruce Burkett, Fred Fisher and Chris Wicklund.

Throughout Sue’s theatrical career she had the satisfaction of cultivating friendships with true Hollywood stars including Patricia Morrison and Jim and Timothy Hutton, among others, as well as a somewhat dubious and possibly scandalous friendship with Jessie White, a Vegas comic who was notorious as being the original ‘Lonely Maytag Repairman’. While living in San Francisco Sue would remember living next door to OJ Simpson’s grandmother, something later circumstances would make impossible for her to forget.

Sue’s ability to make friends and bring people together was among her strongest traits and she did this across many walks of life, and her capacity for loving others was always on display. One of her closest friends would later ask, “How did she have room in her heart for all of us?” Another goes on to

LAFCO, Sue and Max pulled up roots and followed family to the small college town of Forest Grove, Oregon. Again, not quite ready for retirement, throughout her years in Forest Grove she taught exercise and water aerobics to a large and appreciative group of senior citizens.

While in Santa Cruz, Sue became deeply involved in a robust theatre community, both as an actress and stage manager for dozens of productions, at Santa Cruz High School, Santa Cruz Civic Theatre, Cabrillo College Summer Theatre, and The Next Theatre. During this period, Sue would open up her home and host the “theatre folks”, for dinners and game nights, hosting murder mysteries, as well as housing some and generally providing and encouraging an environment for people to congregate as friends and family. Sue was a person of strong ethics, as well as a person of faith, and for many years attended the UCC First Congregational Church in Santa Cruz as well as the United Church of Christ in Forest Grove, OR.

To Sue, family was everything. Along with the family she was born into, she built and maintained a very large extended family consisting of multiple generations of individuals over many decades. Throughout the years she has maintained very close ties to her family both along the West Coast, in St. Louis and throughout the Midwest. Often it was she who would be the instigator of large family gatherings and reunions. At what would always be referred to as Sue’s House, whether in Santa Cruz or elsewhere, Sue provided an environment for friendships and relationships to develop and flourish while taking an active interest and participation in everyone’s lives, often becoming a mother, a sister, an aunt, a grandmother and a great-grandmother.

She uniquely and successfully blended both her immediate family as well as extended family into a nearly seamless larger family, many of whom would remain close to each other throughout the rest of her life - that this occurred would give no one more satisfaction than Sue.

In her immediate family, Sue is survived by her husband, Max Groszmann,

say, “It was always a wonderful time at Sue’s house -- lot’s of love and good times. She is an amazing soul. She opened her heart and arms to everyone in her path and made us each feel comfortable and like part of her family. I’ve never felt more at home with anyone!” And another: “Sue opened her heart and home to me over 45 years ago and she has continued to be a part of my family and my life ever since. My heart is aching for her presence right now. She has been with me through childbirth, she has shared her life and her love with me, she has counseled and influenced my parenting, and her legacy will continue on through all of us who have been touched and molded by her loving, compassionate presence in our lives.” And yet another: “The scenes and dramas that played out in her kitchen for nearly three decades were too numerous to recount and more often than not hilariously funny, memorable and quite unlike any other experience I have ever had.” And finally – “When I first met Sue, I didn’t know I was searching for a family but I certainly found one. I feel fortunate and blessed to have spent all those years with her and it has shaped my life tremendously. I will miss her very much.”

With the passing of Sue Goerisch Winters Groszmann, it would be an understatement to say “We lost one of the Good Ones”. May she forever rest in peace knowing that she is deeply loved by so many!

A memorial service for Sue is pending at this time. For those interested, she would be grateful for any contributions to be made in her name to Grey Bears in Santa Cruz, CA.

News Briefs: SLVWD inches closer to completion on major projects | Press Banner

By: Tony Nuñez

The San Lorenzo Valley Water District is in the process of replacing three undersized and leaking redwood tanks in Lompico, as well as replacing 3.3 miles of pipeline that were deemed inefficient, ineffective (due to age and size) and undersized for fire flow in Ben Lomond and Boulder Creek.



The Lompico Tanks Project involves three tanks that provide the main water storage and service for Lompico and nearby areas, referred to as Madrone, Lewis and Kaski tank sites.

The Madrone tank site was completed in November and is now in use. The Lewis tank site has completed construction and is completing water quality sampling before being brought online for use. While the Kaski site is in the process of having its original tanks removed and will begin site grading soon.

The Pipeline Replacement Project will increase the capacity for fire flow and improve water quality in the areas of Boulder Creek (Big Basin Highway – 236, Sequoia Avenue and Hillside Drive) and Ben Lomond (California Drive and Quail Hollow Road).

The pipelines in Hillside Drive and Reynolds Drive have been constructed. The final steps of installing service laterals, fire hydrants and air relief valves has begun and should be completed later this month.

The pipelines in California Drive have completed the trenching and potholing of existing services. Construction and installation of the mainline pipeline is in progress and estimated to be completed in January 2021.

While the pipeline in Quail Hollow Road required additional environmental permitting. The draft Initial-Study/Mitigated Negative Declaration will open for public review this month with construction slated for Spring 2021.

For information, visit slvwd.com.

In other local news:

Valley meal and food programs available for

County agency ignites fire district review process

Megan V. Winslow

The lingering threat of wildfire has prompted a county agency responsible for reviewing local fire services to prioritize a countywide evaluation, the first in a decade. The results could eventually influence whether the Los Altos Hills County Fire District and other fire districts within the county are reorganized, as auditors have suggested.

