



**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, April 7, 2021
9:00 a.m.**

Attend Meeting by Internet: <https://us02web.zoom.us/j/89002254155?pwd=bnZiWkIXUWV0ZFpTRHRyYmNtTFIQU0T09>
(Webinar ID: 890 0225 4155)

Attend Meeting by Conference Call: **Dial 1-669-900-6833 or 1-253-215-8782**
(Passcode is 625898)

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.

3. ADOPTION OF MINUTES

The Commission will consider approving the minutes from the March 3, 2021 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. PUBLIC HEARINGS

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

a. "Pippin Way / Bellflower Way Extraterritorial Service Agreement"

The Commission will consider the extraterritorial service request to receive sewer service from the City of Scotts Valley under Government Code Section 56133.

Recommended Action: Adopt the draft resolution (No. 2021-08) approving the extraterritorial service agreement involving the City of Scotts Valley.

b. Draft Budget for Fiscal Year 2021-22

The Commission will consider the adoption of a draft budget for the upcoming year.

Recommended Action: Adopt the draft resolution (No. 2021-09) approving the draft budget for Fiscal Year 2021-22.

6. OTHER BUSINESS

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

a. Legislative Update

The Commission will receive a status update on LAFCO-related legislation.

Recommended Action: Take a "Support" position on AB 1581 and direct the Executive Officer to submit a letter to the bill's author declaring the Commission's position.

b. Resolution of Appreciation for Commission Clerk Debra Means

The Commission will consider the adoption of a resolution of appreciation for Debra Means' 19 years of service with LAFCO.

Recommended Action: Adopt the draft resolution (No. 2021-10) extending the Commission's appreciation for Ms. Means' distinguished public service.

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.

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 February and March

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. LEGAL COUNSEL'S REPORT

LAFCO's Legal Counsel may make brief announcements in the form of a written report or verbal update, and may not require Commission action.

11. ADJOURNMENT

LAFCO's next regular meeting is scheduled for Wednesday, May 5, 2021 at 9:00 a.m.

ADDITIONAL NOTICES:

Campaign Contributions

State law (Government Code Section 84308) requires that a LAFCO Commissioner disqualify themselves 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 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 Commission Clerk at the LAFCO office or in the meeting room before or after the meeting.



PROCEEDINGS OF THE
LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY

Wednesday, March 3, 2021
9:00 a.m.

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

.....

The March 3, 2021 Santa Cruz LAFCO meeting is called to order by declaration of Vice-Chairperson Lather. There are currently 4 public attendees joining this meeting.

ROLL CALL

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

For the record, there is a quorum.

EXECUTIVE OFFICER'S MESSAGE

Mr. Serrano reminds the Commission and the public that this meeting is being conducted as a Zoom webinar. This allows Commissioners complete control of their webcams and microphones. Microphones and webcams for members of the public have been disabled but they will be able to see and view staff's presentations and the entire meeting with any Commissioner discussion.

For any members of the public who would like to speak on any agenda item, they can either email their comments to LAFCO and LAFCO staff will read the email on their behalf or they can raise their hand during public comment for any particular item. They can raise their hand by pressing the hand button on Zoom or if they are joining the meeting by teleconference, they can press *9. Members of the public will have up to three minutes to address the Commission on any particular item. The Commission Clerk will announce when there is one minute left and when their time is up.

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

Chairperson Cummings reminds the Commission that if they wish to comment, use the raise hand button on the Zoom dashboard. He will call on them in the order their hand is raised.

MINUTES

MOTION AND ACTION

Motion: Coonerty Second: Lather	To approve LAFCO's February 3 rd minutes. Motion passes with a unanimous voice vote.
------------------------------------	--

PUBLIC HEARINGS

ATKINSON LANE / BREWINGTON AVENUE EXTRATERRITORIAL SERVICE AGREEMENT (ESA)

Mr. Serrano reports that this proposal involves the City of Watsonville and the property owner, Mid-Pen Housing. The subject area is approximately 14 acres and is just outside City limits but within the City's sphere of influence.

The purpose of this application is to provide water and sewer to a proposed 80-unit affordable housing project. The landowner is requesting an extraterritorial service agreement with the City for a subsequent annexation to occur after the completion of the development.

A similar two-part process occurred in 2014 involving the City and Mid-Pen Housing. After the extraterritorial service agreement was approved, the development area known as Phase 1 was eventually annexed to the City in 2018.

This current proposal is Mid-Pen Housing's Phase 2 of their affordable housing project. Since the proposal area is within the City's sphere of influence, State law allows an extraterritorial service agreement to occur as a precursor to annexation. The proposal fulfills the legal requirement under Government Code Section 56133 and it also addresses the Commission's requirements under their adopted Extraterritorial Service Agreement Policy.

Luis Preciado is the Project Manager for development project. On behalf of Mid-Pen Housing, he thanks and expresses gratitude for LAFCO's support and for Mr. Serrano's guidance in preparing their application.

Phase 2 is a partnership between the City of Watsonville, the County of Santa Cruz and Mid-Pen Housing Corporation. It is a continuation of the successful construction of Pippin Apartments' 46 units which also went through the LAFCO process. Phase 2 consists of 80 new affordable homes for low-income families earning between 30% and 60% of the area's median income. Of the 80 units, 39 of them are set aside for farmworker families, 15 units are set aside for special needs people, and the remainder of the units are for the general population.

Mid-Pen looks forward to continuing their successful partnership and collaboration in developing 80 new housing opportunities for the community.

Commissioner Roger Anderson asks how many units were in Phase 1.

Mr. Preciado answers that there were 46 units in Phase 1 and 80 units are proposed for Pippin Phase 2, totaling 126 units.

Alternate Banks thinks there are additional residential units under development or under actual construction in the Atkinson Lane area. He asks if there are plans to improve Atkinson Lane for increased traffic flow and how it will be addressed.

Mr. Serrano thinks the Environmental Impact Report addresses transportation and the impacts on Atkinson Lane. He does not know if they will implement mitigation to improve the street.

Mr. Preciado adds that primary access to the proposed development will be through Brewington Avenue. There will be no access through Atkinson Lane. There are some County traffic mitigation measures that need to be implemented along Crestview Drive.

Alternate Hunt asks if Pippin 2 is immediately adjacent to Pippin 1 geographically.

Mr. Preciado answers yes.

Commissioner Estrada wonders why there were delays in Pippin Phase 1 before annexation and whether they expect delays for Phase 2.

Mr. Preciado answers that Phase 1's delay was mostly due to acquiring the funding necessary to finance and complete construction. They are currently working on the finances necessary to complete Phase 2. They are looking for an investor for their housing tax credits. They hope there will be no significant barriers or delays in Phase 2.

Commissioner Estrada asks when they hope to annex Phase 2 to Watsonville.

Mr. Preciado says it is very competitive to find an investor. They are hoping to begin construction by early 2023. There is a 19-month construction schedule so they hope to complete construction by summer of 2024. With this schedule, they could complete annexation within one year of securing the last certificate of occupancy.

Mr. Serrano adds that LAFCO conducted a two-part process for Phase 1 of approving the ESA followed by a subsequent annexation back in 2014. They added a condition for a two-year deadline for annexing to the City but unanticipated challenges occurred and the Commission approved extensions to the annexation.

For Phase 2, LAFCO coordinated with the City and the applicant to figure out a realistic timeframe. Once it is developed, annexation should occur within one year of the final occupancy.

Chairperson Cummings asks if annexations are delayed, whether there are any impacts on the jurisdictions involved.

Mr. Serrano replies that a resolution will be drawn up to clarify those issues. If the Commission requires action, then a resolution is required. Having a binding agreement such as a resolution in writing which says that an annexation needs to occur by a certain timeframe will allow all those involved to know what to expect. A timeframe can be followed and the Commission can provide extensions if necessary. The language in this resolution allows flexibility for the City and the applicant.

Chairperson Cummings asks if the annexation process is delayed, would the City of Watsonville not receive the fees for water service and what other impacts there could be.

Mr. Serrano answers that as part of the extraterritorial service agreement, it allows the City to provide services to the area. The services and the fees will already be implemented. The subsequent annexation would reflect the services provided by the City through the extraterritorial service agreement.

Chairperson Cummings wonders about the island parcel that will be substantially surrounded by the City.

Mr. Serrano says that parcel will be brought up as part of the annexation application. He thinks this parcel should ultimately be annexed into the City.

Mr. Preciado says this parcel has a substation on it and it is owned by PGE.

Commissioner Roger Anderson asks when the water service would be provided. The maps seem to indicate there are some environmental impacts. He wonders if the maps are still valid and whether there are any restrictions on what Mid-Pen can do.

Mr. Serrano thinks there are some mitigated efforts. The area west of the parcel is active farmland. There may be an agricultural buffer to minimize environmental impacts to the existing adjacent farmland.

Watsonville requires LAFCO's approval before they can provide services to landowners. If the Commission approves this ESA, this allows Watsonville and the applicant to connect to services. He does not know the exact timeframe for when the services will be connected.

Mr. Preciado says water and sewer services will occur prior to occupancy. The infrastructure will be installed during construction and actual services will be delivered prior to occupancy.

The EIR and its addendum are current for this development. The only documents that were update were the site plan and the delineation of the wetlands and agricultural buffer. Any improvements on this development will be outside of the 50' buffer that will protect the habitat immediately adjacent to the actual wetlands.

Commissioner Roger Anderson recalls parcels for Phase 1 where there was designated parking would provide an addition to the required setbacks and buffers.

Commissioner Jim Anderson thinks PGE would have to decide whether they would want to be annexed. The tax rate between the City and the County may be different. Since the parcel is a substation, PGE would probably be most interested in the lowest tax rate.

Mr. Serrano says PGE will be included in the discussion about whether they are open to annexation.

MOTION AND ACTION

Motion: J. Anderson Second: Estrada	To adopt draft Resolution No. 2021-05 approving the extraterritorial service agreement with the City of Watsonville with the condition that the area be annexed within one year of the final occupancy of the entire development. Motion passes with a unanimous voice vote.
--	---

SERVICE AND SPHERE REVIEW FOR THE CITY OF SCOTTS VALLEY

Mr. Serrano reports that the City of Scotts Valley encompasses about five square miles and serves approximately 12,000 residents. The latest service and sphere review provides a snapshot of the City's performance during the last six years. Based upon staff's analysis and anticipated slow growth, it is anticipated that the City's population will still be under 13,000 by 2040.

The City has been facing financial constraints over the years. The City's operations can be categorized into two activities: Government and Business. Business activities involving wastewater and recreation services have been running in the red each year since 2015. It results in an overall deficit for five of the last six fiscal years.

The City has recently implemented a new wastewater rate structure to address this fiscal gap by balancing incoming revenue with actual expenditures. They will be presenting a new rate study to their City Council next month.

There are two water districts providing water to City residents. The primary provider is Scotts Valley Water District (SVWD). San Lorenzo Valley Water District (SLVWD) also provides a portion of water to the Whispering Pines area and Mount Hermon Road. There are also two supervisorial districts encompassing Scotts Valley. It may be beneficial for LAFCO to coordinate with the City and the affected agencies to determine whether there is a benefit to having one water district or one supervisorial district rather than two.

The City's sphere is currently larger than the City's jurisdictional limits. The sphere boundary is a planning tool which indicates areas that should be annexed into the City in the foreseeable future. There are 11 areas in the sphere that total about 500 acres. It would be up to the City and the affected residents if and when these areas are annexed.

Taylor Bateman works for the City of Scotts Valley. He thanks LAFCO staff for a great review process.

Commissioner Roger Anderson used to live in Scotts Valley and he appreciates this review. He wonders how many people live in the non-annexed parts of the sphere of influence. Most of this area is zoned as very low density and does not know how much of this area is occupied.

He is also curious about the City's property tax share. He thinks this is a big problem since it is a general law city so they tend to get a small fraction of its property tax. He wonders what work arounds such as vehicle license fees have been used to try to straighten this out.

He is impressed with the City's sewer facilities since they have true tertiary treatment and they use recycled water whenever possible. Unfortunately, their rates have not kept up but he hopes the recent increases will continue to take care of that problem.

He recalls many people in Scotts Valley liking the idea of having two supervisorial districts politically as well as having two supervisors that would allow their voice to be more likely heard than just having one supervisor.

He was also pleased to find out that there is a \$2.5 million capital budget item for sidewalks in Scotts Valley.

Mr. Serrano says that it is difficult to figure out populations for the 11 unincorporated communities. AMBAG does population forecasts and they provide populations for public agencies such as cities, but not for special districts and specific unincorporated areas. For this review, the acreage and land use determinations were identified for these areas because that information is available. All 11 areas are zoned as Residential and some are Mountain Residential or Rural Residential.

He finds it interesting that two supervisorial districts split Scotts Valley in half. The County is currently deciding whether to redistrict. There may be benefits of having two Supervisors representing one city. He does not oppose the status quo but since it is already being discussed, he thinks it is worth highlighting to understand why the City is currently established this way.

Chairperson Cummings has attended a few virtual meetings between Scotts Valley Water District (SVWD) and San Lorenzo Valley Water District (SLVWD) and it seems to be a controversial topic. He wonders about the timeline for those two water agencies considering a consolidation and what the role of LAFCO would be for this process.

Mr. Serrano answers that there is no set schedule to initiate consolidation at this time. Consolidation is usually a multi-year effort. Currently, these two water districts are looking at exploring the idea of consolidation. SVWD is willing to look into consolidation if SLVWD agrees. If SLVWD's board takes action to explore the benefits and/or constraints of consolidation, it will allow staff from both water districts to have further discussions.

He has presented to both boards that the next step would be for both districts to look into the pros and cons of consolidation. They could develop a stakeholder group to share their findings and concerns such as pension obligations, potential board composition, and effects to existing and future services if they do consolidate.

It may be worthwhile to hire an outside consultant to do a feasibility study. It is helpful to have a third party who is unbiased to provide the benefits and constraints of consolidation. The two water districts can share that study with their residents to determine whether to move forward with consolidation.

Assuming they determine consolidation makes sense, that is when they can submit an application to LAFCO. It can take a year to do the initial exploration and then another year to actually go through the LAFCO process. Fortunately, LAFCO can use the recent fire consolidation as a model and that one took several years.

Some of the misconceptions residents have is if this consolidation happens, their property taxes will increase or they will lose their community identity. These issues should be discussed with the residents before discussions of initiating consolidation.

Chairperson Cummings asks why this conversation is happening now and whether it come up in the past.

Mr. Serrano replies that special districts and cities in general look for internal or external efficiencies. Consolidation is another tool to improve efficiencies. The two water districts have a good working relationship. Due to the success of the recent fire consolidation, this alternative governance option will be talked about around the County and the State since many agencies are struggling.

Commissioner Jim Anderson adds that he and Commissioners Friend and Roger Anderson experienced the consolidation with Lompico and San Lorenzo Valley water districts. There was a lot of opposition, more so from Lompico's residents. It was evident that they needed SLVWD's resources and water to serve Lompico. It could be a long time before they actually file an application with LAFCO.

When Mr. Serrano was asked whether a consolidation was ever denied, he answered no because these discussions sometimes never make it to filing an application.

MOTION AND ACTION

Motion: R. Anderson Second: J. Anderson	To adopt Resolution No. 2021-06 approving the 2021 Service and Sphere of Influence Review for the City of Scotts Valley, including the four conditions: <ul style="list-style-type: none">• Reaffirm the City's sphere with no changes,• Direct staff to coordinate with the City and the two water districts to analyze how water is provided,• Direct staff to coordinate with the City and District 1 and District 5's supervisorial districts to analyze whether City benefits from having one or two supervisorial districts, and• Direct staff to provide copies of the service review to any affected or interested agencies. Motion passes with a unanimous voice vote.
--	--

OTHER BUSINESS

EMPLOYEE PERFORMANCE EVALUATION

Mr. Serrano reports that each year, the Commission conducts a performance evaluation for staff. This Commission had a Closed Session and reviewed the performance evaluation documentation and determined that a salary increase was warranted.

MOTION AND ACTION

Motion: R. Anderson Second: Friend	To approve draft Resolution No. 2021-07 approving the proposed salary adjustments for LAFCO's Executive Officer. Motion passes with a unanimous voice vote.
---------------------------------------	--

SPECIAL DISTRICT ELECTIONS UPDATE

Mr. Serrano reports LAFCO is required to help when there is a vacancy involving special districts. There are vacancies for this Commission involving the two special district seats. Calls for Nominations were solicited and only one application was received for each position. If there is no more than one application per vacancy, then no election is required. In lieu of an election, Jim Anderson and Ed Banks have been reappointed to LAFCO's Commission.

In a similar situation, there was only one application received for each of the two vacancy positions for the Consolidated Redevelopment Successor Agency Oversight Board. These vacancies were advertised to all the special districts and Jim Anderson and Ed Banks were the only applications received. An election was not necessary so Jim Anderson will be the regular member and Ed Banks will be the alternate for those positions.

LEGISLATIVE UPDATE

Mr. Serrano reports that the new legislative session has begun. CALAFCO and LAFCO staff are currently tracking 17 LAFCO-related bills. CALAFCO is sponsoring an Omnibus Bill which is intended to focus on minor non-controversial edits to the Cortese-Knox-Hertzberg Act. One aspect in this bill is removing obsolete provisions. There are two obsolete provisions involving Santa Cruz County and they have been inactive for more than ten years. CALAFCO is recommending the deletion of these obsolete provisions. Once this Omnibus Bill has its title and bill number, he will present it to the Commission.

The Omnibus Bill process is spearheaded by CALAFCO's Executive Director, Pamela Miller and a LAFCO liaison who is typically one of LAFCO's 58 Executive Officers who holds that role for two to three years. Sam Martinez, San Bernardino's Executive Officer, has been in that role for three years and he is ready for a replacement. Mr. Serrano accepted this position and he is looking forward to being engaged with these legislative efforts.

Commissioner Roger Anderson congratulates Mr. Serrano for his appointment. It is a great service to local LAFCOs and the State. He asks him what new issues he will be interested in pursuing.

Mr. Serrano answers that he has always been interested in the legislative aspects of LAFCO. He looks forward to helping CALAFCO with any legislative actions. He is confident he can balance this new role as well as cover the responsibilities of Santa Cruz LAFCO.

WRITTEN CORRESPONDENCE

WRITTEN CORRESPONDENCE DURING THE MONTH OF FEBRUARY

Mr. Serrano reports that staff received CALAFCO's regular Quarterly Report as well as an email from Becky Steinbruner regarding an MOU between UC Davis, the City of Davis, and Yolo County. Ms. Steinbruner's email is about previous discussions regarding UC Santa Cruz and this LAFCO's draft comment letter. She provided more information about what transpired in Yolo County.

PRESS ARTICLES

PRESS ARTICLES DURING THE MONTHS OF JANUARY AND FEBRUARY

Mr. Serrano reports that there is a lot of talk in the press about proposed water consolidations. It is a topic being discussed statewide.

COMMISSIONERS' BUSINESS

Chairperson Cummings says that at the last Santa Cruz City Council meeting, there was a motion to direct the cities' LAFCO representative to request an item on the next LAFCO meeting's Closed Session agenda to discuss the lawsuit filed by UC Santa Cruz regarding extraterritorial water rights.

He asks Counsel Zazueta if they need to vote whether to put this on the next agenda.

Counsel Zazueta answers that he can work with Mr. Serrano to put it on the next agenda.

Commissioner Roger Anderson asks if LAFCO is a party to this new lawsuit.

Counsel Zazueta answers that this LAFCO is not a party to this lawsuit.

ADJOURNMENT

The next LAFCO meeting is scheduled for 9:00 a.m. Wednesday, April 7, 2021.

JUSTIN CUMMINGS, CHAIRPERSON

Attest:

Joe A. Serrano, Executive Officer



Santa Cruz Local Agency Formation Commission

Date: April 7, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **“Pippin Way / Bellflower Way Extraterritorial Service Agreement”
with the City of Scotts Valley (LAFCO Project No. ESA 21-06)**

SUMMARY OF RECOMMENDATION

LAFCO has received an application from a landowner requesting an extraterritorial service agreement involving the City of Scotts Valley. The proposed agreement would allow the City to address a health and safety issue and provide sewer service to a single parcel with a failing septic system.

Staff is recommending that the Commission adopt the draft Resolution (No. 2021-08) approving the extraterritorial service agreement involving the City of Scotts Valley.

EXECUTIVE OFFICER’S REPORT:

In February, a landowner submitted an application to receive an extraterritorial service agreement between the City of Scotts Valley and a single parcel (APN: 056-101-11) in order to provide sewer service to the single-family residence. The proposal area is currently located outside Scott Valley’s city limits but within its sphere of influence boundary. **Attachment 1** provides a map of the agency’s current boundaries in relation to the location of the proposal area. The benefits of approving this extraterritorial service agreement is three-fold: (1) it will discontinue the failing septic system, (2) it will allow the City of Scotts Valley to address an impending health threat by delivering adequate sewer service to the subject area; and (3) it will support the Commission’s sphere designation for the City which currently includes the subject area. Approval of the extraterritorial service agreement would be a precursor to an annexation at a future date.

State Law

California Water Code

In accordance with State law, the Regional Water Quality Control Board prohibits the discharge of wastewater from existing or new individual septic tank disposal systems if sewer is available from a public agency (Water Code Section 13281). This law further states that for a sewer system to be deemed available it is necessary for a sewer system to be within 200 feet of an existing or proposed dwelling unit. The distance of the proposed connection between the City and subject property (APN: 056-101-11) is approximately 300 feet. While the connection is not required under Water Code Section 13281, it is subject to Government Code Section 56133 under the Cortese-Knox-Hertzberg Act.

Cortese-Knox-Hertzberg Act

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

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

Commission Policy

In 2011, the Commission adopted the Extraterritorial Services Policy which outlined regulations for agencies to provide services outside their service and/or sphere boundaries. This policy was updated on June 3, 2020 (**Attachment 2**). Under this policy, the Commission typically limits its extraterritorial service authorizations to public health emergencies and three specific circumstances:

a) Facilities are already in place.

The City provides sewer services to properties directly adjacent to the proposal area.

b) Annexation would not be practical.

The application includes written correspondence from the City indicating that the current septic system is failing and may cause imminent health and safety issues to the residents within and adjacent to the subject area. The proposed extraterritorial service agreement would address this issue immediately. The LAFCO process for annexations, on average, takes at least four to eight months to complete under the Cortese-Knox-Hertzberg Act. Due to the impending health threat, the proposed extraterritorial service agreement should be approved as a precursor to annexation in the foreseeable future.

c) Cortese-Knox-Hertzberg Act Requirements.

The proposed extraterritorial service agreement meets the statutory criteria outlined in LAFCO law, pursuant to Government Code Section 56133.

Pursuant to the Commission's policy, individual requests for extraterritorial service shall be filed with the Executive Officer on a prescribed application form. The applicant is responsible for paying the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. An application and fee deposit of \$950 was submitted to LAFCO on February 19, 2021.

Application Packet

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

- 1) **Application Form** – Commission Policy requires a completed and signed extraterritorial service agreement form. A signed application was submitted on February 19.
- 2) **Consent Letter** – Commission Policy requires documentation showing consent from the affected property owner as part of the application. The property owner of APN: 056-101-11 submitted a consent letter on February 19.
- 3) **Health & Safety Issue Letter** – Government Code Section 56133(c) requires documentation of a threat to the health and safety of the public or the affected residents. The City of Scotts Valley submitted a Will-Serve Letter on February 8 and a subsequent safety letter on February 9 (refer to **Attachment 3**).
- 4) **Notification to Alternative Service Provider** – Government Code Section 56133(c) requires the Commission to notify any alternative service provider that has filed a map and a statement of its service capabilities with the Commission. LAFCO staff has determined that there are no nearby or alternative service providers for sewer service. However, a public notice was advertised in the Sentinel on March 16, 2021, as shown in **Attachment 4**.
- 5) **Environmental Document** – Commission Policy indicates that all matters that are reviewable pursuant to environmental regulations are subject to the applicable provisions of the California Environmental Quality Act. LAFCO, as the Lead Agency, recorded a Notice of Exemption on March 12, 2021 pursuant to State CEQA Guidelines Section 15303(d), "New Construction or Conversion of Small Structures," because the project would discontinue the existing septic system and connect to a public agency's wastewater infrastructure (**Attachment 5**).
- 6) **Indemnification Agreement** – Commission Policy requires a signed indemnification agreement in the event that a lawsuit is filed against LAFCO's action. A signed indemnification agreement was submitted on February 19 (refer to **Attachment 6**).
- 7) **Fee Deposit** – Commission Policy requires a fee deposit of \$950 for any proposed extraterritorial service request. A deposit was included with the application packet. Following the completion of the LAFCO process, staff will conduct a cost analysis and refund any remaining funds, if available.

Conclusion

LAFCO typically encourages boundary changes, such as annexations, when there is a request for municipal services. In some cases, annexations are not practical for various reasons. LAFCO staff evaluated this application and confirmed that the proposed extraterritorial service agreement meets all the requirements under State law and the

Commission's adopted policy. Approval of the extraterritorial service agreement will discontinue the failing septic system and allow the City of Scotts Valley to delivery sewer service to the subject area. The terms and conditions outlined in the draft resolution ensure that the failing septic system is addressed accordingly (refer to **Attachment 7**). LAFCO's Legal Counsel has also reviewed the draft resolution with the proposed terms and conditions. Therefore, staff is recommending that the Commission approve the attached resolution.

Respectfully Submitted,

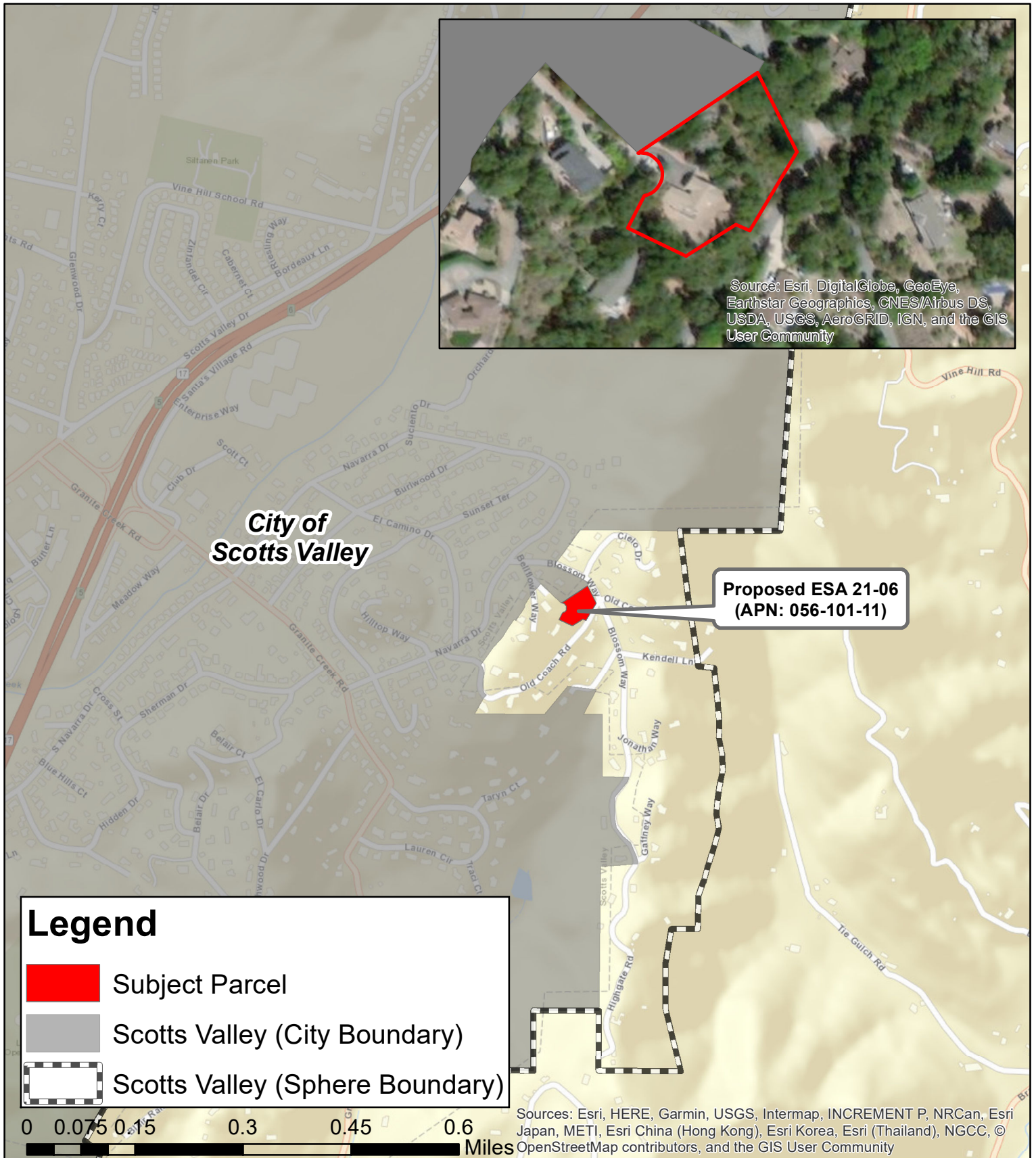


Joe A. Serrano
Executive Officer

Attachments:

1. [Proposal Area Map](#)
2. [Extraterritorial Services Policy](#)
3. [Health & Safety Letter](#)
4. [Notice of Public Hearing](#)
5. [Notice of Exemption](#)
6. [Indemnification Agreement](#)
7. [Draft Resolution No. 2021-08](#)

cc: Kimarie Jones, City of Scotts Valley
Gail Mackey, County Environmental Health
Cale Garamendi (Property Owner; APN: 056-101-11)



"Pippin Way/Bellflower Way Extraterritorial Service Agreement" with the City of Scotts Valley (LAFCO Project No. ESA 21-06)

Vicinity Map created on 2-23-21



LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY

EXTRATERRITORIAL SERVICES POLICY

Adopted on June 9, 1994 (Resolution No.97-W)

Amended on February 8, 2007 (Resolution No. 2007-1)

Previous Revision February 2, 2011 (Resolution No. 2011-1)

Last Revision on June 3, 2020 (Resolution No. 2020-15)

1. OVERVIEW

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

2. COMMISSION APPROVAL REQUIRED FOR NEW OR EXTENDED SERVICES

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

3. LIST OF PRE-EXISTING SERVICES

In 1994, the Executive Officer originally asked each city and district to provide a list or map of parcels receiving extraterritorial service under Government Code Section 56133. The Executive Officer subsequently presented a report on these extraterritorial services with the Commission. As a regular practice, a list of all approved extraterritorial service agreements are presented to the Commission on an annual basis.

4. AREAWIDE APPROVALS

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

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

5. INDIVIDUAL REQUESTS

Individual requests for extraterritorial service shall be filed with the Executive Officer on a prescribed application form. The applicant shall pay the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. The application deposit regarding the request for extraterritorial service is \$950. Deposit amount may be subsequently changed in future revisions of the Schedule of Fees and Deposits.

The Executive Officer shall not file the application unless the affected public agency has submitted a written endorsement indicating its willingness to provide the service if the Commission approves the request. The Commission shall consider the request after it has been placed on an agenda of a Commission meeting.

6. ENVIRONMENTAL REVIEW

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

7. COMMISSION ACTION

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

8. DELIVERY OF MUNICIPAL SERVICES

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and this Commission's adopted policies encourages smart growth and relies on the appropriate governance options to ensure the effective and efficient delivery of municipal services. Therefore, the Commission intends to reinforce that the standard manner in which services will be extended is by annexation (and sphere of influence amendment, if necessary). The Commission shall limit its extraterritorial service authorizations to public health emergencies and circumstances where:

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

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

9. WATER PROVISIONS

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

A water policy has also been adopted by this Commission and should be reviewed before submitting any application for potential service delivery, including annexations or requests for extraterritorial services.



City of Scotts Valley

Public Works Department
701 Lundy Lane Scotts Valley, California 95066
Phone 831 438-5854 Facsimile 831 439-9748

February 9, 2021

Attn: Joe A. Serrano, Executive Officer
Local Agency Formation Commission of Santa Cruz County
701 Ocean Street, Room 318-D
Santa Cruz, CA 95060

Re: Impending Septic Failure at 145 Pippin Way Scotts Valley; 056-101-11

I'm writing to follow up the "will serve letter" sent to LAFCO on February 8, 2021 regarding APN 056-101-11. I have reviewed the septic situation on this property 056-101-11. This situation is an impending threat to the health and safety of residents, as such, LAFCO's approval of a sewer connection for APN 056-101-11 is requested.

Feel free to email if you have any questions,

Kimarie Jones, Engineering Associate
KJones@ScottsValley.Org



City of Scotts Valley

Public Works Department

701 Lundy Lane Scotts Valley, California 95066
Phone 831 438-5854 Facsimile 831 439-9748

February 8, 2021

To: Kale and Marisa Garamendi

Re: Will Serve Letter APN 056-101-11

This is a "Will Serve Letter" for the above stated property APN, 145 Pippin Way in the County of Santa Cruz. With regard to the sewer hook-up for this property being in the County of Santa Cruz, your property is in the City sphere of influence for connection to Scotts Valley City sewer which will allow the property owner to connect to the City sewer.

Property owner must submit all improvement plans and any other applications and fees that the City of Scotts Valley requires prior to having the intended property connected to sewer.

Thank you,

Kimarie Jones
Engineering Associate

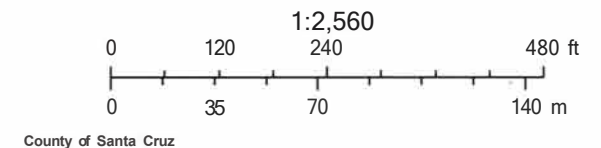
145 PIPPIN WAY APN 056-101-11



February 8, 2021

Parcel APN labels

☐ Parcel APN labels





NOTICE OF PUBLIC HEARING LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that at 9:00 a.m., Wednesday, April 7, 2021, the Local Agency Formation Commission of Santa Cruz County (LAFCO) will hold public hearings on the following:

- **“Pippin Way/Bellflower Way Extraterritorial Service Agreement” with the City of Scotts Valley (LAFCO Project No. ESA 21-06):** Consideration of an extraterritorial service agreement request for a single parcel to receive sewer services by the City of Scotts Valley. In compliance with the California Environmental Quality Act (CEQA), LAFCO staff has prepared a Categorical Exemption for this proposal.
- **Draft Budget for Fiscal Year 2021-22:** Adoption of a draft budget for the upcoming fiscal year. The final budget will be considered on May 5, 2021. The review, approval, and notice of this budget will be performed consistent with Government Code Section 56381.

Due to COVID-19, this meeting will be conducted as a teleconference pursuant to the provisions of the Governor’s Executive Orders N-25-20 and N-29-20, which suspend certain requirements of the Ralph M. Brown Act. Members of the public are encouraged to observe the shelter-in-place order and participate remotely. Instructions to participate remotely are available in the Agenda and Agenda Packet: <https://www.santacruzlafco.org/meetings/2021-agenda-packets/>

During the meeting, the Commission will consider oral or written comments from any interested person. Maps, written reports, environmental review documents and further information can be obtained by contacting LAFCO’s staff at (831) 454-2055 or from LAFCO’s website at www.santacruzlafco.org. 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 wish to attend this meeting and you will require special assistance in order to participate, please contact the LAFCO office at least 48 hours in advance of the meeting to make arrangements.

Joe A. Serrano
Executive Officer
Date: March 16, 2021

Notice of Exemption

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento CA 95814

From: (Public Agency)
Santa Cruz Local Agency Formation Commission
701 Ocean Street, Room 318-D
Santa Cruz CA 95060

To: ☒ Clerk of the Board
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz CA 95060

Project Title: "Pippin Way/Bellflower Way Extraterritorial Service Agreement" (ESA 21-06)

Project Location: The subject area is within the City of Scotts Valley's sphere of influence boundary, contiguous with the City's jurisdictional limits and is located north of Old Coach Road, east of Bellflower Way, south of Cielo Drive, and west of Blossom Way. Attached is a vicinity map of the subject area (refer to **Attachment A**).

Project Location City: Scotts Valley **Project Location County:** Santa Cruz

Description of Nature, Purpose, and Beneficiaries of Project: The proposal was initiated by landowner petition. The subject area includes one (1) parcel, totaling 1.03 acres. The single parcel is owned by Cale and Marisa Garamendi. The purpose of the application is to decommission the existing septic tank and connect the parcel to the City of Scotts Valley, which is the adjacent public wastewater agency.

Name of Public Agency Approving Project: Local Agency Formation Commission of Santa Cruz County ("Santa Cruz LAFCO"). A public hearing on this proposal is scheduled for 9:00 a.m. on April 7, 2021. Additional information on the upcoming meeting is available on the LAFCO website (<https://www.santacruzlafco.org>).

Name of Person or Agency Carrying Out Project: Santa Cruz LAFCO

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269 (b)(c));
☒ Categorical Exemption: State type and section number
☐ Statutory Exemptions: State code number
☐ Other: The activity is not a project subject to CEQA.

Reason Why Project is Exempt: Pursuant to CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The number of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to: Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

Lead Agency Contact Person: Joe A. Serrano

Area Code/Phone Extension: 831-454-2055.

Signature: 
Joe A. Serrano, Executive Officer

Date: March 12, 2021

☒ Signed by Lead Agency

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



TITLE: 145 Pippin Way (Parcel# 156-101-11)

PROJECT NUMBER:

INDEMNIFICATION AND DEFENSE

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

A) Notification and Cooperation

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

B) Fees and Costs:

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

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

C) Settlement:

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

D) Successors Bound:

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

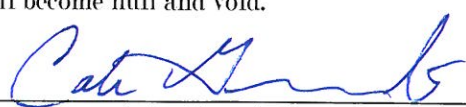
E) Recordation:

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


 (Signature of LAFCO Executive Officer)

Joe A. Serrano
 (Printed Name)

2/19/21
 (Date)


 (Signature of Applicant)

Cale Garamendi
 (Printed Name)

2/18/2021
 (Date)

LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY
RESOLUTION NO. 2021-08

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

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
APPROVING THE PIPPIN WAY / BELLFLOWER WAY EXTRATERRITORIAL
SERVICE AGREEMENT WITH THE CITY OF SCOTTS VALLEY
(LAFCO PROJECT NO. ESA 21-06)

WHEREAS, an application for an extraterritorial service agreement involving a single parcel (APN 056-101-11) (the “proposal”) was submitted and accepted for filing by the Executive Officer of this Local Agency Formation Commission (“LAFCO” or “Commission”); and

WHEREAS, the proposal area is within the City of Scotts Valley’s (“City”) sphere of influence, contiguous with the City’s jurisdictional limits and is located north of Old Coach Road, east of Bellflower Way, south of Cielo Drive, and west of Blossom Way, as shown in Exhibit A; and

WHEREAS, on February 9, 2021, the City of Scotts Valley Public Works Department informed the landowner and LAFCO that the existing septic tank system may be subject to an impending threat to the health and safety of the affected residents; and

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

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

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

WHEREAS, the City determined that the existing septic tank system was failing and may pose a serious concern for the lives and safety of the residents within and surrounding the proposal area; and

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

WHEREAS, the Executive Officer, pursuant to Government Code Section 56133 and the Commission's Extraterritorial Services Policy, determined that the proposal met the statutory requirements and set April 7, 2021, as the hearing date on this proposal and provided public notice as required by law; and

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

WHEREAS, this Commission, on April 7, 2021, heard from interested parties and considered the proposal and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal.

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

Section 1. The foregoing recitals are true and correct.

Section 2. Compliance with the California Environmental Quality Act (CEQA) has been met by a categorical exemption pursuant to State CEQA Guidelines Section 15303, "New Construction or Conversion of Small Structures," because the project would discontinue the existing septic system and connect to a public agency's wastewater infrastructure. The Commission, as a lead agency, recorded a Notice of Exemption on March 12, 2021.

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

- a) Health & Safety Issue: Government Code Section 56133(c) requires documentation of a threat to the health and safety of the public or the affected residents. The City of Scotts Valley indicated that the current septic system poses a serious health and safety issue. The concerns by the City were outlined in formal letter received on February 9, 2021, as shown in Exhibit B.
- b) Notification to Alternative Service Provider: Government Code Section 56133(c) requires the Commission to notify any alternative service provider that has filed a map and a statement of its service capabilities with the Commission. LAFCO staff has determined that there are no nearby or alternative service providers for sewer service.

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

- a) Agency Endorsement: The Executive Officer shall not file the application unless the affected public agency has submitted a written endorsement indicating its willingness to provide the service if the Commission approves the request. The City of Scotts Valley submitted a Will-Serve Letter expressing support on February 8, 2021, as shown in Exhibit C.
- b) Fee Deposit: The applicant shall pay the costs of processing the application as specified in the Commission's Schedule of Fees and Deposits. The landowner, as the applicant, submitted a fee deposit of \$950 as part of the application packet.
- c) Commission Hearing: The Commission shall consider the request after it has been placed on an agenda of a Commission meeting. After deeming the proposal complete, the Executive Officer advertised the proposal in the Santa Cruz Sentinel newspaper on March 16, 2021, and scheduled the proposal for Commission consideration on April 7, 2021.

Section 5. The applicant shall agree, as a condition of the approval of the application for an extraterritorial service agreement, to be bound by the LAFCO Indemnification and Defense Form signed on February 19, 2021.

Section 6. The Certificate of Completion for the extraterritorial service agreement shall not be issued until all terms and conditions are met.

Section 7. The proposed extraterritorial service agreement shall be effective as of the date of recordation of the Certificate of Completion.

Section 8. The Commission shall approve, disapprove, or approve with conditions the extended services. If the new or extended services are disapproved or approved with conditions, the applicant may request reconsideration, citing the reasons for reconsideration. If the Commission denies a request, a similar application cannot be re-filed for one year unless the Commission grants an exception to this rule.

Section 9. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Government Code Section 56882.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this 7th day of April 2021.