The seven members of the Local Agency Formation Commission (LAFCO) of Santa Clara County unanimously agreed Dec. 2 to revise their workplan schedule and elevate a countywide fire service review to 2021, above their reviews of countywide water and wastewater services (now slated for 2022); special district services (2023); and services provided by local cities (2024). LAFCO reviews typically take place every five years – or when deemed necessary – and the information collected during the process is applied toward updating the spheres of influence (probable future boundaries) of cities and districts providing governmental services. The idea is to manage growth and reduce urban sprawl, the mission of the state's 58 LAFCOs.

Members of the Santa Clara County Board of Supervisors requested the LAFCO schedule change at the board's Oct. 6 meeting, when they received the management audit reports of the LAHCFD and the South Santa Clara County Fire District. The former included allegations of mismanagement and the latter recommended reorganization of the districts to more equitably distribute financial and physical resources.

'Action is essential'

Findings from the forthcoming LAFCO review combined with those from a comprehensive and independent operational study conducted through the Office of the County Executive will help the Board of Supervisors decide the future of the fire districts.

"It seems to me that the county is going to get into the weeds where we're kind of an overview of the forest," Commissioner Susan Vicklund Wilson summarized at last week's LAFCO meeting.

But Commissioner Mike Wasserman, a member of the Board of Supervisors, questioned whether two separate studies are really necessary.

"There's a lot of duplication," Wasserman said. "And I think we're fiscally responsible enough not to waste taxpayer dollars if we don't need to."

Allan Epstein, a Los Altos Hills resident and vocal supporter of LAHCFD retaining its autonomy, dispatched an email to LAFCO members prior to last week's meeting. The email recommended reducing duplication and urged timely wildland fire preparation instead of reorganization, which "takes too long and is subject to political delays and vagaries."

"Next fire season is just a few months away," Epstein wrote. "Time is of the essence. Action is essential."

Wilson and Yoriko Kishimoto, an alternate LAFCO member, volunteered to join a technical advisory committee, which will serve as liaison between LAFCO and affected agencies, provide advice throughout the one-year review process and help select a consultant for the project. Representatives from the Santa Clara County & Cities Managers' Association and the Santa Clara County Fire Chiefs Association are also invited to join the committee.

LAFCO staff will next prepare a draft request for proposal (RFP) for circulation to affected agencies, soliciting input. Commissioners will review a revised RFP at their first meeting of the new year, expected Feb. 3, before soliciting consultant bids.

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Yvette Brooks to focus on equity, recovery as she leads Capitola through crisis

Melissa Hartman

CAPITOLA — The morning after her appointment, Capitola Mayor Yvette Brooks — the first Latina to hold the city's highest office — is ready to get to work in leading her community forward.

In conjunction with new Vice Mayor Sam Storey, former Mayor Kristen Petersen, incumbent Jacques Bertrand and fresh face Margaux Keiser, Brooks said that she hopes to maintain an atmosphere of respect and diplomacy that mayors past have established precedent as she focuses on those adversely affected by the pandemic.

"Optimism is essential when looking towards the future but also it requires careful planning by us," Brooks said. "Last night we were able to end our furlough and give our staff a well-deserved (company leave) but also as a council we decided to set aside an emergency COVID reserve that I proposed so that we won't have to make such deep budget cuts down the road should the pandemic continue as before."

Brooks said she is hopeful that with careful planning and lessons learned from the last several months, the council will be equipped to run a "fiscally sound" city that can support families, businesses, nonprofits and the environment.

Brooks' plan incorporates the new and old. Specifically, Brooks will continue her work from the last few years in supporting families and children by putting time into supporting the Parks and Recreation Department and partnering with the local school district through Capitola's Dedicated Children's Fund. She will start creating policy that focuses on equity from the inside out; Brooks is planning training with council members on the city's code of conduct she helped to develop.

Change, especially around supporting Capitola families who run businesses, is needed, outgoing, two-term Councilman Ed Bottorff said in his departing remarks. "A small group of narrow-minded people" has stopped development through intimidating developers from even presenting plans, he said, and that has cost the city sales and transient taxes it could have raked in from overnight visitors staying in a hotel and patronizing shops. He said that the mall, in the design phase of development, is the last possibility to provide long-term stability financially and structurally for the city.

"Change is good, it is necessary and without it, we will not be able to thrive," he said.

Women supporting women

As Brooks takes on a difficult challenge, one first presented to Petersen during her mayoral term, she seeks to model her demeanor in handling the fallout of the pandemic.

"Kristen is a big part of my story that led me to where I am today," Brooks said. "And more so this year, I have been able to watch her thrive up on the dais as mayor during what I would consider one of the most challenging years for Capitola. I have learned a lot from her and my colleagues to prepare me for my new role."

Petersen said that all the while she believed she was learning, Brooks has demonstrated a steadfast commitment to the community.

"I am looking forward to having her serve in this leadership position in the coming year," Petersen said in an email Friday. "Additionally, as the first Latinx mayor in our city, Yvette is increasing representation in public bodies and showing other young Latinx community members what is possible for themselves."

Brooks said she feels humbled that she is the first woman of her ethnicity to serve in the capacity.

"It has taken a long time for someone like me to get here, and it fills me with excitement," she said.

Just as Petersen welcomed Brooks into local politics, Brooks welcomed Keiser in. After her swearing-in, Keiser said she was "thrilled" to have Brooks take the gavel.

"I am delighted to be able to serve on council with her as she continues to pave the way for females and the Latinx community," she said. "Capitola can only benefit from more progress and diversity."