AYES:

NOES:

ABSENT:

JUSTIN CUMMINGS, CHAIRPERSON

Attest:

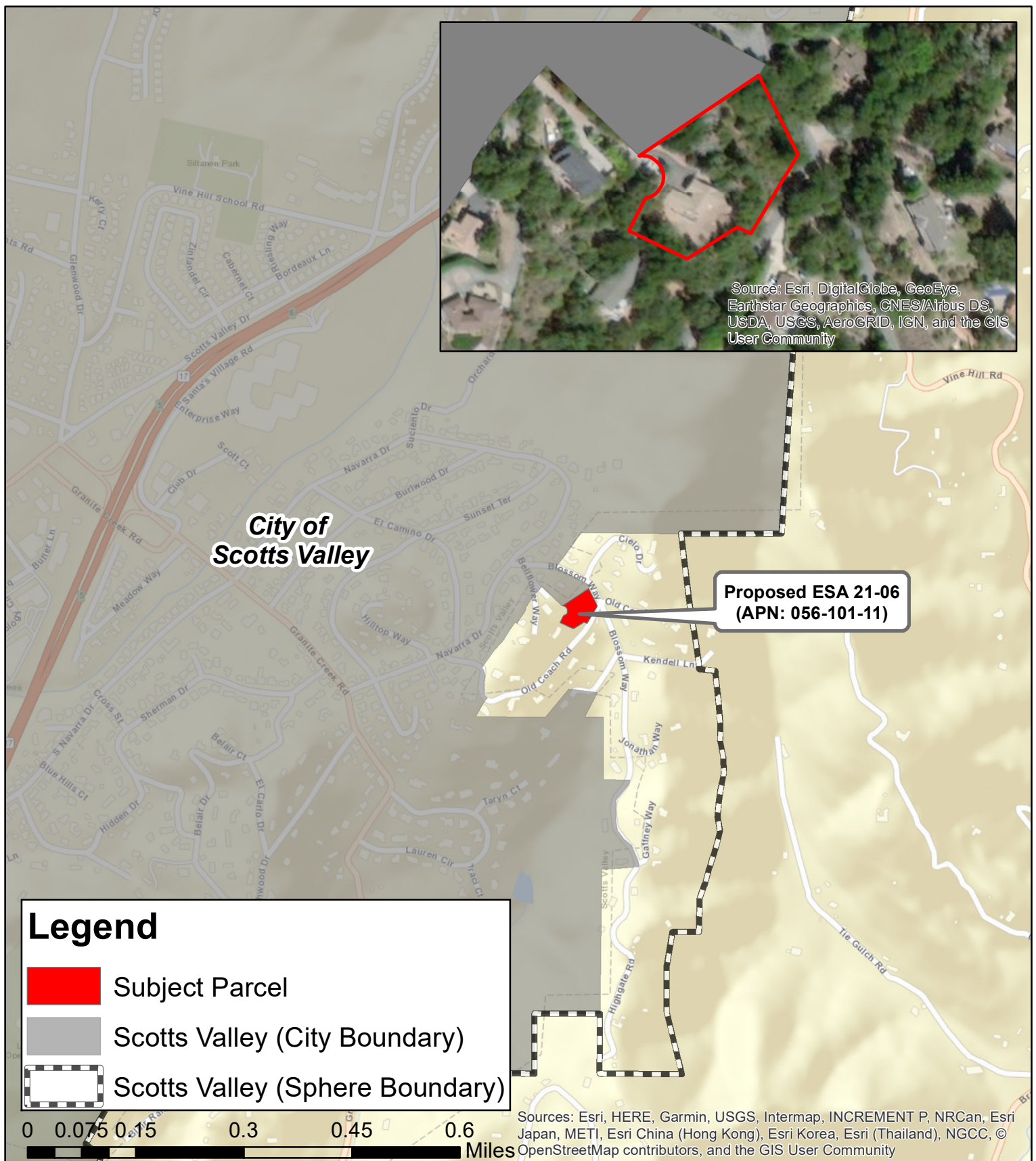
Approved as to form:

Joe A. Serrano
Executive Officer

Daniel H. Zazueta
LAFCO Counsel

EXHIBIT A

VICINITY MAP



"Pippin Way/Bellflower Way Extraterritorial Service Agreement" with the City of Scotts Valley (LAFCO Project No. ESA 21-06)

Vicinity Map created on 2-23-21

EXHIBIT B

CITY OF SCOTT VALLEY'S WRITTEN CORRESPONDENCE REGARDING THE HEALTH & SAFETY ISSUE



City of Scotts Valley

Public Works Department
701 Lundy Lane Scotts Valley, California 95066
Phone 831 438-5854 Facsimile 831 439-9748

February 9, 2021

Attn: Joe A. Serrano, Executive Officer
Local Agency Formation Commission of Santa Cruz County
701 Ocean Street, Room 318-D
Santa Cruz, CA 95060

Re: Impending Septic Failure at 145 Pippin Way Scotts Valley; 056-101-11

I'm writing to follow up the "will serve letter: sent to LAFCO on February 8, 2021 regarding APN 056-101-11. I have reviewed the septic situation on this property 056-101-11. This situation is an impending threat to the health and safety of residents, as such, LAFCO's approval of a sewer connection for APN 056-101-11 is requested.

Feel free to email if you have any questions,

Kimarie Jones, Engineering Associate
KJones@ScottsValley.Org

EXHIBIT C

**CITY OF SCOTT VALLEY'S WRITTEN
CORRESPONDENCE REGARDING THE
ABILITY TO PROVIDE SEWER SERVICE**



City of Scotts Valley

Public Works Department
701 Lundy Lane Scotts Valley, California 95066
Phone 831 438-5854 Facsimile 831 439-9748

February 8, 2021

To: Kale and Marisa Garamendi

Re: Will Serve Letter APN 056-101-11

This is a "Will Serve Letter" for the above stated property APN, 145 Pippin Way in the County of Santa Cruz. With regard to the sewer hook-up for this property being in the County of Santa Cruz, your property is in the City sphere of influence for connection to Scotts Valley City sewer which will allow the property owner to connect to the City sewer.

Property owner must submit all improvement plans and any other applications and fees that the City of Scotts Valley requires prior to having the intended property connected to sewer.

Thank you,

Kimarie Jones
Engineering Associate

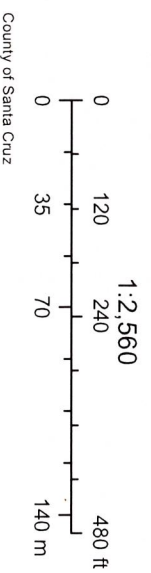
145 PIPPIN WAY APN 056-101-11



February 8, 2021

Parcel APN labels

☐ Parcel APN labels





Santa Cruz Local Agency Formation Commission

Date: April 7, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Draft Budget for Fiscal Year 2021-22**

SUMMARY OF RECOMMENDATION

State law requires that LAFCO adopt a draft budget by May 1st and a final budget by June 15th. Staff noticed a public hearing in the Santa Cruz Sentinel on March 16, 2021 in order for the Commission to consider a draft budget for the upcoming fiscal year during a public forum. LAFCO's funding agencies were also informed about the consideration of the draft budget prior to the April 7th Commission Meeting.

It is recommended that the Commission take the following actions:

1. Adopt the resolution (LAFCO No. 2021-09) approving the draft budget for Fiscal Year 2021-22, with the following conditions:
 - a. Direct staff to distribute the draft budget for review and comment to the 27 funding agencies (4 cities, 22 special districts, and County); and
 - b. Direct staff to schedule a public hearing, pursuant to Government Code Section 56381, for consideration and adoption of a final budget for Fiscal Year 2021-22 at the June 2, 2021 Regular LAFCO Meeting.
-

EXECUTIVE OFFICER'S REPORT:

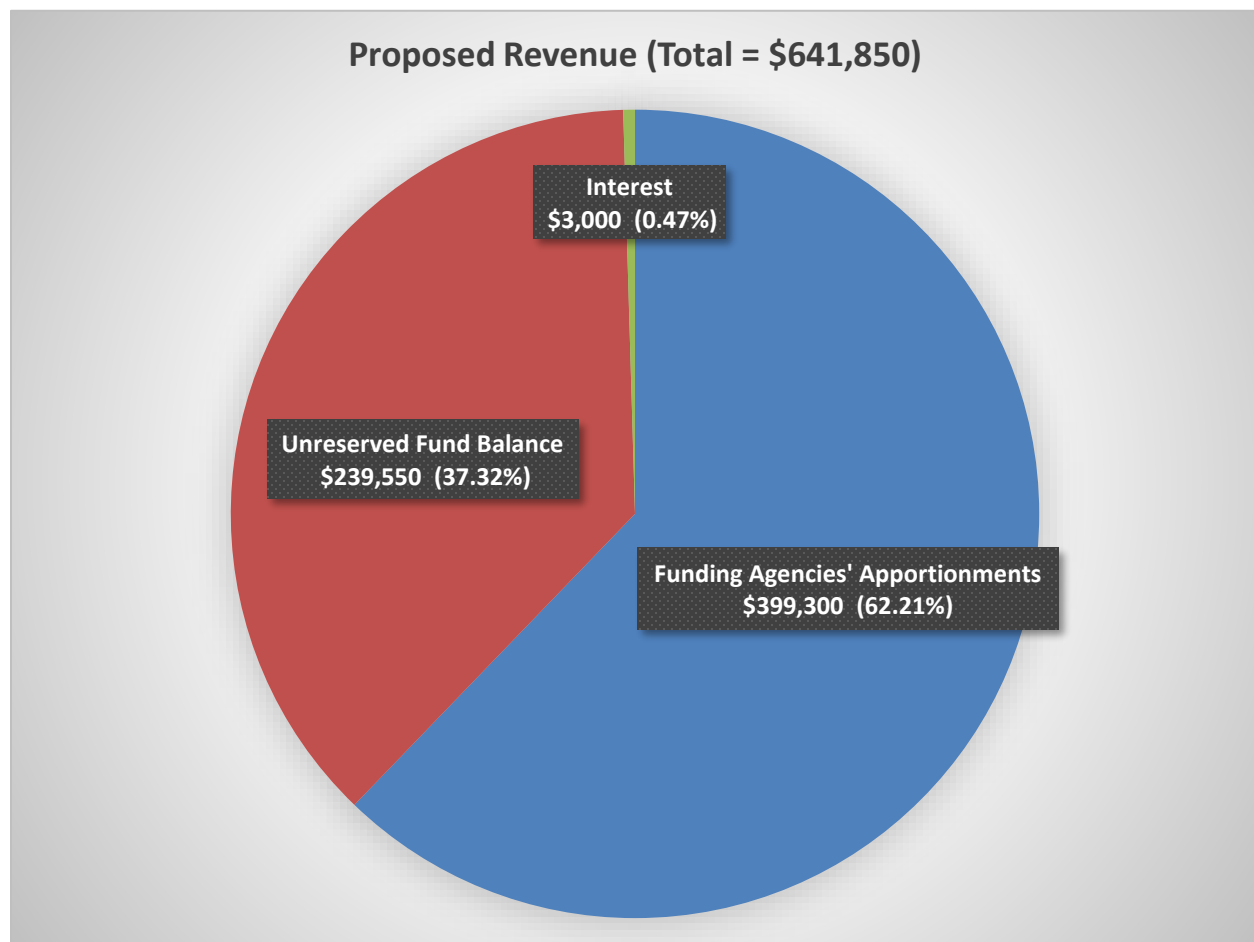
Government Code Section 56381(a) requires the Commission to hold a public hearing to adopt a draft and final budget each year. The proposed FY 2021-22 draft budget is presented in line-item detail for the Commission's review and consideration (refer to **Attachment 1**). If the draft budget is approved by the Commission, it will be distributed to the Board of Supervisors, the cities, and the independent special districts for review and comment. Subsequently, the final budget with any submitted comments, will be considered by the Commission at a second public hearing during the June 2, 2021 Regular LAFCO Meeting.

The proposed FY 2021-22 draft budget is balanced. The expected expenditures are covered by two key funding methods: projected revenues and a drawdown from the unreserved fund balance. The draft budget totals \$641,850 which represents a decrease of 2.3% from the current budget (FY 2020-21 = \$657,100). The following pages provide a description and discussion of the revenues, expenditures, and unreserved fund balance contained in the FY 2021-22 draft budget.

REVENUES

The revenues in the proposed draft budget total \$641,850. There are three categories that comprise of LAFCO's revenue: (1) County, Cities, and Special Districts Apportionments, (2) Interest, and (3) Unreserved Fund Balance. As depicted in **Figure 1**, the apportionments from the funding agencies constitute 62% of total revenues. The remaining revenue source derive from unreserved fund balance (37%) and interest (less than 1%).

Figure 1: Proposed Revenue Amount (FY 2021-22 Draft Budget)



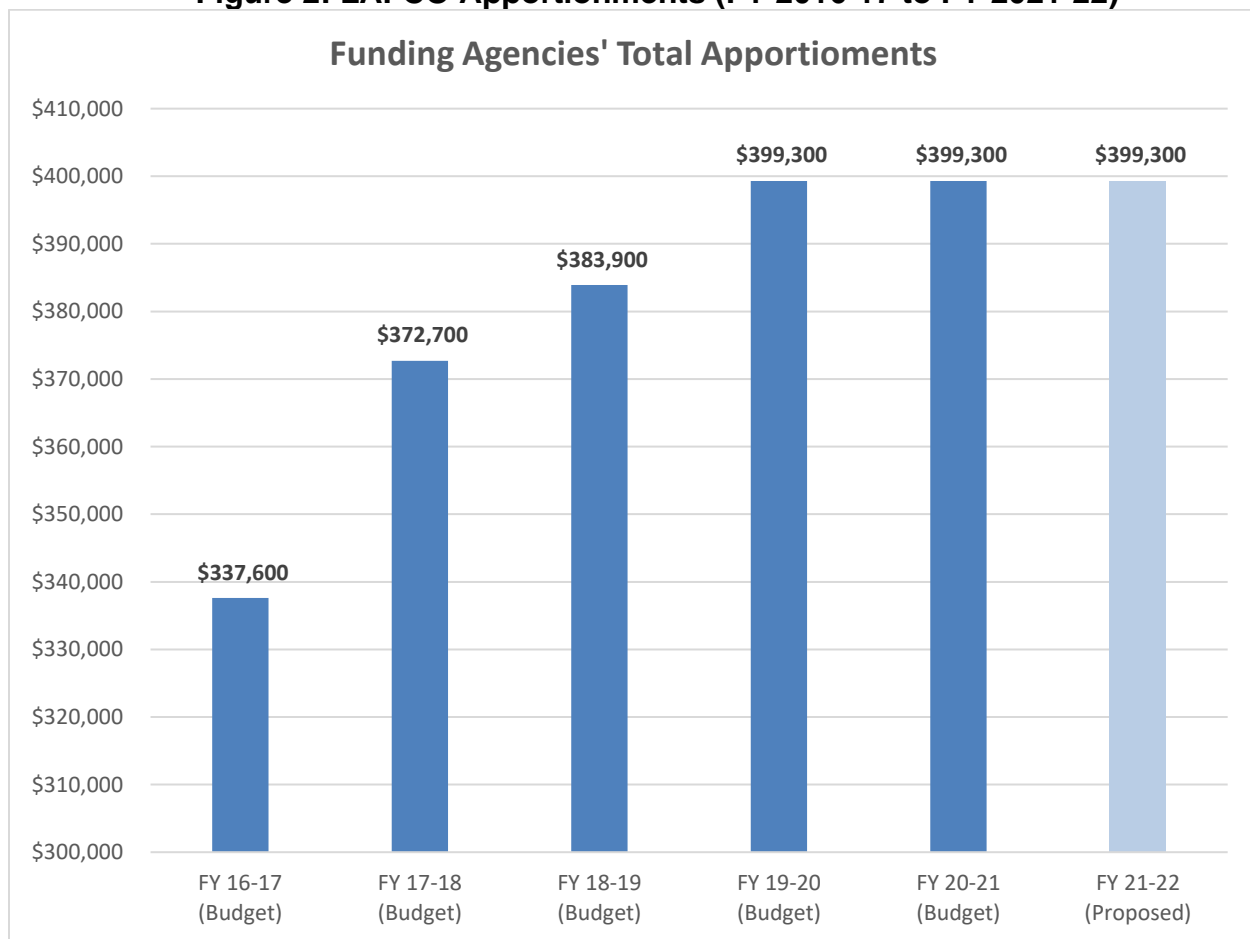
County, Cities, and Special Districts Apportionments

The apportionments from the funding agencies are LAFCO's primary source of revenue. The total apportionment for FY 2021-22 is \$399,300, representing a zero increase when compared to the current budget for FY 2020-21 (LAFCO Dues = \$399,300). The total apportionment amount has not increased in the last two budgets in order to assist our funding agencies during these challenging times, as shown in **Figure 2** on page 3.

Attachment 2 highlights the projected apportionments for each funding agency as part of this year's draft budget. Pursuant to State law, the total apportionment of \$399,300 is equally divided amongst the County, cities, and independent special districts. The apportionments for the individual cities and special districts are calculated by the County Auditor-Controller using the formula outlined in Government Code Section 56381(b)(1)(A), as discussed in the next page.

- **Cities:** The cities' share shall be apportioned in proportion to each city's total revenues, as reported in the most recent edition of the Cities Annual Report published by the Controller, as a percentage of the combined city revenues within a county, or by an alternative method approved by a majority of cities representing the majority of the combined cities' populations.
- **Districts:** The independent special districts' share shall be apportioned in proportion to each district's total revenues as a percentage of the combined total district revenues within a county. A district's total revenue shall be calculated for non-enterprise activities as total revenues for general purpose transactions less intergovernmental revenue and for enterprise activities as total operating and nonoperating revenues less intergovernmental revenue, as reported in the most recent edition of the "Special Districts Annual Report" published by the Controller.

Figure 2: LAFCO Apportionments (FY 2016-17 to FY 2021-22)



Interest

This revenue category includes interest earned from the agency's payroll account. Since the Commission receives an influx of revenues in the beginning of each fiscal year from the funding agencies, the apportionments are deposited into one account which earns interest year-round. Staff withdraws funds from this account throughout the fiscal year to cover the agency's operational expenses. Given the current trends in rates, the draft budget for FY 2021-22 assumes that the interest accrued on the agency's payroll account will generate \$3,000 this upcoming year due to the economic downturn and recovery.

Unreserved Fund Balance

The Commission designates funds for all budget line items in order to operate the LAFCO office, including large expenses such as Legal Services (\$150,000) and Outside Consultants (\$50,000). If the Commission experiences any surplus at the end of the fiscal year, that carryover or “unreserved” amount is maintained in the agency’s payroll account. Historically, the Commission uses this unreserved amount to help balance the upcoming budget, if needed. Over the past several years, the use of unreserved funds as part of the revenue assumptions has helped avoid large fluctuations in the annual apportionments to the funding agencies. The unreserved fund balance for the last four fiscal years is shown below.

Table 1: Unreserved Fund Balance

	FY 16-17 (Actual)	FY 17-18 (Actual)	FY 18-19 (Actual)	FY 19-20 (Actual)	FY 20-21 (Projected)
Unreserved Fund Balance (Year-End)	\$359,610	\$385,040	\$309,687	\$337,820	\$351,651
Funds used to Balance FY 21-22 Budget					<u>\$239,550</u>
Remaining Unreserved Fund Balance Amount					\$112,101

Staff anticipates utilizing \$239,550 of unreserved funds to balance the FY 2021-22 draft budget. Based on these budget projections, and assuming all unreserved funds are used, it is anticipated that the total unreserved fund balance will remain around \$112,101 or approximately 17% of the total budget for FY 2021-22.

Previous Revenue Line Items

In past budgets, this LAFCO would anticipate other revenue streams, including filing fees from applications, employee contribution towards medical costs, and copy fees when the public requests for LAFCO documents. Due to their fluctuations, as shown below, staff believes that the stoppage of budgeting for these funds would be a more conservative approach. Therefore, the proposed budget does not factor in these revenue line items.

Table 2: Previously Anticipated Revenue

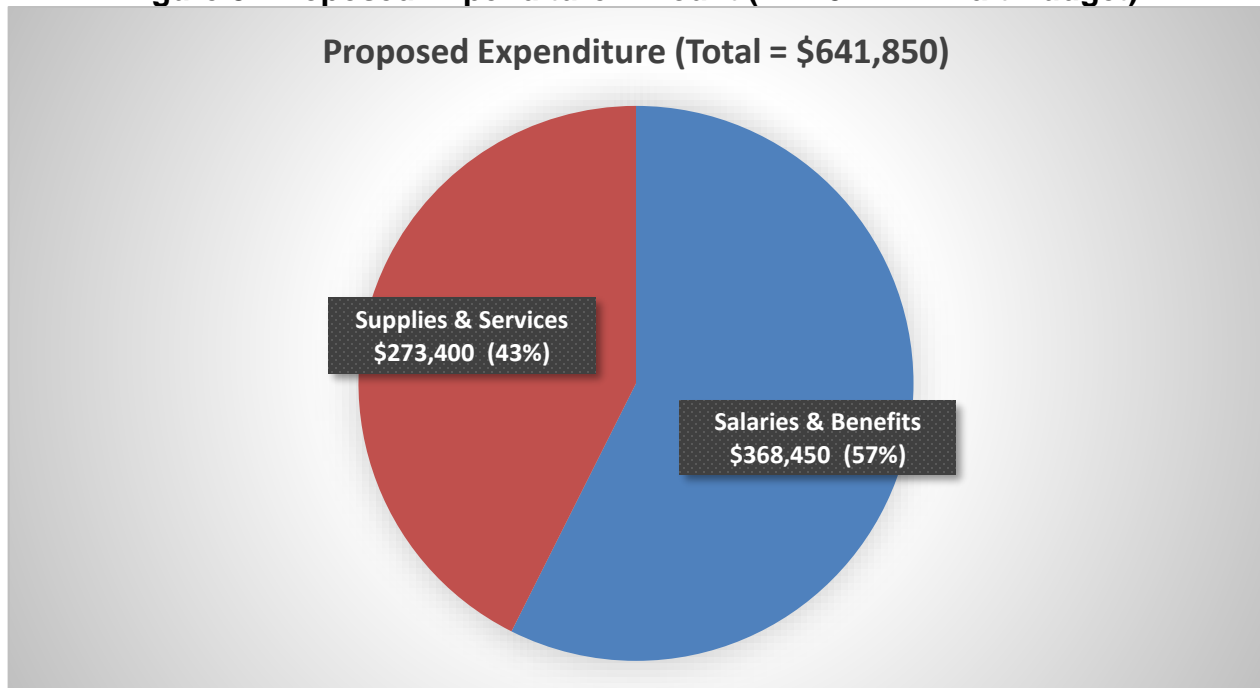
	FY17-18 (Budget)	FY17-18 (Actual)	FY18-19 (Budget)	FY18-19 (Actual)	FY19-20 (Budget)	FY19-20 (Actual)
Processing Fees	\$10,000	\$20,027	\$6,500	\$20,031	\$6,500	\$14,900
Medical Charges: Employee	\$4,760	\$3,162	\$9,500	\$2,043	\$1,000	\$2,132
Copy Charges	\$100	\$0	\$0	\$52	\$100	\$0

EXPENDITURES

The proposed budget expenditures reflect the necessary resources to support LAFCO’s operations and to effectively manage the mandated projects that are not supported by applicant fees, such as preparing updates of agencies’ spheres of influence, conducting municipal service reviews, and other staff assignments. The draft budget includes adjustments to specific budget categories based on past trends and actual expenditures. The Commission expenses are described in two categories: (1) Salaries & Benefits, and

(2) Supplies & Services. The percentage of each category is depicted in **Figure 3** and described briefly in the following sections. **Attachment 3** provides a detailed narrative of all LAFCO expenses within these two categories.

Figure 3: Proposed Expenditure Amount (FY 2021-22 Draft Budget)



Salaries

Santa Cruz LAFCO will have two full-time professional staff members for the upcoming fiscal year. Total salaries for FY 2021-22 is expected to be \$220,000, which represents a 10% decrease from the current budget for FY 2020-21 (\$245,400). The projections in the proposed budget reflect recently approved adjustments to the annual salaries for LAFCO's Executive Officer and Commission Clerk. The following table shows the salary breakdown for Fiscal Years 2019-20, 2020-21, and 2021-22.

Table 3: LAFCO Staff Salary (2019 to 2022)

	FY 19-20 (Adopted)	FY 20-21 (Adopted)	FY 21-22 (Proposed)
Executive Officer	\$140,000	\$144,204	\$151,414
Commission Clerk	\$75,005	\$77,064	\$50,000
Salary Reserve	<u>\$30,395</u>	<u>\$24,132</u>	<u>\$18,586</u>
Total Salary Amount	\$245,400	\$245,400	\$220,000

Historically, the Commission has maintained a salary reserve balance to ensure that LAFCO has enough funds to cover salaries. Staff expects to have around \$19,000 in salary reserve for FY 2021-22. As the Commission is aware, Santa Cruz LAFCO now has two new employees following the retirements of the previous Executive Officer and Commission Clerk. Such transition has resulted in a lower salary range for the new employees, and therefore, a lower total budget overall. Additionally, the proposed budget has discontinued Overtime Pay and Extra Help budgetary expenses because these items have not been utilized in over 5 years and LAFCO staff does not anticipate exhausting such expenses this upcoming fiscal year.

Benefits

The assumptions for the employee benefits (health, dental, life, and insurance) are typically based on information provided by the County of Santa Cruz which provides these benefits to LAFCO staff through a contractual agreement. The benefits for LAFCO staff mirror the benefits provided by the County to its employees. The proposed budget contains assumptions for retirement costs that are based on budgetary trends and figures provided by the California Public Employees' Retirement System (CalPERS). Based on the latest CalPERS actuarial report, staff is increasing the line item by \$8,200 from the current budget (FY 2020-21) for a total of \$68,000 in the proposed budget (FY 2021-22).

Supplies & Services

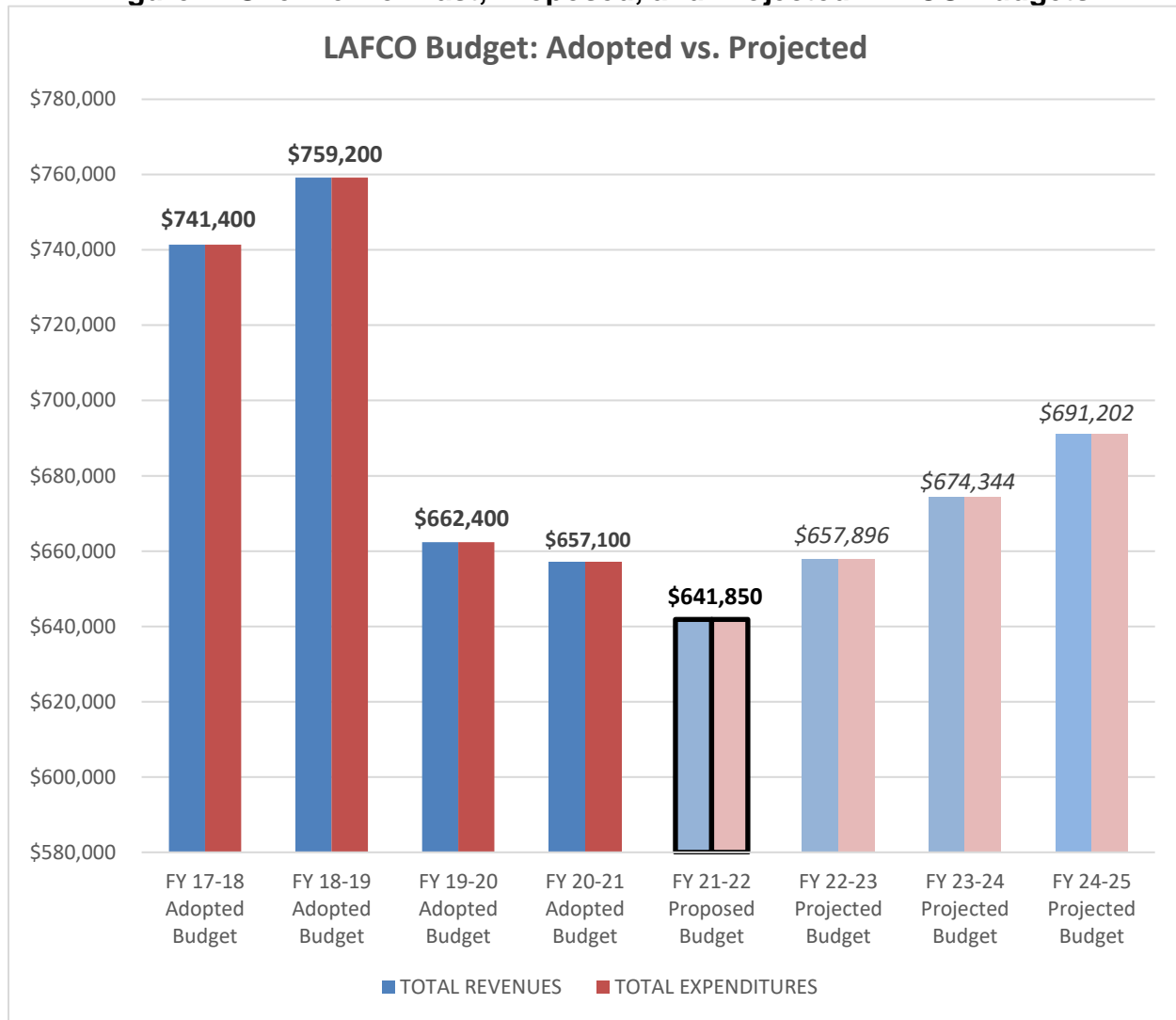
Overall, the Commission's operation demonstrates prudent management of agency expenses. Most of the identified expenditures in the draft budget for FY 2021-22 are the same amount or slightly lower than the current budget. The following provides a brief discussion of the key areas that incorporate proposed changes in the draft budget:

- **Memberships:** This item contains the costs for membership renewals with CALAFCO and the California Special Districts Association. The proposed increase of \$1,100 (now totaling \$7,500) reflects the recent increases in membership dues.
- **Data Services:** This item contains the costs for technical maintenance involving LAFCO's mapping database. The proposed increase of \$2,000 (now totaling \$11,000) reflects the budgetary trend in recent years.
- **Legal Notices:** This item contains the costs of advertising public notices in local newspapers. The proposed increase of \$5,300 (now totaling \$7,000) reflects the increase in transparent practices for disclosing LAFCO actions in newspapers.
- **Surveyor:** This item covers the cost of map and legal description reviews by a land surveyor regarding potential boundary changes. The proposed decrease of \$1,000 (now totaling \$0) reflects the budgetary trend in recent years and the fact that this action is now the responsibility of the applicant rather than LAFCO.
- **Books:** This item covers the charges in purchasing LAFCO-related books or other hard copies. The proposed decrease of \$200 (now totaling \$0) reflects the budgetary trend in recent years and LAFCO's transition to digital copies.

LAFCO BUDGET: PAST AND FUTURE PERSPECTIVE

This Commission strives to maximize funding and resources while maintaining an effective level of productivity. **Figure 4** shows how prudent management, coupled with staff changes, has resulted in significant decreases in overall expenses in the current budget (FY 2020-21) and the proposed draft budget (FY 2021-22). Projections can also help anticipate future changes to the LAFCO budget. In addition to **Figure 4**, **Attachment 4** offers a three-year budgetary outlook. The projections can be used as an informational tool for our funding agencies in preparation towards potential increases in apportionments. For purposes of the three-year budget projection, expenditures were increased by 2.5% each year. This percentage is based on the most recent Consumer Price Index (CPI) available. Please note that the projections shown are subject to change and should be used for discussion purposes only.

Figure 4: Overview of Past, Proposed, and Projected LAFCO Budgets



Based on staff's projections, LAFCO's next three budgets may be subject to increases in overall expenditures. If that occurs, the funding agencies may see an increase in future apportionments. LAFCO staff will continue to find appropriate methods to keep annual expenses down as much as possible to minimize allocation increases. The draft budget for FY 2021-22 reflects the Commission's effort to maximize existing revenues and keep operating costs low.

STAFF RECOMMENDATION

The draft budget for FY 2021-22 is less than the current budget by 2.3% or \$15,250. Conservative budgetary management and staff changes are the primary reasons why the proposed budget did not experience any significant modifications. As a result, the funding agencies' apportionments did not increase for the second consecutive year. In the interim, staff believes that the adopted work program, current level of operations, and any other activities can be accomplished with this proposed budget. Therefore, staff recommends that the Commission adopt the resolution (refer to **Attachment 5**) approving the draft budget for FY 2021-22. A final budget will be presented to the Commission on June 2.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. [FY 2021-22 Draft Budget](#)
2. [FY 2021-22 Apportionments for Funding Agencies](#)
3. [Narrative of Budget Line Items \(Expenditures\)](#)
4. [Three-year Budget Projections](#)
5. [Draft Resolution \(LAFCO No. 2021-09\)](#)

cc: County of Santa Cruz (Board of Supervisors, Auditor-Controller, and CAO)
Cities (Capitola, Santa Cruz, Scotts Valley, and Watsonville)
Independent Special Districts (22 in total)

FISCAL YEAR 2021-22	FY 20-21 Adopted Budget	FY 20-21 Proposed Budget	Budget Variance (\$)	Budget Variance (%)
REVENUE DESCRIPTION				
Interest	\$ 6,000	\$ 3,000	\$ (3,000)	-50%
Funding Agencies' Apportionments	\$ 399,300	\$ 399,300	\$ -	0%
LAFCO Processing Fees			\$ -	
Medical Charges-Employee			\$ -	
Copy Charges			\$ -	
Unreserved Fund Balance	\$ 251,800	\$ 239,550	\$ (12,250)	-5%
TOTAL REVENUES	\$ 657,100	\$ 641,850	\$ (15,250)	-2%
EXPENDITURE DESCRIPTION				
Regular Pay	\$ 245,400	\$ 220,000	\$ (25,400)	-10%
Overtime Pay	\$ 1,000	\$ -	\$ (1,000)	-100%
Extra Help	\$ 1,000	\$ -	\$ (1,000)	-100%
Sick Leave	\$ 1,000	\$ 1,000	\$ -	0%
Holiday Pay	\$ 10,100	\$ 10,000	\$ (100)	-1%
Social Security	\$ 18,200	\$ 18,000	\$ (200)	-1%
PERS	\$ 59,800	\$ 68,000	\$ 8,200	14%
Insurances	\$ 50,500	\$ 50,000	\$ (500)	-1%
Unemployment	\$ 400	\$ 450	\$ 50	13%
Workers Comp	\$ 1,000	\$ 1,000	\$ -	0%
Total Salaries & Benefits	\$ 388,400	\$ 368,450	\$ (19,950)	-5%
Telecom	\$ 2,000	\$ 2,000	\$ -	0%
Office Equipment	\$ 200	\$ 200	\$ -	0%
Memberships	\$ 6,400	\$ 7,500	\$ 1,100	17%
Hardware	\$ 300	\$ 300	\$ -	0%
Duplicating	\$ 1,600	\$ 1,000	\$ (600)	-38%
PC Software	\$ 600	\$ 600	\$ -	0%
Postage	\$ 1,000	\$ 800	\$ (200)	-20%
Subscriptions	\$ 500	\$ 500	\$ -	0%
Supplies	\$ 1,000	\$ 1,000	\$ -	0%
Accounting	\$ 1,500	\$ 1,500	\$ -	0%
Attorney	\$ 150,000	\$ 150,000	\$ -	0%
Data Service	\$ 10,000	\$ 12,000	\$ 2,000	20%
Director Fees	\$ 6,000	\$ 6,000	\$ -	0%
Surveyor	\$ 1,000	\$ -	\$ (1,000)	-100%
Prof. Services	\$ 50,000	\$ 50,000	\$ -	0%
Legal Notices	\$ 1,700	\$ 7,000	\$ 5,300	312%
Rents	\$ 9,000	\$ 9,000	\$ -	0%
Misc. Expenses	\$ 6,000	\$ 5,000	\$ (1,000)	-17%
Books	\$ 200	\$ -	\$ (200)	-100%
Air Fare	\$ 3,000	\$ 3,000	\$ -	0%
Auto Rental	\$ 200	\$ 200	\$ -	0%
Training	\$ 1,800	\$ 1,800	\$ -	0%
Lodging	\$ 5,200	\$ 5,200	\$ -	0%
Meals	\$ 600	\$ 500	\$ (100)	-17%
Mileage	\$ 3,000	\$ 3,000	\$ -	0%
Travel-Other	\$ 500	\$ 300	\$ (200)	-40%
Registrations	\$ 5,400	\$ 5,000	\$ (400)	-7%
Total Services & Supplies	\$ 268,700	\$ 273,400	\$ 4,700	2%
TOTAL EXPENDITURES	\$ 657,100	\$ 641,850	\$ (15,250)	-2%

Description	Operating Revenue	Non-Operating Revenue	Apportionment Basis			Calculate Proportionate Share	Fee Percentage Projection	Auditor Administration Costs	Total
			Revenue latest Published State Controller's Report	Deduct Intergovernmental	Total less Intergovernmental				
LAFCO Total 2021-2022 Working Budget			399,300					2,500.00	401,800.00
Allocate 1/3 fee to County of Santa Cruz			133,100			133,100.00	33.333%	833.33	133,933.33
County of Santa Cruz									
Allocate 1/3 fee to all Cities Revenue Factor 2018-2019 Cities Annual Report			133,100						
City of Capitola			23,159,024	(683,102)	22,475,922	7,246.49	1.815%	45.37	7,291.86
City of Santa Cruz			249,325,135	(3,946,018)	245,379,117	79,113.03	19.813%	495.32	79,608.35
City of Scotts Valley			21,233,769	(1,811,074)	19,422,695	6,262.10	1.568%	39.21	6,301.31
City of Watsonville			128,296,210	(2,747,376)	125,548,834	40,478.38	10.137%	253.43	40,731.81
			422,014,138	(9,187,570)	412,826,568	133,100.00	33.333%	833.33	133,933.33
Allocate 1/3 fee to Independent Districts - Revenue Factor 2018-2019 Special Districts Annual Report			133,100						
Non-Enterprise									
Alba Park & Rec			1,875	0	1,875	2.24	0.001%	0.01	2.25
Aptos/La Selva Fire Protection (1)			13,438,817	(481,631)	12,957,186	15,502.18	3.882%	97.06	15,599.24
Ben Lomond Fire Protection			983,629	(5,084)	978,545	1,170.75	0.293%	7.33	1,178.08
Boulder Creek Fire Protection			1,288,757	(5,679)	1,283,078	1,535.09	0.384%	9.61	1,544.70
Boulder Creek Park & Rec			532,245	(1,250)	530,995	635.29	0.159%	3.98	639.27
Branciforte Fire Protection			1,298,895	(326,972)	971,923	1,162.82	0.291%	7.28	1,170.10
Central Santa Cruz County Fire Protection (1)			19,821,510	(640,446)	19,181,064	22,948.52	5.747%	143.68	23,092.20
Felton Fire Protection			907,632	(15,312)	892,320	1,067.59	0.267%	6.68	1,074.27
La Selva Beach Park & Rec			196,466	(4,671)	191,795	229.47	0.057%	1.44	230.91
Opal Cliffs Park & Rec			28,072	(22)	28,050	33.56	0.008%	0.21	33.77
Pajaro Valley Fire Protection			2,114,748	(10,141)	2,104,607	2,517.98	0.631%	15.76	2,533.74
Pajaro Valley Public Cemetery			1,380,357	(4,056)	1,376,301	1,646.63	0.412%	10.31	1,656.94
Pajaro Valley Water Management Agency			12,829,097	(85,070)	12,744,027	15,247.15	3.818%	95.46	15,342.61
Reclamation District 2049			47,606	0	47,606	56.96	0.014%	0.36	57.32
Santa Cruz County Resource Conserv.			2,190,238	(1,126,386)	1,063,852	1,272.81	0.319%	7.97	1,280.78
Scotts Valley Fire Protection			8,368,608	(930,564)	7,438,044	8,898.99	2.229%	55.72	8,954.71
Zayante Fire Protection			830,502	(291,320)	539,182	645.09	0.162%	4.04	649.13
Non-Enterprise Subtotal			66,259,054	(3,928,604)	62,330,450	74,573.12	18.676%	466.90	75,040.02
Enterprise - Operating plus Non-Operating Revenue	Operating Revenue	Non-Operating Revenue	Total Revenue						
Central Santa Cruz County Water	1,011,380	153,483	1,164,863	(679)	1,164,184	1,392.85	0.349%	8.72	1,401.57
Salsipuedes Sanitary	390,457	51,093	441,550	(126)	441,424	528.13	0.132%	3.31	531.44
San Lorenzo Valley County Water (2)	10,130,799	1,261,847	11,392,646	(4,282)	11,388,364	13,625.22	3.412%	85.31	13,710.53
Santa Cruz Port District	9,211,327	1,004,085	10,215,412	(572,896)	9,642,516	11,536.46	2.889%	72.23	11,608.69
Scotts Valley County Water	6,025,665	1,073,888	7,099,553	(5,145)	7,094,408	8,487.86	2.126%	53.14	8,541.00
Soquel Creek Water District	18,563,912	623,701	19,187,613	0	19,187,613	22,956.36	5.749%	143.73	23,100.09
Enterprise Subtotal	49,501,637		(583,128)		48,918,509	58,526.88	14.657%	366.44	58,893.32
Special District Total	115,760,691		(4,511,732)		111,248,959	133,100.00	33.333%	833.34	133,933.34
Grand total						399,300.00	100.000%	2,500.00	401,800.00

Footnotes:

(1) Aptos/La Selva FPD & Central FPD Consolidated in Feb 2021; payment request of \$38,691.44 will be sent to Central Fire District of Santa Cruz County

(2) Includes SLV Water, SLV Waste, and Lompico Water

Local Agency Formation Commission of Santa Cruz County
Budget Line Item Narrative FY 2021-22

Budget Line Item (Object Code)	Description
Salaries & Benefits	
51000 Regular Pay \$220,000 Executive Officer: Current Salary (12,617.85/month) Commission Clerk: Current Salary (\$4,166.67/month)	Total Salary Breakdown: Executive Officer \$151,414 Commission Clerk \$ 50,000 Salary Reserve* <u>\$ 18,586</u> Total Salary \$220,000 *Salary Reserve: Allows for possible adjustments to staff salaries, cash out of administrative leave, and payment of unused leave upon termination of employment.
51005 Overtime Pay \$0	LAFCO staff may work overtime during periods of major projects and night meetings.
51010 Extra Help \$0	These funds may be used if needed for temporary clerical assistance during the Commission Clerk's absence.
51015 Sick Leave \$1,000	Sick leave is budgeted as a lump sum.
51035 Holiday Pay \$10,000	Holiday pay is budgeted as a lump sum.
52010 Social Security \$18,000	This amount is based on a percentage of total salaries and historical trends.
52015 PERS \$68,000	This amount covers the Commission's contributions to the Public Employees Retirement System (PERS). Effective July 1, 2021, the employer's share of the normal costs will decrease from 7.73% of salaries to 7.59% and the employer's lump sum payment of unfunded liability will decrease from \$64,090 to \$62,906.
53010 Employee Insurance \$50,000	This amount provides for health insurance through PERS and for dental, eye care, life insurance, and limited disability insurance through the County's program. The employees pay a portion of the costs. The employees' contributions are budgeted as revenue, and reduce the net cost of this benefit to the Commission.
53015 Unemployment \$450	This amount is based on a percentage of total salaries and historical trends.
54010 Workers' Compensation \$1,000	The Commission obtains this coverage from the Special District Risk Management Authority (SDRMA).
Total Salaries & Benefits	\$368,450

Budget Line Item (Object Code)	Description
Services & Supplies	
61220 Telephone \$2,000	This amount covers the costs towards LAFCO's telephone system and annual usage.
61725 Maintenance of Office Equipment \$200	This amount covers the costs towards maintenance of LAFCO's copier and other office equipment.
62020 Memberships \$7,500	This amount provides for membership with the California Association of LAFCOs (CALAFCO), California Special Districts Association (CSDA), and any other relative group.
62111 Computer Hardware \$300	This amount covers any hardware needed to conduct administrative/operational projects.
62214 Duplicating \$1,000	This amount covers the costs to copy reports, maps or other relative material by the County or at a local printing shop.
62219 Software \$600	This amount covers any web-based software needed to conduct administrative/operational projects.
62221 Postage \$800	This amount covers the costs of mailing public notices and regular correspondence.
62222 Subscriptions \$500	This amount covers annual subscriptions including but not limited to LAFCO's web-based presentation platform (Prezi).
62223 Supplies \$1,000	This amount covers office-related supplies.
62310 Accounting \$1,500	This amount is the cost of accounting services from the County Auditor. It includes payroll, vendor payments, and auditing.
62304 Attorney \$150,000	This amount represents routine legal services from the County Counsel's office or a private law firm (\$40,000), and a litigation reserve (\$110,000).
62325 Data Services \$12,000	This amount covers the charges from the County I.T. Department regarding LAFCO's computers, printers, mapping system, and other database services.
62327 Director Fees \$6,000	This amount is calculated upon all 11 Commissioners being paid a \$50 stipend for their attendance to 11 meetings.
62330 Surveyor \$0	This amount covers map checking by the County Surveyor and map prints from the County Public Works Department.
62381 Professional Services \$50,000	This amount covers outside assistance when preparing service and sphere reviews or other special studies.
62420 Legal Notices \$7,000	This amount is used to pay for public hearing notices and other legal advertisement.

62610 Rent \$9,000	This amount covers the County's charges for LAFCO to rent its office on the third floor of the governmental center. The annual rent has increased from \$8,415 to \$8,925. Additionally, the County charges the Commission to store and retrieve LAFCO's old records in the County warehouse.
62856 Miscellaneous Expenses \$5,000	This amount is used for paying web-hosting costs, and filing fees including but not limited to the State Department of Tax & Fee Administration and the State Department of Fish and Wildlife.
62890 Books \$0	This amount is used to purchase LAFCO-related books and other written material.
62910 Airfare \$3,000	This amount is used to attend meetings that are in distant locations in California.
62912 Auto Rental \$200	This amount is based on historical trends.
62914 Education & Training \$1,800	This amount represents staff development courses and seminars.
62922 Lodging \$5,200	This amount covers overnight stays for Commissioners and staff attending training sessions, workshops, and annual conferences.
62924 Meals \$500	This amount is the average allowance towards meal costs associated with LAFCO-related meetings or travels.
62926 Mileage \$3,000	This amount include mileage for LAFCO-related errands, and allowance for Commissioners and staff to attend conferences, seminars, CALAFCO board meetings, and other meetings.
62928 Travel \$300	This amount covers miscellaneous travel costs such as train fares, bus fares, parking, and bridge tolls.
62930 Registrations \$5,000	This amount covers workshop and conference registrations for Commissioners and staff when attending educational courses.
Total Services & Supplies	\$273,400

FY 2021-22 Budget Recap (Expenditure)

Salaries & Benefits	\$ 368,450
Services & Supplies	\$ <u>273,400</u>
Total Expenditure	\$ 641,850

FISCAL YEAR 2021-22	FY 17-18 Adopted Budget	FY 18-19 Adopted Budget	FY 19-20 Adopted Budget	FY 20-21 Adopted Budget	FY 21-22 Proposed Budget	FY 22-23 Projected Budget	FY 23-24 Projected Budget	FY 24-25 Projected Budget
REVENUE DESCRIPTION								
Interest	\$ 4,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 3,000	\$ 3,075	\$ 3,152	\$ 3,231
Funding Agencies' Apportionments	\$ 372,700	\$ 383,900	\$ 399,300	\$ 399,300	\$ 399,300	\$ 409,283	\$ 419,515	\$ 430,002
LAFCO Processing Fees	\$ 10,000	\$ 6,500	\$ 6,500	\$ -	\$ -	\$ -	\$ -	\$ -
Medical Charges-Employee	\$ 4,600	\$ 9,500	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ -
Copy Charges	\$ 100	\$ -	\$ 100	\$ -	\$ -	\$ -	\$ -	\$ -
Unreserved Fund Balance	\$ 350,000	\$ 353,300	\$ 249,500	\$ 251,800	\$ 239,550	\$ 245,539	\$ 251,677	\$ 257,969
TOTAL REVENUES	\$ 741,400	\$ 759,200	\$ 662,400	\$ 657,100	\$ 641,850	\$ 657,896	\$ 674,344	\$ 691,202
EXPENDITURE DESCRIPTION								
Regular Pay	\$ 259,700	\$ 269,700	\$ 245,400	\$ 245,400	\$ 220,000	\$ 225,500	\$ 231,138	\$ 236,916
Overtime Pay	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	\$ -	\$ -	\$ -
Extra Help	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	\$ -	\$ -	\$ -
Sick Leave	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,025	\$ 1,051	\$ 1,077
Holiday Pay	\$ 9,000	\$ 9,800	\$ 10,100	\$ 10,100	\$ 10,000	\$ 10,250	\$ 10,506	\$ 10,769
Social Security	\$ 20,000	\$ 20,700	\$ 18,200	\$ 18,200	\$ 18,000	\$ 18,450	\$ 18,911	\$ 19,384
PERS	\$ 64,000	\$ 65,300	\$ 59,800	\$ 59,800	\$ 68,000	\$ 69,700	\$ 71,443	\$ 73,229
Insurances	\$ 39,000	\$ 43,300	\$ 50,500	\$ 50,500	\$ 50,000	\$ 51,250	\$ 52,531	\$ 53,845
Unemployment	\$ 400	\$ 400	\$ 400	\$ 400	\$ 450	\$ 461	\$ 473	\$ 485
Workers Comp	\$ 1,100	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,025	\$ 1,051	\$ 1,077
Total Salaries & Benefits	\$ 396,200	\$ 413,200	\$ 388,400	\$ 388,400	\$ 368,450	\$ 377,661	\$ 387,103	\$ 396,780
Telecom	\$ 1,200	\$ 2,100	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,050	\$ 2,101	\$ 2,154
Office Equipment	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 205	\$ 210	\$ 215
Memberships	\$ 4,200	\$ 4,400	\$ 4,500	\$ 6,400	\$ 7,500	\$ 7,688	\$ 7,880	\$ 8,077
Hardware	\$ 800	\$ -	\$ 300	\$ 300	\$ 300	\$ 308	\$ 315	\$ 323
Duplicating	\$ 1,000	\$ 1,200	\$ 1,200	\$ 1,600	\$ 1,000	\$ 1,025	\$ 1,051	\$ 1,077
PC Software	\$ 500	\$ 600	\$ 600	\$ 600	\$ 600	\$ 615	\$ 630	\$ 646
Postage	\$ 3,200	\$ 1,400	\$ 1,400	\$ 1,000	\$ 800	\$ 820	\$ 841	\$ 862
Subscriptions	\$ 600	\$ 800	\$ 500	\$ 500	\$ 500	\$ 513	\$ 525	\$ 538
Supplies	\$ 1,300	\$ 1,700	\$ 1,500	\$ 1,000	\$ 1,000	\$ 1,025	\$ 1,051	\$ 1,077
Accounting	\$ 1,200	\$ 1,200	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,538	\$ 1,576	\$ 1,615
Attorney	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 153,750	\$ 157,594	\$ 161,534
Data Service	\$ 15,800	\$ 16,700	\$ 16,700	\$ 10,000	\$ 12,000	\$ 12,300	\$ 12,608	\$ 12,923
Director Fees	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,000	\$ 6,150	\$ 6,304	\$ 6,461
Surveyor	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -	\$ -	\$ -	\$ -
Prof. Services	\$ 125,000	\$ 125,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 51,250	\$ 52,531	\$ 53,845
Legal Notices	\$ 1,400	\$ 1,700	\$ 1,700	\$ 1,700	\$ 7,000	\$ 7,175	\$ 7,354	\$ 7,538
Rents	\$ 8,400	\$ 8,400	\$ 8,500	\$ 9,000	\$ 9,000	\$ 9,225	\$ 9,456	\$ 9,692
Misc. Expenses	\$ 5,900	\$ 5,900	\$ 6,500	\$ 6,000	\$ 5,000	\$ 5,125	\$ 5,253	\$ 5,384
Books	\$ 300	\$ 300	\$ 200	\$ 200	\$ -	\$ -	\$ -	\$ -
Air Fare	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,075	\$ 3,152	\$ 3,231
Auto Rental	\$ 200	\$ 200	\$ 200	\$ 200	\$ 200	\$ 205	\$ 210	\$ 215
Training	\$ 900	\$ 900	\$ 1,800	\$ 1,800	\$ 1,800	\$ 1,845	\$ 1,891	\$ 1,938
Lodging	\$ 5,200	\$ 5,200	\$ 5,200	\$ 5,200	\$ 5,200	\$ 5,330	\$ 5,463	\$ 5,600
Meals	\$ 600	\$ 600	\$ 600	\$ 600	\$ 500	\$ 513	\$ 525	\$ 538
Mileage	\$ 1,700	\$ 1,600	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,075	\$ 3,152	\$ 3,231
Travel-Other	\$ 200	\$ 500	\$ 500	\$ 500	\$ 300	\$ 308	\$ 315	\$ 323
Registrations	\$ 5,400	\$ 5,400	\$ 5,400	\$ 5,400	\$ 5,000	\$ 5,125	\$ 5,253	\$ 5,384
Total Services & Supplies	\$ 345,200	\$ 346,000	\$ 274,000	\$ 268,700	\$ 273,400	\$ 280,235	\$ 287,241	\$ 294,422
TOTAL EXPENDITURES	\$ 741,400	\$ 759,200	\$ 662,400	\$ 657,100	\$ 641,850	\$ 657,896	\$ 674,344	\$ 691,202

LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY
RESOLUTION NO. 2021-09

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

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
ADOPTING A DRAFT BUDGET FOR FISCAL YEAR 2021-22

WHEREAS, California Government Code Section 56381(a) requires the Local Agency Formation Commission of Santa Cruz County ("LAFCO" or "Commission") to adopt draft and final budgets each year by May 1st and June 15th, respectively; and

WHEREAS, the Commission's Executive Officer prepared a written report outlining recommendations with respect to anticipated work activities and budgetary needs in Fiscal Year 2021-22; and

WHEREAS, the proposed budget was advertised in the Santa Cruz Sentinel Newspaper on March 16 for consideration at the April 7th LAFCO Meeting; and

WHEREAS, the Commission heard and fully considered all the evidence on a draft budget during a public hearing held on April 7, 2021; and

WHEREAS, the draft and final budget will allow the Commission to fulfill the programs and purposes of the Cortese-Knox-Hertzberg Act because it will allow the Commission to prepare the state-mandated service reviews in a timely manner; and

WHEREAS, the Commission will consider adoption of a final budget for Fiscal Year 2021-22 during a public hearing scheduled for June 2, 2021.

NOW, THEREFORE, BE IT RESOLVED, the Commission hereby adopts a draft budget for the fiscal year beginning July 1, 2021 in the amount of \$641,850 with the new amount to be funded by the participating agencies of \$399,300 plus the County Auditor-Controller's fee to calculate and collect the participating agencies' apportionments.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this 7th day of April 2021.

AYES:

NOES:

ABSENT:

JUSTIN CUMMINGS, CHAIRPERSON

Attest:

Approved as to form:

Joe A. Serrano
Executive Officer

Daniel H. Zazueta
LAFCO Counsel



Santa Cruz Local Agency Formation Commission

Date: April 7, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Legislative Update**

SUMMARY OF RECOMMENDATION

LAFCO staff tracks bills during the legislative session and provides periodic updates. The Commission may take a position on any tracked bill.

It is recommended that the Commission take a “Support” position on Assembly Bill 1581 (Omnibus Bill) and direct the Executive Officer to submit a letter to the bill’s author declaring the Commission’s position.

EXECUTIVE OFFICER’S REPORT:

The California Legislature reconvened earlier this year and started a new two-year session. Over 2,000 new bill proposals were introduced prior to the February 19 deadline for non-committee proposals. All bill proposals must pass out of the house of origin (Assembly or Senate) no later than May 21. Afterwards, all bills must pass through both houses by September 10 with a 30-day period for the Governor to either sign or veto passed bills. **Attachment 1** provides an overview of this year’s legislative calendar. The website for additional bill information is <http://leginfo.legislature.ca.gov/>.

Tracked Bills

The California Association of LAFCOs (CALAFCO) monitors legislative matters that may impact the Commission’s ability to effectively administer its regulatory responsibilities. At present, there are 30 bills that directly or indirectly impact LAFCOs. An overview of each of the 30 tracked bills is attached (refer to **Attachment 2**). Staff is currently watching these bills, including this year’s Omnibus Bill.

Assembly Bill 1581

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH Act”) provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. The Omnibus bill makes minor, non-substantive changes to the CKH Act. CALAFCO is sponsoring the 2021 Assembly Local Government Committee (ALGC) Omnibus bill, which identifies 4 potential non-substantive edits to the CKH Act, as shown in **Attachment 3**.

Attachment 4 provides a copy of CALAFCO’s letter of support for the Omnibus Bill. As the new CALAFCO Legislative Liaison, LAFCO staff is recommending that the Commission adopt a “Support” position and send a similar letter to the bill’s author. **Attachment 5** is a draft letter of support for Commission consideration.

LAFCO staff will continue to monitor and provide periodic updates on the 30 tracked bills, the Omnibus bill, and any new LAFCO-related bills as the legislative session unfolds.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachment:

1. [State Legislative Calendar](#)
2. [Tracking Sheet of LAFCO-related Bills \(as of March 29, 2021\)](#)
3. [AB 1581 Language \(as of March 22, 2021\)](#)
4. [CALAFCO's Letter of Support \(AB 1581\)](#)
5. [Santa Cruz LAFCO's Letter of Support \(Draft Version\)](#)

2021 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE CHIEF CLERK
Revised 12-21-2020

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

MARCH						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

APRIL						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- [Jan. 1](#) Statutes take effect (Art. IV, Sec. 8(c)).
- [Jan. 10](#) Budget must be submitted by Governor (Art. IV, Sec. 12 (a)).
- [Jan. 11](#) Legislature **reconvenes** (J.R. 51(a)(1)).
- [Jan. 18](#) Martin Luther King, Jr. Day.
- [Jan. 22](#) Last day to submit **bill requests** to the Office of Legislative Counsel.

- [Feb. 15](#) Presidents' Day
- [Feb. 19](#) Last day for bills to be **introduced** (J.R. 61(a)(1)), (J.R. 54(a)).

- [Mar. 25](#) **Spring Recess** begins upon adjournment of this day's session (J.R. 51(a)(2)).
- [Mar. 31](#) Cesar Chavez Day.

- [Apr. 5](#) Legislature reconvenes from **Spring Recess** (J.R. 51(a)(2)).
- [Apr. 30](#) Last day for **policy committees** to hear and report to Fiscal Committees **fiscal bills** introduced in their house (J.R. 61(a)(2)).

- [May 7](#) Last day for **policy committees** to hear and report to the Floor **non-fiscal** bills introduced in their house (J.R. 61(a)(3)).
- [May 14](#) Last day for **policy committees** to meet prior to June 7 (J.R. 61(a)(4)).
- [May 21](#) Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61 (a)(5)). Last day for **fiscal committees** to meet prior to June 7 (J.R. 61 (a)(6)).
- [May 31](#) Memorial Day.

* Holiday schedule subject to final approval by Rules Committee

2021 TENTATIVE LEGISLATIVE CALENDAR
COMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE CHIEF CLERK
Revised 12-21-2020

JUNE						
S	M	T	W	TH	F	S
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	5
6	<u>7</u>	8	9	10	11	12
13	14	<u>15</u>	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

June 1-4 Floor Session Only. No committee, other than Conference or Rules, may meet for any purpose (J.R. 61(a)(7)).

June 4 Last day for bills to be **passed out of the house of origin** (J.R. 61(a)(8)).

June 7 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget bill must be passed by **midnight** (Art. IV, Sec. 12 (c)(3)).

JULY						
S	M	T	W	TH	F	S
				1	<u>2</u>	3
4	5	6	7	8	9	10
11	12	13	<u>14</u>	15	<u>16</u>	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

July 2 Independence Day observed.

July 14 Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)).

July 16 Summer Recess begins upon adjournment of this day's session, provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	<u>16</u>	17	18	19	20	21
22	23	24	25	26	<u>27</u>	28
29	<u>30</u>	<u>31</u>				

Aug. 16 Legislature reconvenes from **Summer Recess** (J.R. 51(a)(3)).

Aug. 27 Last day for **fiscal committees** to meet and report bills to the Floor (J.R. 61(a)(11)).

Aug. 30-Sept. 10 Floor Session only. No committees, other than conference committees and Rules Committee, may meet for any purpose (J.R. 61(a)(12)).

SEPTEMBER						
S	M	T	W	TH	F	S
			<u>1</u>	<u>2</u>	<u>3</u>	4
5	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Sept. 3 Last day to **amend** bills on the Floor (J.R. 61(a)(13)).

Sept. 6 Labor Day.

Sept. 10 Last day for **each house to pass bills** (J.R. 61(a)(14)).
Interim Study Recess begins at end of this day's session (J.R. 51(a)(4)).

IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

2021

Oct. 10

Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 10 and in the Governor's possession after Sept. 10 (Art. IV, Sec. 10(b)(1)).

2022

Jan. 1

Statutes take effect (Art. IV, Sec. 8(c)).

Jan. 3

Legislature reconvenes (J.R. 51 (a)(4)).

CALAFCO Daily Legislative Report as of Monday, March 29, 2021

1

[AB 339](#) **(Lee D) State and local government: open meetings.**

Current Text: Introduced: 1/28/2021 [html](#) [pdf](#)

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service option to be provided to the public.

Attachments:

[AB 339 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: This bill allows for continued remote participant in local (and state) hearings/meetings while adding requirements for both call-in and internet service based options for all public meetings; requires providing closed caption services; and requires agencies to provide language access services.

The bill requires teleconferenced meetings to include an in-person public comment opportunity that creates a place where members of the public can gather at a designated site to give public comment (barring any in-person restrictions). Further, the bill requires the agenda and instructions for accessing the meeting to be translated into all languages for which 5% of the population in the area governed by the local agency is a speaker.

The bill adds requirements for local agencies to employ a sufficient amount of qualified bilingual people to provide translation services during the meeting in the language of the non-English speaking person (consistent with all languages for which 5% of the population in the area governed by the local agency speak).

The bill adds similar requirements for any state legislative body. All of these new requirements are unfunded mandates.

This bill is sponsored by the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

[AB 361](#) **(Rivas, Robert D) Open meetings: local agencies: teleconferences.**

Current Text: Introduced: 2/1/2021 [html](#) [pdf](#)

Introduced: 2/1/2021

Status: 2/12/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

Attachments:

[AB 361 Fact Sheet](#)

Position: Watch

Subject: Brown Act

CALAFCO Comments: Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that certain requirements are met (noticing, public access, etc.). This bill allows a local agency to conduct meetings using teleconference methods without complying with certain teleconferencing requirements if they are meeting for the purposes of declaring or ratifying a local emergency, during a declared state or local emergency (as defined in statute), when state or local health officials have imposed or recommended certain measures to promote social distancing, and during a declared local emergency provided the legislative body makes certain determinations by majority vote.

The legislative body must give notice of the meeting and post agendas to allow members of the public to access the meeting and address the legislative body, offer public comment, and protect rights of the parties and public appearing before the legislative body. The bill also rescinds the requirement that at least a quorum of the body must meet within the jurisdictional boundaries of the agency under these circumstances when meeting via telecon.

This bill is sponsored by the CA Special Districts Association (CSDA). According to CSDA, amendments are pending that will: address concerns of access mentioned throughout the fact sheet (e.g., call-in or internet-based access), language prohibiting local agencies from requiring that public comments be submitted in advance, adding a 30-day sunset provision, and addressing technological disruptions, limiting the applicability of the bill's provisions to local emergencies proclaimed by counties (i.e., not cities) and technical language about the immediacy of the health threats covered by the bill. The bill is not marked fiscal. A fact sheet is posted in the tracking section of the bill.

AB 703 (Rubio, Blanca D) Open meetings: local agencies: teleconferences.

Current Text: Introduced: 2/16/2021 [html](#) [pdf](#)

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, by Executive Order N-29-20, suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic, provided that notice requirements are met, the ability of the public to observe and comment is preserved, as specified, and that a local agency permitting teleconferencing have a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified. This bill would remove the requirements of the act particular to teleconferencing and allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda and the ability of the public to observe the meeting and provide public comment. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided.

Position: Watch

Subject: Brown Act

CALAFCO Comments: As introduced, the bill removes the requirement to post agendas at all teleconference meeting locations and having to identify all telecon locations in the notice and agenda for the meeting. The bill explicitly requires a local agency to give notice to the public how they can observe the meeting and offer public comment. It further required the local agency to respond to requests for reasonable ADA accommodation requests. The bill also removes certain provisions relating to the telecon meeting of a health authority.

It is CALAFCO's understanding that the author is working with Assm. Rivas (AB 361) and the Assembly Local Government Committee on amendments and possibly joining the two bills. Amendments are not yet available so CALAFCO will keep a watch on the bill until those are available.

The bill is sponsored by Three Valleys Municipal Water Agency.

AB 1581 (Committee on Local Government) Local government: omnibus.

Current Text: Introduced: 3/9/2021 [html](#) [pdf](#)

Introduced: 3/9/2021

Status: 3/11/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. Current law requires the commission to adopt, amend, or revise spheres of influence after a public hearing called and held for that purpose. This bill would revise and recast that provision to provide that the commission is required to adopt, amend, or update spheres of influence after a public hearing called and held for that purpose.

Attachments:

[LAFCo Support letter template](#)

[CALAFCO Support letter](#)

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: This is the annual ALGC Omnibus bill which CALAFCO sponsors. Sections amended are: 56133(a) and (f); 56325.1 (renumbered to 56331.4); 56427; and 56879(a).

Several other non-substantive amendments to CKH are pending and the bill will be amended to reflect those upon completion of the full stakeholder review process.

SB 810 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the First Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support

Subject: Other

CALAFCO Comments: These are the annual validating Acts.

SB 811 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/23/2021 [html](#) [pdf](#)

Introduced: 2/23/2021

Status: 3/22/2021-Read third time. Urgency clause adopted. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Second Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[CALAFCO Support Letter March 2021](#)

Position: Support**Subject:** Other**CALAFCO Comments:** These are the annual validating Acts.**SB 812 (Committee on Governance and Finance) Validations.****Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)**Introduced:** 2/23/2021**Status:** 3/22/2021-Read third time. Passed. (Ayes 37. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

This bill would enact the Third Validating Act of 2021, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:[CALAFCO Support Letter March 2021](#)**Position:** Support**Subject:** Other**CALAFCO Comments:** These are the annual validating Acts.**2****AB 1195 (Garcia, Cristina D) Southern Los Angeles County Regional Water Agency.****Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/4/2021-Referred to Coms. on L. GOV. and E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would create the Southern Los Angeles County Regional Water Agency as a regional water agency serving the drinking water needs of the cities, unincorporated areas, and residents in the communities overlying the Central Basin and West Coast Basin aquifers in southern Los Angeles County. The bill would require the agency to serve the region as the leader in interagency collaboration on water resource issues and to be governed by a 5-member board of locally elected officials in the agency's jurisdiction, each appointed by a specified state or local entity. The bill would authorize the agency to serve the water needs of its region through specified activities, including, among others, operating public water systems or other water infrastructure and integrating other water systems in the region into its operations, as prescribed.

Attachments:[AB 1195 Fact Sheet](#)**Position:** Watch**Subject:** Water

CALAFCO Comments: AB 1195 creates the Southern Los Angeles County Regional Water Agency, intended to provide a framework for regional water collaboration that reduces conflict and provides a public agency that can take over failing water systems. The bill does a number of things including: Authorizes the Regional Agency to do the full range of activities related to water, from operating wholesale and retail public water systems to reducing stormwater pollution and cleaning up groundwater contamination; establishes a board of directors made up of locally elected council members (including COG appointed representatives); and authorizes the Regional Agency to draw revenues from the customers for the public water systems it operates and the services it provides, which may include water rates, charges, fees, or parcel charges. The bill specifies the boundaries of the new Agency, as well as the authority and powers, and governance structure.

In it's current form, this is a special legislation Agency without LAFCo involvement in the formation. CALAFCO and LA LAFCo are working to find out what local entities were involved in the discussions of this legislation and what the intended and unintended impacts/consequences this bill will have.

The bill is author-sponsored and we understand there is currently no funding source. A fact sheet is posted in the tracking section of the bill.

AB 1250 (Calderon D) Water and sewer system corporations: consolidation of service.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on E.S. & T.M. and U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/7/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary:

The California Safe Drinking Water Act, provides for the operation of public water systems and imposes on the State Water Resources Control Board related regulatory responsibilities and duties. Current law authorizes the state board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2021, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing the water or sewer system corporation to consolidate with a public water system or state small water system. The bill would require the commission to approve or deny the application within 8 months, except as provided.

Attachments:

[AB 1250 Fact Sheet 2021](#)

Position: Watch

Subject: Municipal Services, Water

CALAFCO Comments: The intent of the bill is to prescribe response timelines for the PUC in terms of processing consolidations. This bill creates the Consolidation for Safe Drinking Water Act of 2021. The bill allows a water or sewer corp to file an application with the Public Utilities Commission (PUC) to approval to consolidate with a public or state small system. The bill requires the PUC to act on the application within 8 months of receipt. If a consolidation is valued at \$5 million or less, the water or sewer corp can file an advise letter and get the PUC approval via resolution. In this instance, the PUC has 120 days to act on the request. The bill also give the PUC authority to designate a different procedure to request consolidation for systems valued less than \$5M.

The bill requires the PUC to prioritize consolidation requests based on compliance records and requires the entity requesting consolidation to conduct a thorough public process.

The bill is sponsored by the California Water Association and does not have an impact on LAFCos. Nevertheless, CALAFCO will keep a watch on the bill. A fact sheet is posted in the tracking section of the bill.

AB 1295 (Muratsuchi D) Residential development agreements: very high fire risk areas.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Coms. on L. GOV. and H. & C.D.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Director of Forestry and Fire Protection to identify areas in the state as very high fire hazard severity zones based on the severity of fire hazard that is expected to prevail in those areas, as specified, and requires each local agency to designate, by ordinance, the very high fire hazard severity zones in its jurisdiction. Current law additionally requires the director to classify lands within state responsibility areas into fire hazard severity zones. This bill, beginning on or after January 1, 2022, would prohibit the legislative body of a city or county from entering into a residential development agreement for property located in a very high fire risk area. The bill would define "very high fire risk area" for these purposes to mean a very high fire hazard severity zone designated by a local agency or a fire hazard severity zone classified by the director.

Attachments:

[AB 1295 Fact Sheet](#)

Position: Watch**Subject:** Growth Management, Planning**CALAFCO Comments:** This bill prohibits a city or county from entering into a residential development agreement for property located within a very high fire risk area as of 1-1-2022.

This bill appears similar to SB 55 (Stern) except: (1) This bill explicitly calls out residential development, whereas SB 55 addresses new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone; and (2) SB 55 adds a state responsibility area.

The bill is not marked fiscal. This is an author-sponsored bill and a fact sheet is posted in the tracking section of the bill.

SB 55 (Stern D) Very high fire hazard severity zone: state responsibility area: development prohibition.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)**Introduced:** 12/7/2020**Status:** 3/3/2021-Re-referred to Coms. on GOV. & F. and HOUSING.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, in furtherance of specified state housing production and wildfire mitigation goals, prohibit the creation or approval of a new development, as defined, in a very high fire hazard severity zone or a state responsibility area. By imposing new duties on local governments with respect to the approval of new developments in very high fire hazard severity zones and state responsibility areas, this bill would impose a state-mandated local program.

Attachments:[SB 55 Fact Sheet](#)**Position:** Watch**Subject:** Growth Management, Planning

CALAFCO Comments: This bill prohibits the creation or approval of a new development (housing, commercial, retail or industrial) in a very high fire hazard severity zone or a state responsibility area. The bill is author-sponsored and imposes unfunded mandates. A fact sheet is posted in the tracking section of the bill.

This bill appears similar to AB 1295 (Muratsuchi) except this bill appears to be broader in scope in terms of the type of development prohibited and includes a state responsibility area, whereas AB 1295 only addresses residential development in a very high fire risk area.

SB 403 (Gonzalez D) Drinking water: consolidation.

Current Text: Introduced: 2/12/2021 [html](#) [pdf](#)**Introduced:** 2/12/2021**Status:** 3/16/2021-From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 5. Noes 1.) (March 15). Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order consolidation with a receiving water system where a public water system or a state small water system, serving a disadvantaged community, consistently fails to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would authorize the state board to also order consolidation where a water system serving a disadvantaged community is at risk of failing to provide an adequate supply of safe drinking water or where a disadvantaged community is substantially reliant on domestic wells that are at risk of failing to provide an adequate supply of safe drinking water.

Attachments:[SB 403 Fact Sheet 2021](#)**Position:** Oppose unless amended**Subject:** Disadvantaged Communities, Water

CALAFCO Comments: Current law (Health & Safety Code Section 116682) authorizes the State Water Resources Control Board (Board) to order consolidation (physical or operational) of a public

water system or state small water system serving a disadvantaged community that consistently fails to provide an adequate supply of safe drinking water, or a disadvantaged community (in whole or part) that is substantially reliant on domestic wells that consistently fail to provide an adequate supply of safe drinking water. This bill would add to that a water system or domestic well(s) that are at risk of failing to provide an adequate supply of safe drinking water, as determined by the Board. The bill also requires the Board, before ordering consolidation, to conduct outreach to ratepayers and residents served by the at-risk system and to consider any petition submitted by members of a disadvantaged community being served by the at-risk system.

There appears to be several problems with this bill: (1) The bill does not define "at risk" and there is no definition of "at risk" currently in H&S Code Sec. 116681; (2) There is a lack of consultation with GSAs by the State Board when considering ordering consolidation or extension of service; (3) There is no requirement or even consideration for annexation upon extension of service; and (4) there does not appear to be a limitation of the number of connections or the extent to which the system can be extended.

The bill is co-sponsored by the Leadership Counsel for Justice and Accountability, Clean Water Action and Community Water Center. A fact sheet is posted in the tracking section of the bill.

CALAFCO has reached out to the author's office for more information on the bill and to discuss amendments.

3

AB 11 (Ward D) Climate change: regional climate change authorities.

Current Text: Amended: 1/21/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 1/21/2021

Status: 1/25/2021-Re-referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the Strategic Growth Council, by January 1, 2023, to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.

Attachments:

[AB 11 Fact Sheet](#)

Position: Watch

Subject: Other

CALAFCO Comments: As amended on 1/21/21, this bill authorizes/requires the Strategic Growth Council (SGC) to establish up to 12 regional climate change authorities by January 1, 2023, to include local agencies and regional stakeholders. The SGC is required to adopt guidelines that: (1) Define the authority; (2) Include guidelines for establishing an authority via a stakeholder-driven process; (3) Consult with OPR (and other state authorities) in development of the guidelines and award annual grants to authorities.

The bill outlines the regional climate change authorities in summary as: coordination, capacity-building, and technical assistance activities within their boundaries, promote regional alignment and assist local agencies in creating and implementing plans developed pursuant to Section 65302 of the Government Code, other federal or state mandates, and programs designed address climate change impacts and risks. The bill also requires the authority to submit annual reports to the SGC, with the scope of the report outlined in the bill.

This is an author-sponsored bill. There is no appropriation to fund the cost of the program. A fact sheet is posted in the tracking section of the bill.

UPDATE 3/17/21: CALAFCO learned from the author's office they do not intend to move the bill forward, but instead work with Assm. Mullin on AB 897 and merge the two bills.

AB 473 (Chau D) California Public Records Act.

Current Text: Introduced: 2/8/2021 [html](#) [pdf](#)

Introduced: 2/8/2021**Status:** 3/24/2021-Read second time. Ordered to Consent Calendar.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2023.

Position: Watch**Subject:** Public Records Act

CALAFCO Comments: This bill is a redo of AB 2138 from 2020 that did not move forward. According to the author's office, this bill and AB 474 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 474](#) (Chau D) California Public Records Act: conforming revisions.**Current Text:** Introduced: 2/8/2021 [html](#) [pdf](#)**Introduced:** 2/8/2021**Status:** 3/24/2021-Read second time. Ordered to Consent Calendar.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would enact various conforming and technical changes related to another bill that recodifies and reorganizes the California Public Records Act. The bill would only become operative if the related bill recodifying the act is enacted and becomes operative on January 1, 2023. The bill would also specify that any other bill enacted by the Legislature during the 2021 calendar year that takes effect on or before January 1, 2022, and that affects a provision of this bill shall prevail over this act, except as specified.

Position: Watch**Subject:** Public Records Act

CALAFCO Comments: This bill is a redo of AB 2438 from 2020 that did not move forward. According to the author's office, this bill and AB 473 are part of recommendations from the California Law Revision Commissions to reorganize and restructure the CPRA based on a request by the legislature for them to do that. CALAFCO will keep watch on the bill to ensure there are no substantive changes to the PRA.

[AB 588](#) (Garcia, Eduardo D) California Safe Drinking Water Act: compliance period.**Current Text:** Amended: 3/25/2021 [html](#) [pdf](#)**Introduced:** 2/11/2021**Last Amended:** 3/25/2021

Status: 3/25/2021-Referred to Com. on E.S. & T.M. From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Safe Drinking Water Act requires the State Water Resources Control Board to adopt primary drinking water standards for contaminants in drinking water. Current law requires the state board to consider specified criteria when it adopts a primary drinking water standard, including the technological and economic feasibility of compliance. This bill would require that if the state board determines that a primary drinking water standard is not economically feasible for at least 10% of the combined total of specified water systems, the state board identify actions necessary to assist those systems for whom compliance with the proposed primary drinking water standard is not economically feasible to achieve compliance within any compliance period established.

Position: Watch**Subject:** Other

CALAFCO Comments: This is a spot bill. According to the author's office there is no current intended use for the bill.

[AB 897](#) (Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/14/2021 9 a.m. - State Capitol, Room 4202 ASSEMBLY NATURAL RESOURCES, RIVAS, LUZ, Chair

Summary:

Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Current law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office to encourage the inclusion of agencies with land use planning authority into regional climate networks.

Attachments:

[AB 897 Fact Sheet](#)

Position: Watch

Subject: Climate Change

CALAFCO Comments: As introduced, the bill builds on existing programs through OPR by promoting regional collaboration in climate adaptation planning and providing guidance for regions to identify and prioritize projects necessary to respond to the climate vulnerabilities of their region.

The bill requires OPR to develop guidelines (the scope of which are outlined in the bill) for Regional Climate Adaptation Action Plans (RCAAPs) by 7-1-22 through their normal public process. Further the bill requires OPR to make recommendations to the Legislature on potential sources of financial assistance for the creation & implementation of RCAAPs, and ways the state can support the creation and ongoing work of regional climate networks. The bill would allow LAFCOs to be a part of these regional climate networks.

This is an author-sponsored bill. The bill necessitates additional resources from the state to carry out the additional work required of OPR (there is no current budget appropriation). A fact sheet is posted in the tracking section of the bill.

[AB 903](#) (Frazier D) Los Medanos Community Healthcare District.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the dissolution of the Los Medanos Community Healthcare District, as specified. The bill would require the County of Contra Costa to be successor of all rights and responsibilities of the district, and require the county to complete a property tax transfer process to ensure the transfer of the district's health-related ad valorem property tax revenues to the county in order to operate the Los Medanos Area Health Plan Grant Program. By requiring a higher level of service from the County of Contra Costa as described above, the bill would impose a state-mandated local program.

Position: Watch

CALAFCO Comments: This bill mandates the dissolution of the Los Medanos Community Healthcare District with the County as the successor agency, effective 2-1-22. The bill requires the County to perform certain acts prior to the dissolution. The LAFCo is not involved in the dissolution as the bill is written. Currently, the district is suing both the Contra Costa LAFCo and the County of Contra Costa after the LAFCo approved the dissolution of the district upon application by the County and the district failed to get enough signatures in the protest process to go to an election.

[AB 959](#) (Mullin D) Park districts: regulations: nuisances: abatement.**Current Text:** Introduced: 2/17/2021 [html](#) [pdf](#)**Introduced:** 2/17/2021**Status:** 3/4/2021-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law prescribes procedures, including the election of a board of directors, for the formation of regional park districts, regional park and open-space districts, or regional open-space districts. Current law authorizes 3 or more cities, together with any parcel or parcels of city or county territory, whether in the same or different counties, to organize and incorporate, but requires that all the territory in the proposed district be contiguous. Current law requires the board of directors to superintend, control, and make available to all the inhabitants of the district all public recreation lands and facilities, as provided. Existing law authorizes the board to adopt regulations. Current law provides that a violation of an ordinance, rule, or regulation adopted by the board is a misdemeanor punishable by a fine or imprisonment in the county jail, as provided. This bill would authorize the board of directors to adopt regulations relating to nuisances and establish a procedure for the abatement of the nuisances, including administrative abatement.

Attachments:[AB 959 Fact Sheet](#)**Position:** Watch

CALAFCO Comments: As introduced, this bill gives authority to independent regional park & open space districts governed by PRC 5500 to: (1) Declare by ordinance what constitutes a public nuisance; (2) Abate those public nuisances by either administrative or civil actions; and (3) Ability to recover costs incurred in abating the public nuisance, including attorneys' fees. There are 4 of these independent special districts: (1) Midpeninsula Regional Open Space District; (2) East Bay Regional Park District; (3) Monterey Peninsula Regional Park District; and (4) Napa County Regional Park and Open Space District. A fact sheet is posted in the tracking section of the bill.

[AB 975](#) (Rivas, Luz D) Political Reform Act of 1974: statement of economic interests and gifts.**Current Text:** Introduced: 2/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Status:** 3/4/2021-Referred to Com. on ELECTIONS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Political Reform Act of 1974 regulates conflicts of interests of public officials and requires that public officials file, with specified filing officers, periodic statements of economic interests disclosing certain information regarding income, investments, and other financial data. The Fair Political Practices Commission is the filing officer for statewide elected officers and candidates and other specified public officials. If the Commission is the filing officer, the public official generally files with their agency or another person or entity, who then makes a copy and files the original with the Commission. This bill would revise and recast these filing requirements to make various changes, including requiring public officials and candidates for whom the Commission is the filing officer to file their original statements of economic interests electronically with the Commission.

Position: Watch**Subject:** FPPC

CALAFCO Comments: As introduced, this bill makes two notable changes to the current requirements of gift notification and reporting: (1) It increases the period for public officials to reimburse, in full or part, the value of attending an invitation-only event, for purposes of the gift rules, from 30 days from receipt to 30 days following the calendar quarter in which the gift was received; and (2) It reduces the gift notification period for lobbyist employers from 30 days after the end of the calendar quarter in which the gift was provided to 15 days after the calendar quarter. Further it requires the FPPC to have an online filing system and to redact contact information of filers before posting.

[AB 1021](#) (Mayes I) Imperial Irrigation District.**Current Text:** Amended: 3/18/2021 [html](#) [pdf](#)**Introduced:** 2/18/2021**Last Amended:** 3/18/2021**Status:** 3/22/2021-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the commissions for the County of Imperial and the County of Riverside to conduct and publish on their internet websites, by December 1, 2022, a joint study of voting rights, and options for providing electricity, in the Imperial Irrigation District. The bill would require the joint study to include a description of voting rights in the district and a determination of whether and how the district can extend voting rights to its residents, as well as options for providing electricity in the district's jurisdiction and other affected service areas, in the circumstance that the district desires to no longer provide electrical service in its jurisdiction.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: As amended on 3/18/21, the bill focuses on the Imperial Irrigation District. The bill requires Imperial and Riverside LAFcos to conduct a special study of voting rights and options for providing electricity in the district area should the district decide it no longer desires to provide that serve, to be completed by December 31, 2022, as an unfunded mandate. The bill also requires membership of the district board to increase from 5 to 8 members, with the additional 3 members residing in Riverside County in the area being serviced by the district and appointed by the County Supervisor of that County district. The three new members will be non-voting members.

CALAFCO met with the author's staff on March 18 to discuss concerns on the bill, with input from Riverside and Imperial LAFcos (who will meet with the author's office as well). Concerns include: (1) The unfunded mandate and timing of the study; (2) As representation in the Riverside County service area is the issue, governance structure should also be a part of the study; (3) Section 21562.6 of the Water Code as added is far too vague. CALAFCO offered specific suggestions for clarification in this section.

This bill is similar to AB 854 (2019), which died in Appropriations. CALAFCO had a Watch position on that bill as the two member LAFcos had opposing positions, and this is a local matter. However, there is concern about requiring a study without funding (the last time the Legislature mandated a special study on a district it required the study be funded by the district).

The bill is author-sponsored and as of now there is no budget appropriation to cover cost.

AB 1053 (Gabriel D) City selection committees: quorum: teleconferencing.

Current Text: Amended: 3/18/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law creates a city selection committee in each county that consists of 2 or more incorporated cities for the purpose of appointing city representatives to boards, commissions, and agencies. Under current law, a quorum for a city selection committee requires a majority of the number of the incorporated cities within the county entitled to representation on the city selection committee. Current law requires a city selection committee meeting to be postponed or adjourned to a subsequent time and place whenever a quorum is not present at the meeting. This bill would reduce the quorum requirement to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to items that appeared on the immediately preceding agenda where a quorum was not established.

Position: Oppose unless amended

Subject: Other

CALAFCO Comments: As amended on 3/18/21, the bill reduces the quorum requirement for a city selection committee to 1/3 of all member cities within the county for a meeting that was postponed to a subsequent time and place because a quorum was not present, as long as the agenda is limited to replicate the meeting for which a quorum was not established. The bill also authorizes a city selection committee to conduct their meetings be teleconference and electronic means.

The bill is sponsored by the Las Virgenes-Malibu Council of Governments.

AB 1246 (Nguyen R) Community services districts.

Current Text: Introduced: 2/19/2021 [html](#) [pdf](#)

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, the Community Services District Law, authorizes the formation of community services districts for various specified purposes, including supplying water, treating sewage, disposing of solid waste, and providing fire protection. The law specifies its relation and effect on certain districts organized pursuant to former laws and to actions taken by them, among other things. This bill would make nonsubstantive changes to those provisions.

Position: Watch

CALAFCO Comments: This is a spot bill.

SB 10 (Wiener D) Planning and zoning: housing development: density.

Current Text: Amended: 3/22/2021 [html](#) [pdf](#)

Introduced: 12/7/2020

Last Amended: 3/22/2021

Status: 3/22/2021-Read second time and amended. Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, notwithstanding any local restrictions on adopting zoning ordinances, authorize a local government to pass an ordinance to zone any parcel for up to 10 units of residential density per parcel, at a height specified in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2023, based on specified criteria. The bill would specify that an ordinance adopted under these provisions, and any resolution adopted to amend the jurisdiction's General Plan to be consistent with that ordinance, is not a project for purposes of the California Environmental Quality Act.

Position: Watch

Subject: Housing

SB 13 (Dodd D) Local agency services: contracts: Counties of Napa and San Bernardino.

Current Text: Introduced: 12/7/2020 [html](#) [pdf](#)

Introduced: 12/7/2020

Status: 1/28/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes a pilot program under which the commissions in the Counties of Napa and San Bernardino, upon making specified determinations at a noticed public hearing, may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to support existing or planned uses involving public or private properties, as provided. Current law requires the Napa and San Bernardino commissions to submit a report to the Legislature on their participation in the pilot program, as specified, before January 1, 2020, and repeals the pilot program as of January 1, 2021. This bill would reestablish the pilot program, which would remain in effect until January 1, 2026. The bill would impose a January 1, 2025, deadline for the Napa and San Bernardino commissions to report to the Legislature on the pilot program, and would require the contents of that report to include how many requests for extension of services were received under these provisions.

Position: Watch

Subject: CKH General Procedures

CALAFCO Comments: This bill is the same as SB 799 from 2020 and seeks to re-establish and continue the pilot program for five more years. The program ended as of January 1, 2021 but due to the pandemic, SB 799 from 2020 to extend the sunset was not moved forward in the legislature.

There are amendments pending from the City of St. Helena that as proposed would drastically change the intent of SB 13. CALAFCO is working with the author's office, Napa and San Bernardino LAFCOs and the City of St. Helena on those amendments and will carefully watch the bill.

SB 96 (Dahle R) Fallen Leaf Lake Community Services District Fire Department Protection Act of 2021: elections.

Current Text: Introduced: 12/21/2020 [html](#) [pdf](#)

Introduced: 12/21/2020

Status: 1/28/2021-Referred to Coms. on GOV. & F. and E. & C.A.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the El Dorado County elections official, with the assistance of the Fallen Leaf Lake Community Services District, to conduct district elections pursuant to the Uniform District Election Law, except as otherwise provided in the bill. The bill, notwithstanding existing law, would provide that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District, as specified. The bill would require the designations of voters and authority of legal representatives to be filed with the El Dorado County elections official and the secretary of the Fallen Leaf Lake Community Services District and maintained with the list of qualified voters of the district. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: Special Districts Governance

CALAFCO Comments: This bill is the same as SB 1180 from 2020 which did not move through the legislature. It is a local El Dorado County/district bill. This bill does several things. (1) Provides that voters who are resident registered voters of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services. (2) The bill also would authorize a voter who is not a resident of the district but owns a real property interest in the district to designate only one voter to vote on their behalf, regardless of the number of parcels in the district owned by the nonresident voter. (3) This bill would prohibit the Fallen Leaf Lake Community Services District from providing any services or facilities except fire protection and medical services, including emergency response and services, as well as parks and recreation services and facilities.

SB 261 (Allen D) Regional transportation plans: sustainable communities strategies.

Current Text: Introduced: 1/27/2021 [html](#) [pdf](#)

Introduced: 1/27/2021

Status: 3/16/2021-From committee: Do pass and re-refer to Com. on TRANS. (Ayes 5. Noes 2.) (March 15). Re-referred to Com. on TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

current law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. Existing law requires that each regional transportation plan include a sustainable communities strategy developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2020 and 2035 established by the State Air Resources Board. This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the board. The bill would make various conforming changes to integrate those additional targets into regional transportation plans.

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: CALAFCO is currently reviewing the bill.

SB 273 (Hertzberg D) Water quality: municipal wastewater agencies.**Current Text:** Introduced: 1/29/2021 [html](#) [pdf](#)**Introduced:** 1/29/2021**Status:** 3/18/2021-Set for hearing April 12.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/12/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary:

Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. To the extent this requirement would impose new duties on local agency formation commissions, the bill would impose a state-mandated local program.

Attachments:[SB 273 Fact Sheet](#)**Position:** Support**Subject:** Municipal Services

CALAFCO Comments: This bill is a redo of SB 1052 from 2020 that was not moved forward because of the pandemic. This bill adds authority to municipal wastewater agencies as outlined in 13911(a) and (b) relating to stormwater runoff and management. The bill authorizes this additional authority while keeping the LAFCo process to activate these latent powers intact.

CALAFCO is requesting an amendment to add a requirement that upon entering into the agreement, the agency has 30 days to file a copy of that agreement or amended agreement with the LAFCo.

The bills is sponsored by the CA Assn of Sanitation Agencies. A fact sheet is posted in the tracking section of the bill.

SB 274 (Wieckowski D) Local government meetings: agenda and documents.**Current Text:** Introduced: 1/29/2021 [html](#) [pdf](#)**Introduced:** 1/29/2021**Status:** 3/25/2021-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 25).

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/5/2021 #8 SENATE SENATE BILLS - SECOND READING FILE

Summary:

The Ralph M. Brown Act, requires meetings of the legislative body of a local agency to be open and public and also requires regular and special meetings of the legislative body to be held within the boundaries of the territory over which the local agency exercises jurisdiction, with specified exceptions. Current law authorizes a person to request that a copy of an agenda, or a copy of all the documents constituting the agenda packet, of any meeting of a legislative body be mailed to that person. This bill would require a local agency with an internet website, or its designee, to email a copy of, or website link to, the agenda or a copy of all the documents constituting the agenda packet if the person requests that the items be delivered by email. If a local agency determines it to be technologically infeasible to send a copy of the documents or a link to a website that contains the documents by mail or by other electronic means, the bill would require the legislative body or its designee to send by mail a copy of the agenda or a website link to the agenda and to mail a copy of all other documents constituting the agenda packet, as specified.

Attachments:[CALAFCO Support SB 274 \(3-15-21\)](#)[SB 274 Fact Sheet](#)**Position:** Support

Subject: Public Records Act

CALAFCO Comments: This bill is a modified redo of SB 931 from 2020 that did not move forward because of the pandemic. This bill updates the Government Code to require a public agency to email the agenda or agenda items to anyone who requests it or the link to the website where the documents can be accessed (current law requires the mailing of such documents upon request, this bill adds the option to email if requested). A fact sheet is posted in the tracking section of the bill.

SB 427 (Eggman D) Water theft: enhanced penalties.

Current Text: Amended: 3/25/2021 [html](#) [pdf](#)

Introduced: 2/12/2021

Last Amended: 3/25/2021

Status: 3/25/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

4/8/2021 Upon adjournment of Session - John L. Burton Hearing Room (4203)

SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary:

Existing law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions, to \$100 for the first violation, \$200 for a 2nd violation of the same ordinance within one year of the first violation, and \$500 for each additional violation of the same ordinance within one year of the first violation. This bill would authorize the legislative body of a city or a county that is authorized by the applicable local agency formation commission to provide water service to adopt an ordinance that prohibits water theft, as defined, subject to an administrative fine or penalty in excess of the limitations above, as specified. The bill would require the local agency to adopt an ordinance that sets forth the administrative procedures that shall govern the imposition, enforcement, collection, and administrative review by the local agency of the administrative fines or penalties for water theft and to establish a process for granting a hardship waiver to reduce the amount of the fine, as specified.

Position: Watch

Subject: Water

SB 475 (Cortese D) Transportation planning: sustainable communities strategies.

Current Text: Amended: 3/10/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Last Amended: 3/10/2021

Status: 3/18/2021-Re-referred to Coms. on E.Q., TRANS., and HOUSING. Referral to Com. on HOUSING rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

Position: Watch

Subject: Sustainable Community Plans

CALAFCO Comments: CALAFCO is currently reviewing the amendments dated March 10, 2021.

SB 499 (Leyva D) General plan: land use element: uses adversely impacting health outcomes.

Current Text: Introduced: 2/17/2021 [html](#) [pdf](#)

Introduced: 2/17/2021

Status: 3/25/2021-April 8 set for first hearing canceled at the request of author.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would prohibit the land use element from designating land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes in disadvantaged communities to be located, or to materially expand, within or adjacent to a disadvantaged community or a racially and ethnically concentrated area of poverty. By expanding the duties of cities and counties in the administration of their land use planning duties, the bill would impose a state-mandated local program.

Attachments:

[SB 499 Fact Sheet](#)

Position: Watch

Subject: Disadvantaged Communities

CALAFCO Comments: As introduced, this bill would prohibit the land use element of a general plan from designating or expanding land uses that have the potential to significantly degrade local air, water, or soil quality or to adversely impact health outcomes within or adjacent to disadvantaged communities (DACs) or a racially and ethnically concentrated area of poverty.

The sponsor of this bill is the Leadership Counsel for Justice and Accountability. A fact sheet is posted in the tracking section of the bill.

[SB 574](#) (Laird D) Agricultural preserves: Williamson Act.

Current Text: Amended: 3/4/2021 [html](#) [pdf](#)

Introduced: 2/18/2021

Last Amended: 3/4/2021

Status: 3/25/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under the California Land Conservation Act of 1965, the board of supervisors or city council may grant tentative approval for a cancellation by petition of a landowner as to all or any part of land subject to a contract, as specified. Prior to any action by the board or council giving tentative approval to the cancellation of any contract, the county assessor is required to determine the current fair market value of the land as though it were free of the contractual restriction, and requires the assessor to send the fair market value to the Department of Conservation, hereafter department, at the same time the assessor sends the value to the landowner. Current law provides for a certificate of tentative cancellation upon tentative approval of a petition by a landowner accompanied by a proposal for a specified alternative use of the land, as provided. Current law requires the board of supervisors or city council to provide notice to the department related to cancellation of the contract as well as in other specified instances. This bill would revise and recast these provisions to no longer require the assessor to provide notice to the department and to require the board of supervisors or city council to provide notice to the department if the certificate of tentative cancellation is withdrawn, as specified.

Position: Watch

CALAFCO Comments: This bill narrows the role of Department of Conservation (DOC) in administering the Williamson Act. It does not change other provisions in the Act except for lessening reporting requirements by local governments to the DOC. The bill repeals the ability of the DOC to agree on a cancellation value for contracted land with a landowner, along with the requirement that the department provide a preliminary valuation to the applicable assessor, and repeals the requirement that the DOC approve cancellation of a farmland security contract. The bill also repeals and narrows reporting requirements by requiring the DOC to post all local government reports on Williamson Act lands/contracts on its website rather than create a report and submit to the Legislature. The bill also repeals certain reporting requirements by local governments (cities and counties) to the DOC regarding Williamson Act contracts.

CALAFCO will continue to watch this bill to ensure no detrimental changes are made to the Act through future amendments.

SB 813 (Committee on Governance and Finance) Controller: local government financial reports.**Current Text:** Introduced: 2/23/2021 [html](#) [pdf](#)**Introduced:** 2/23/2021**Status:** 3/3/2021-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Controller to compile, publish, and make publicly available on the Controller's website reports of the financial transactions and information on annual compensation of each county, city, and special district within this state. This bill would specify that the reports shall be furnished at the time prescribed by the Controller and would revise the amount of time in which the report is required to be furnished to either 7 months or within the time prescribed by the Controller, whichever is later.

Position: Watch**CALAFCO Comments:** This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 34

Total Tracking Forms: 34

3/29/2021 12:31:09 PM

ASSEMBLY BILL**No. 1581****Introduced by Committee on Local Government**

March 9, 2021

An act to amend Sections 56133, 56427, and 56879 of, and to amend and renumber Section 56325.1 of, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1581, as introduced, Committee on Local Government. Local government: omnibus.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Existing law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified.

Existing law requires the commission to adopt, amend, or revise spheres of influence after a public hearing called and held for that purpose.

This bill would revise and recast that provision to provide that the commission is required to adopt, amend, or update spheres of influence after a public hearing called and held for that purpose.

Existing law authorizes a commission in the county which an extension of service is proposed to approve (1) a city or district to provide new or extended services by contract or agreement outside its jurisdictional boundary in writing, (2) a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization, and (3) a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory if specified conditions are met.

This bill would revise and recast those provisions to remove the general requirement the commission must be in the county which an extension of service is proposed and provide that a city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission of the county in which the affected territory is located.

Existing law requires the commission to dissolve inactive districts and provides that dissolved districts are not subject to specified provisions.

This bill would add that dissolved districts are not subject to specified taxation provisions related to jurisdictional changes.

This bill would make other nonsubstantive changes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56133 of the Government Code is
2 amended to read:
3 56133. (a) A city or district may provide new or extended
4 services by contract or agreement outside its jurisdictional
5 boundary only if it first requests and receives written approval
6 from the ~~commission~~. *commission of the county in which the*
7 *affected territory is located.*
8 (b) The commission may authorize a city or district to provide
9 new or extended services outside its jurisdictional boundary but
10 within its sphere of influence in anticipation of a later change of
11 organization.

1 (c) The commission may authorize a city or district to provide
2 new or extended services outside its jurisdictional boundary and
3 outside its sphere of influence to respond to an existing or
4 impending threat to the health or safety of the public or the
5 residents of the affected territory, if both of the following
6 requirements are met:

7 (1) The entity applying for approval has provided the
8 commission with documentation of a threat to the health and safety
9 of the public or the affected residents.

10 (2) The commission has notified any alternate service provider,
11 including any water corporation as defined in Section 241 of the
12 Public Utilities Code, that has filed a map and a statement of its
13 service capabilities with the commission.

14 (d) The executive officer, within 30 days of receipt of a request
15 for approval by a city or district to extend services outside its
16 jurisdictional boundary, shall determine whether the request is
17 complete and acceptable for filing or whether the request is
18 incomplete. If a request is determined not to be complete, the
19 executive officer shall immediately transmit that determination to
20 the requester, specifying those parts of the request that are
21 incomplete and the manner in which they can be made complete.
22 When the request is deemed complete, the executive officer shall
23 place the request on the agenda of the next commission meeting
24 for which adequate notice can be given but not more than 90 days
25 from the date that the request is deemed complete, unless the
26 commission has delegated approval of requests made pursuant to
27 this section to the executive officer. The commission or executive
28 officer shall approve, disapprove, or approve with conditions the
29 extended services. If the new or extended services are disapproved
30 or approved with conditions, the applicant may request
31 reconsideration, citing the reasons for reconsideration.

32 (e) This section does not apply to any of the following:

33 (1) Two or more public agencies where the public service to be
34 provided is an alternative to, or substitute for, public services
35 already being provided by an existing public service provider and
36 where the level of service to be provided is consistent with the
37 level of service contemplated by the existing service provider.

38 (2) The transfer of nonpotable or nontreated water.

39 (3) The provision of surplus water to agricultural lands and
40 facilities, including, but not limited to, incidental residential

1 structures, for projects that serve conservation purposes or that
2 directly support agricultural industries. However, prior to extending
3 surplus water service to any project that will support or induce
4 development, the city or district shall first request and receive
5 written approval from the commission in the affected county.

6 (4) An extended service that a city or district was providing on
7 or before January 1, 2001.

8 (5) A local publicly owned electric utility, as defined by Section
9 9604 of the Public Utilities Code, providing electric services that
10 do not involve the acquisition, construction, or installation of
11 electric distribution facilities by the local publicly owned electric
12 utility, outside of the utility's jurisdictional boundary.

13 (6) A fire protection contract, as defined in subdivision (a) of
14 Section 56134.

15 ~~(f) This section applies only to the commission of the county~~
16 ~~in which the extension of service is proposed.~~

17 SEC. 2. Section 56325.1 of the Government Code is amended
18 and renumbered to read:

19 ~~56325.1.~~

20 ~~56331.4~~ While serving on the commission, all commission
21 members shall exercise their independent judgment on behalf of
22 the interests of residents, property owners, and the public as a
23 whole in furthering the purposes of this division. Any member
24 appointed on behalf of local governments shall represent the
25 interests of the public as a whole and not solely the interests of the
26 appointing authority. This section does not require the abstention
27 of any member on any matter, nor does it create a right of action
28 in any person.

29 SEC. 3. Section 56427 of the Government Code is amended
30 to read:

31 56427. The commission shall adopt, amend, or ~~revise~~ *update*
32 spheres of influence after a public hearing called and held for that
33 purpose. At least 21 days prior to the date of that hearing, the
34 executive officer shall give mailed notice of the hearing to each
35 affected local agency or affected county, and to any interested
36 party who has filed a written request for notice with the executive
37 officer. In addition, at least 21 days prior to the date of that hearing,
38 the executive officer shall cause notice of the hearing to be
39 published in accordance with Section 56153 in a newspaper of
40 general circulation which is circulated within the territory affected

1 by the sphere of influence proposed to be adopted. The commission
2 may continue from time to time any hearing called pursuant to this
3 section.

4 At any hearing called and held pursuant to this section, the
5 commission shall hear and consider oral or written testimony
6 presented by any affected local agency or affected county or any
7 interested person who wishes to appear.

8 This section shall only apply to spheres of influence adopted by
9 the commission after January 1, 1975.

10 SEC. 4. Section 56879 of the Government Code is amended
11 to read:

12 56879. (a) On or before November 1, 2018, and every year
13 thereafter, the Controller shall create a list of special districts that
14 are inactive, as defined in Section 56042, based upon the financial
15 reports received by the Controller pursuant to Section 53891. The
16 Controller shall publish the list of inactive districts on the
17 Controller's ~~Internet Web site~~; *internet website*. The Controller
18 shall also notify the commission in the county or counties in which
19 the district is located if the Controller has included the district in
20 this list.

21 (b) The commission shall initiate dissolution of inactive districts
22 by resolution within 90 days of receiving notification from the
23 Controller pursuant to subdivision (a), unless the commission
24 determines that the district does not meet the criteria set forth in
25 Section 56042. The commission shall notify the Controller if the
26 commission determines that a district does not meet the criteria
27 set forth in Section 56042.

28 (c) The commission shall dissolve inactive districts. The
29 commission shall hold one public hearing on the dissolution of an
30 inactive district pursuant to this section no more than 90 days
31 following the adoption of the resolution initiating dissolution. The
32 dissolution of an inactive district shall not be subject to any of the
33 following:

34 (1) Chapter 1 (commencing with Section 57000) to Chapter 7
35 (commencing with Section 57176), inclusive, of Part 4.

36 (2) Determinations pursuant to subdivision (b) of Section 56881.

37 (3) Requirements for commission-initiated changes of
38 organization described in paragraph (3) of subdivision (a) of
39 Section 56375.

- 1 (4) *Sections 99 and 99.01 of the Revenue and Taxation Code.*

O

March 18, 2021

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

RE: **SUPPORT of AB 1581: Local Government Committee Omnibus Bill**

Dear Chair Aguiar-Curry:

The California Association of Local Agency Formation Commissions (CALAFCO) is pleased to sponsor and support the Assembly Local Government Committee Bill **AB 1581** which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of Local Agency Formation Commissions. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. **AB 1581** currently makes minor technical corrections to language used in the Act. CALAFCO is grateful to your Committee and staff, and the members of our Legislative Committee, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of Local Agency Formation Commissions. As always, I am happy to provide any additional information needed.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Pamela Miller', with a stylized flourish at the end.

Pamela Miller
Executive Director

cc: Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus



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

April 7, 2021

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
State Capitol, Room 5144
Sacramento, CA 95814

Subject: **Support of Assembly Bill 1581 (Omnibus Bill)**

Dear Chair Aguiar-Curry:

The Local Agency Formation Commission of Santa Cruz County is pleased to support the Assembly Local Government Committee Bill (**AB 1581**), sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act").

This annual bill includes technical changes to the CKH Act which governs the work of LAFCOs. These changes are necessary as Commissions implement the CKH Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 1581 currently makes minor technical corrections to language used in the CKH Act. Santa Cruz LAFCO is grateful to your Committee, staff and CALAFCO, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the CKH Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the State. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCOs.

Sincerely,

Joe A. Serrano
Executive Officer

cc: Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
Pamela Miller, Executive Director, CALAFCO



Santa Cruz Local Agency Formation Commission

Date: April 7, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Resolution of Appreciation for Commission Clerk Debra Means**

SUMMARY OF RECOMMENDATION

After 19 years of dedicated service with Santa Cruz LAFCO, Debra Means will be stepping down as the Commission Clerk. The Commission will recognize Ms. Means' past achievements and stellar career.

It is recommended that the Commission adopt a Resolution of Appreciation for outgoing Commission Clerk Debra Means (Resolution No. 2021-10).

EXECUTIVE OFFICER'S REPORT


Debra Means has served as the Commission Clerk from February 22, 2002 to April 30, 2021. The Commission will act on a resolution honoring her distinguished service to LAFCO, Santa Cruz County, and the California Association of LAFCOs (CALAFCO).

Respectfully Submitted,

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

Joe A. Serrano
Executive Officer

Attachment: [Resolution of Appreciation \(No. 2021-10\)](#)



LOCAL AGENCY FORMATION COMMISSION
OF SANTA CRUZ COUNTY

Resolution 2021-10 in Appreciation of Commissioner

Debra Means

For Dedicated and Outstanding Service

Whereas, Debra Means has served with distinction as the Commission Clerk for the Local Agency Formation Commission (LAFCO) for 19 years from 2002 to 2021; and

Whereas, Ms. Means began her career with LAFCO after discovering a small advertisement in a local newspaper. While she was a bit disappointed that LAFCO was not a comedy club, LAFCO did turn out to be the final stop in her governmental career; and

Whereas, Ms. Means 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. She made significant contributions to the goals of the Commission as a highly respected public servant with over 150 boundary changes and LAFCO actions processed during her tenure; and

Whereas, Ms. Means showed leadership at the administrative level by supporting significant, and sometimes challenging projects, including but not limited to the construction of a historical records database detailing approximately 1,400 LAFCO actions from 1963 to present; and

Whereas, Ms. Means showed leadership at the state level by being heavily involved with regional LAFCOs and the California Association of LAFCOs (CALAFCO). She was a pillar in Commission Clerk Group discussions and was seen as a mentor to new clerks around the State.

Now, therefore, be it resolved, the Local Agency Formation Commission of Santa Cruz County does hereby express its gratitude and appreciation to Debra Means for her 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 7th day of April 2021.

Chair, Justin Cummings	Ed Banks	Zach Friend
Vice Chair, Rachél Lather	Yvette Brooks	John Hunt
Jim Anderson	Ryan Coonerty	Manu Koenig
Roger Anderson	Francisco Estrada	Joe Serrano Executive Officer



Santa Cruz Local Agency Formation Commission

Date: April 7, 2021
To: LAFCO Commissioners
From: Joe Serrano, Executive Officer
Subject: **Press Articles during the Months of February and March**

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.

Article #1: "Santa Cruz City Manager Martin Bernal announces retirement": The article, dated February 24, indicates that Martin Bernal has announced his retirement as the City Manager for Santa Cruz. Mr. Bernal will continue as City Manager until his replacement is chosen. His last day with the City is tentatively scheduled for July 2021.

Article #2: "One California community shows how to take the waste out of water": The article, dated February 25, highlights a public-private partnership in the Monterey/Salinas region that will create an innovative water recycling program. The goal is to treat all types of water sources including urban stormwater runoff, irrigation drainage, food processing water and wastewater and repurpose it for recycled water usage. If successful, this may be an additional method for sustainable water management.

Article #3: "Mayor's message | Housing crisis threatens Scotts Valley" The editorial, dated March 6, was written by Scotts Valley Mayor Derek Timm and focuses on the ongoing housing crisis threatening all communities at the local, regional, and state level. Mr. Timm discusses how the City will consider expanding their inclusionary housing ordinance boundaries, reviewing their rules on accessory dwelling units, and exploring other programs that may help with the long-term creation of workforce housing. Mr. Timm also discusses the benefits of collaborating with neighboring agencies and the County to address the housing crisis.

Article #4: "Weighing a Merger of Scotts Valley and San Lorenzo Valley Water Districts": The article, dated March 9, highlights the ongoing consideration of exploring the concept of consolidation between the two water districts and includes reference to LAFCO's high level overview of the consolidation process. The article also covers the water districts' similarities, differences, and how they can further coordinate with one another.

Article #5: “Marin City leaders consider incorporation”: The article, dated March 13, discusses the possible incorporation effort involving the unincorporated community known as Marin City in the Bay Area. The article goes over the statutory requirements to begin and complete an incorporation effort. If pursued, the incorporation may be a multi-year endeavor for the residents and Marin LAFCO.

Article #6: “Next phase of Pure Water Soquel project gets green light”: The article, dated March 18, notes that the recent approval from Soquel Creek Water District to construct 8 miles of pipeline as part of the Pure Water Soquel Project. The water-recycling project is intended to produce about 490 million gallons of purified water on an annual basis.

Respectfully Submitted,



Joe A. Serrano
Executive Officer

Attachments:

1. [“Santa Cruz City Manager Martin Bernal announces retirement”](#)
2. [“One California community shows how to take the waste out of water”](#)
3. [“Mayor’s message | Housing crisis threatens Scotts Valley”](#)
4. [“Weighing a Merger of Scotts Valley and San Lorenzo Valley Water Districts”](#)
5. [“Marin City leaders consider incorporation”](#)
6. [“Next phase of Pure Water Soquel projects gets green light”](#)

LATEST HEADLINES

Santa Cruz City Manager Martín Bernal announces retirement

By [RYAN STUART](#) | rstuart@santacruzsentinel.com |

PUBLISHED: February 24, 2021 at 5:59 p.m. | UPDATED: February 25, 2021 at 11:44 a.m.

SANTA CRUZ – City Manager Martín Bernal on Wednesday announced his retirement in a press release from the city.

Bernal originally expressed his intent to retire during the closed session of Tuesday afternoon's City Council meeting, according to the release. He plans on remaining in the position until a replacement is chosen. He marked the end of July as the likely end to his tenure in the release.

His planned retirement falls in line with the finish line for the city's yearly budget. The city currently in the process of finalizing an interim recovery plan, which focuses on fixing the financial shortcomings of the city from the last several years, including the impact of the pandemic.



Martin Bernal

"I think the timing is right for me personally and I think the timing is also right for the city. It's a good time to make a transition in general," Bernal said. "We're at a place where I think we have pretty solid leadership all around in our city and we're on a path to recovery here. We'll know our budget situation and we'll be able to get through that process."

As a city manager, he piloted the city through and economic recession in his early years. Now, he completes a loop as one of his last acts in the position will be to help Santa Cruz through an economic downturn.

"I think we're on the right track. It's never perfect. It's a continual thing. I feel confident that we're on the right path. While not everything is not 100% buttoned up (fiscally), but I don't think that will ever be the case. But I think we've got everything in place to make sure that we get through the next year plus in pretty good shape."

The timeline will also reflect a completed cycle for Bernal. It will be 11 years almost to the day since he transitioned from the assistant city manager role to the city manager. He started the position in late July 2010, a typical time for a new city manager to take the reins, he said.



The decision has been one that was in the works in the Bernal family for some time. Bernal and his wife had talked about him retiring at around age 55. The couple also spoke about switching roles in the family at some point.

Bernal's wife is a medical professional, a career which can demand a lot of time and can be physically and mentally draining. Meanwhile, managing a city is an around the clock service, according to Bernal, which he must always be present for.

"We both have pretty demanding careers. She gave up her career aspirations in order to be the head of the household and raise our kids," Bernal said. "At one point we talked about reversing those roles so that I could be more helpful around the house and she could do more of what she wants to do as far as her medical practice."

Bernal received his bachelor's degree at Stanford in urban planning and urban studies. He returned to his home state of Texas for his master's degree in public affairs at the University of Texas in Austin.

While completing his studies, he tutored kids in underserved neighborhoods in Palo Alto, which paved the way for a career in public service. Bernal spent 30 years as a public employee, 24 of which were in Santa Cruz.

The announcement of the impending conclusion of his 24 years of service to the city came at a time when he was slated for a public employee performance evaluation, an agenda item that also happens during the closed session of city council meetings. Bernal said this was his own doing. A public employee performance review is how he would get his announcement placed on the closed session agenda.

However, City Attorney Tony Condotti stated no reportable action happened during that agenda item once the meeting convened publicly. Instead, Bernal's public announcement didn't come until the next morning.

The delay in the announcement was due to a busy City Council agenda, according to Bernal. The meeting was jam-packed with items such as a contingency plan in the event of a water shortage, an update on the interim recovery plan and contentious deliberation over a city ordinance that could limit the locations of homeless encampments, which kept the council locked in a meeting until nearly 1 a.m.

"It just didn't seem like it needed to be part of the meeting and have another distraction," Bernal said. "What I thought made the most sense was to let them know because they're my bosses and that's sort of my responsibility."

The road that lies ahead for the soon to be retiree is less paved than his career that spanned three decades. He hopes to continue a life of public service, but first he wants to spend time with his family. He wants to help his wife around the house, spend time with his children and grandchildren and even visit his parents in El Paso.

The outlook for a future city manager is still unsure, as the City Council will have to begin the process of searching for a replacement. The current assistant city manager, Laura Schmidt, has been in the role for two years, but whether she moves to the head of the department is at the discretion of the council.

The council will provide more information about the search process at a future council meeting, according to the press release. The date of the meeting has yet to be determined.

Editor's Note: Clarification around Bernal's public employee performance review was added. The review is just a way for Bernal to have time to express his intent to retire to the council.



Home / Earth / Environment

 FEBRUARY 25, 2021

One California community shows how to take the waste out of water

by Bridget Gile, Stanford University School of Engineering



Credit: Pixabay/CC0 Public Domain

Caught between climate change and multi-year droughts, California communities are tapping groundwater and siphoning surface water at unsustainable rates.

As this year's below-average rainfall accentuates the problem, a public-private partnership in the Monterey/Salinas region has created a novel water recycling program that could serve as a model for parched communities everywhere.

As Stanford civil engineers report in the journal *Water*, this now urbanized region, still known for farming and fishing, has used water from four sources—urban stormwater runoff, irrigation drainage, food processing water and traditional municipal wastewater—and treated it so that this recycled water now supplies one-third of all drinking water on the Monterey Peninsula while providing irrigation water for 12,000 acres of high-value crops in the northern

This first-of-its-kind program creates a sustainable management plan by taking a "one water" approach that considers all of the region's water, new and used, as part of one network. The effort began in 1972 when agricultural, residential and industrial users started the process of consolidating their individual wastewater treatment plants into one regional center to meet the stricter environmental standards of the federal Clean Water Act. The idea was to reuse wastewater to irrigate fruit and vegetable crops. But first they had to determine whether it was safe. Their landmark study affirming the safety of this plan led to a \$75 million water treatment and distribution system that opened in 1998 and pioneered the practice of using recycled water to irrigate freshly edible fruit and vegetable crops.

But while the irrigation water system was under development, seawater intrusion continued to threaten the region's groundwater supplies. State authorities declared a key aquifer critically overdrafted. And the State Water Board ordered the Peninsula's private water supplier, California American Water, to stop excessive pumping from the Carmel River. The region, which had already formed the Monterey One Water utility to implement the crop irrigation project, responded with another water recycling innovation. In collaboration with other groups, Monterey One Water collected wastewater from urban runoff, irrigation drainage and food processing plants to create a \$124 million treatment plant that opened in 2020. Its goal is to bring this former wastewater up to potable standards and then store it in the groundwater basin where it is later pumped for drinking water supply.

The research team studied the history, agreements, design and performance of Monterey's one water program to help other communities considering similar approaches. But the region can't rest on its laurels. Peninsula communities are currently considering whether to invest in a \$60 million expansion to its recycled water system, or spend \$400 million to build a seawater desalination project. This high-stakes decision depends on how soon water demand will outpace recycled water supply, which has been variously estimated at 10, 20 or 30 years. The wrong decision would be costly to local ecosystems and residents, who already pay among the highest water rates in the nation.

Dick Luthy, the Silas H. Palmer Professor of Civil and Environmental Engineering at Stanford and a co-author of the article in *Water*, said the region has the proper mindset to make the right call because its agricultural, residential and industrial users have a history of cooperating instead of bickering.

"The moral of the Monterey/Salinas story is that working collaboratively and imaginatively, different users in water-scarce regions can address their challenges in ways that are equitable, protective of the environment and supportive of local economies."

More information: Bridget C. Gile et al, Integrated Water Management at the Peri-Urban Interface: A Case Study of Monterey, California, *Water* (2020). DOI: [10.3390/w12123585](https://doi.org/10.3390/w12123585)

Provided by Stanford University School of Engineering

Citation: One California community shows how to take the waste out of water (2021, February 25) retrieved 26 February 2021 from <https://phys.org/news/2021-02-california.html>

LOCAL NEWS

Mayor's message | Housing crisis threatens Scotts Valley

By **DEREK TIMM** |

March 6, 2021 at 2:00 p.m.

The strongest communities have a shared purpose with rich social bonds and meaningful relationships. This special recipe is hard to find and often elusive for a community to create. However, these ingredients are precisely what attract many residents to Scotts Valley.

There is an extraordinarily strong sense of community — rooted in the pride of the safety of our town, great schools and the picturesque setting. The kind of place, when you walk into the market, and you run into your neighbor, child's teacher, old friends and others you recognize from working around town.

However, the current housing crisis threatens even the strongest of communities. As the cost of housing rises, what will be the long-term impacts on the health of our community? Will teachers, police officers and young families be able live in the community where they work?

As the cost of housing has rapidly increased in the past few years, it has been further accelerated in the past few months as a result of the pandemic, as people seek more rural communities and a return to nature in their daily lives.

Scotts Valley, with its proximity to the beach, the mountains and Silicon Valley, has witnessed a dramatic increase in the cost of housing.

When I have discussed this issue with the principals in our schools, our chief of police, and our local business owners, they are all in agreement – recruiting is a challenge. The cost of living is at the top of the list of the concerns they hear from job seekers.

At our City Council meeting this week, we will be discussing priorities for the coming year, and affordable housing is top of mind, along with many other challenges and improvements we are hoping to address.



We are discussing the expansion of our inclusionary housing ordinance boundaries, addressing our rules on accessory dwelling units, and exploring other programs that can help with the long-term creation of workforce housing.

However, we also recognize that this is an issue we cannot solve on our own. This is a regional issue that must be addressed by the county as a whole. I was honored to be asked to join Housing Santa Cruz County as it kicked off its nonprofit this past week. Housing Santa Cruz County's belief is, "Our county thrives when all of our community members have access to safe, stable, affordable homes." This statement resonated with me because at the heart of their mission is the focus on community.

Housing Santa Cruz County recognizes that if the people who work here cannot afford to live here, our community will suffer the consequences. I invite readers to support its mission with donation of their time and dollars. For information, visit HousingSantaCruzCounty.com.

We recognize that this existential threat must be addressed, or we jeopardize the soul of our community. The solution is not a quick one but requires policy changes and a long-term plan of action. I am encouraged that this a priority for nearly every elected official in the county, and of first concern for so many employers.

Only when the community decides that we have a shared purpose of improving the lives of all who live and work here, do we have hope for making real progress. It appears that the need for change has reached a tipping point, and its importance to the community cannot be ignored.

Mayor's message is a Sunday column written by Scotts Valley Mayor Derek Timm.

Care about your community? We do, too.

Sign up for our Morning Report newsletter

Enter your email

SIGN UP

Tags: [Newsletter](#)



Derek Timm



8A: ATTACHMENT 4

NEWS

Weighing a Merger of Scotts Valley and San Lorenzo Valley Water Districts

Each water district has carved out its own means of serving residents

THOUGH THE SAN LORENZO VALLEY WATER DISTRICT HAS ACCESS TO THE LOCH LOMOND RESERVOIR, THE AGENCY HAS NOT HAD TO TAP INTO THE COUNTY RESOURCE BECAUSE OF ITS GROUNDWATER BASINS.
PHOTO: TARMO HANNULA

By [Katie Evans](#) and [Christina Wise](#)

Posted on March 9, 2021



The San Lorenzo Valley Water District (SLVWD) and Scotts Valley Water District (SVWD) are weighing whether to join forces in a potential consolidation.

Both boards have hosted Joe Serrano, the Local Agency Formation Commission (LAFCO) executive officer, who presented [a roadmap for the potential consolidation process](#). SLVWD hosted an impassioned—and at times vitriolic—meeting about the merger on Feb. 4, and SVWD hosted its own meeting a week later, passing a conditional motion that staff should begin analysis of consolidation if, and only if, SLVWD also directs staff to explore the possibility.

TRENDING NOW



CORONAVIRUS

Coronavirus: Live Updates from Across Santa Cruz County

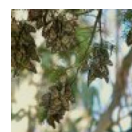
County moves to red tier for reopening; plus find other live updates on the...



ASTROLOGY

Rob Brezsný's Astrology: Feb. 24 – March 2

Free will astrology for the week of Feb. 24



NEWS

Scientists Call for Help to Restore

SLVWD revisited the subject in its meeting on March 4, during which Director Bob Fultz presented a motion giving SLVWD General Manager Rick Rogers no more than two months to clearly lay out to the public the cost-benefit analysis of a potential merger. While there was still pushback from the public on the overall concept of marrying the two districts, the call for transparency from the board seemed to have a calming effect on the dozens present.

At the Feb. 11 SVWD meeting, Director Wade Leishman equated the situation to a leap of faith.

“It feels like we’re both strapped up to bungee cords at the end of the bridge, holding hands, saying, ‘You jump first,’ ‘No you,’ he said. “The first person might jump, and the second person could stand there and change his mind If we jump first, then we are the aggressor. We are trying to take over; that’s the message. Until we’re really sure they’re a willing participant, I worry about jumping off the bridge first. I’d like to be hand-in-hand.”

STREAM SYSTEMS

While the districts share boundaries, aquifers and priorities, each has carved out its own means of serving its residents. The SLVWD was established in 1941 as an independent special district. The SVWD wasn’t formed until 20 years later, under the County Water District Act. Both districts are governed by a five-member board of directors, elected at-large from within the district’s service area, but each has vastly different geographical makeups.

SLVWD covers 60 square miles of challenging, mountainous terrain, providing service to approximately 7,900 connections. SVWD is only six square miles and services its population through 4,200 service connections. The Mañana Woods neighborhood and the Vista Del Lago and Spring Lakes Mobile Home Parks, all located in Scotts Valley, are served by SLVWD.

Both districts share water from the Santa Margarita Groundwater Agency (SMGA). Established in 2017, the agency covers a 30-square-mile geographical area, including parts of Boulder Creek, Brookdale, Lompico, Zayante, Ben Lomond, Mount Hermon and Scotts Valley. Although SMGA is the most easily accessible aquifer in the region, there are three other layered aquifers beneath it, each providing water support to area customers, including those on well water. The deepest water deposit, the Butano aquifer, is only accessed by SVWD.

Reign of Western Monarch Butterflies
Scientists hope to learn more about what the butterflies need



LETTERS TO THE EDITOR
Letter to the Editor: Monarchs Here to Stay
A letter to the editor of Good Times



LETTERS TO THE EDITOR
Letter to the Editor: Cold, Hard Proof
A letter to the editor of Good Times

WATER FIGHT

SLVWD is no stranger to drama around mergers. FLOW (Friends of Locally Owned Water), a Felton-based advocacy group, was born in 2002 after New Jersey utility company American Water Works—which was under the control of overseas conglomerate RWE from 2001-08—purchased the Felton Water system. Cal-Am Water, an American Water subsidiary based in California, attempted to increase Felton water rates by 74%. After six years of working with local leaders, including then-Felton Representative Mark Stone, FLOW saw Cal-Am Water and SLVWD come to an agreement in 2008 for the town's water to, once again, be controlled locally.

Then came the merger with the Lompico County Water District (LCWD) in June 2016. The result was an increase of 500 water hookups for SLVWD, and a \$2.75 million bond that would be paid via property taxes over a 30-year term. LCWD had no general manager, and the district was run by then-Board President Lois Henry (who recently finished her term as SLVWD Board President). The troubled utility discovered a raft of issues with its bookkeeper (arrested for embezzlement in 2010) and its director, who was fired in early 2010 for “mismanagement.” The only option to keep Lompico residents “in water” at a reasonable price was the SLVWD merger.

On Feb. 2, SLVWD threw its ratepayers for yet another loop when the utility issued a press release regarding their intent to begin a conversation around a potential merger with SVWD. A day later, an [online petition](#) was circling, and in less than 24 hours nearly 1,500 residents had added their names in opposition to the proposal.

In the tense, two-and-a-half-hour meeting on Feb. 4 that included more than 100 attendees, the response to the merger from those who attended the Zoom meeting was anything but subtle: the majority opposed the idea, and representatives of SLVWD found themselves back on their heels from the opening salvo.

The longtime rivalry between the two valleys was on full display, as residents from both regions did not mince words when it came to vilifying their neighbors. San Lorenzo Valley attendees spoke of the cultural differences, citing a chasm between the values of the two areas, and shared concerns about stolen water, a lack of local control and a fierce resistance to supporting what many see as Scotts Valley's attempt to acquire water for its expanding population. However, Rogers says Scotts Valley's demand



has remained the same—their pumping has actually decreased by 40% from their historical highs in the 1990s.

An SVWD employee called in to say he was opposed to the merger, and one attendee called it “the worst idea since the pet rock.” Two days later, SLVWD board member Tina To released a statement in an effort to tamp down the rhetoric, but the damage had been done. The statement has since been taken down on advice by the district’s legal counsel.



MERGING MINDS

For the past five years, SVWD General Manager Piret Harmon and Rogers have had regular monthly meetings in which they discuss the direction of their districts and share best practices. Rogers says the inter-district collegiality was a refreshing new approach considering the previous rivalry, and it’s been a benefit to each district.

“Scotts Valley was the lead agency on the Regional Intertie Project back in 2013 that resulted in a \$3.917 million grant benefitting five different local water agencies, including SLV,” Rogers says. “Currently, we’re working on the joint Urban Water Management Plan document, and we’re seeing that there are significant savings by combining the districts and using one consultant.”

When the topic of merging the two districts came up, both Harmon and Rogers agreed to take the idea to their boards. Both boards agreed to add the idea to their respective meeting agendas, and that’s when things started rocking.

“Neither of us wanted to appear as the aggressor in this situation, so we tried to roll it out at the same time,” Rogers said. “We had talked about this before the [CZU August Lightning Complex fire](#) began, so the idea had been on hold since early August. I know people were questioning the timing of introducing the merger, but we’d been sitting on it for six months.”

As for the reaction from SLV residents at the Feb. 4 board meeting, Rogers says he wasn’t surprised. Rogers says that he, Harmon, and several key members of Harmon’s staff are knocking on retirement’s door. By looking at consolidating the districts, Rogers sees the financial benefit of slimming down operations.

“Think about the savings of running one administrative building, only having one manager/director, and reducing overhead costs,” he says.

While residents are concerned about the impacts of a merger, Rogers says he is worried about what happens if the consolidation evaporates and another, larger agency such as Santa Cruz or San Jose merges with Scotts Valley.



“We already have over 1,000 water connections in Scotts Valley; ultimately, combining the two districts strengthens our position with groundwater and surface water. It gives us greater control, and I think it’s a good fit,” he says.

“We’ll need surveys done, and we’ll need data reports from our engineers, and that information will help answer a lot of the residents’ questions. The best way to control our water supply is to have local management of it, so I see a lot of positives.”

At the March 4 meeting, Rogers said he is still undecided about the merger and made reference to “back of the napkin” math that would exhibit a cost savings for ratepayers in SLV.

“No decisions have been made; no actions have been taken,” he tells *GT*. “It’s strictly exploratory. We’re looking at a minimum of two years of board meetings to get information to our ratepayers, and it’s up to both boards as to whether they want to move forward with that exploration.”

Harmon echoed Rogers at the SVWD Feb. 11 meeting, saying that the meeting was “the first step of the first step, just to see if the board is interested in giving staff direction.”

“Let’s see if there is merit to this proposal. I’m not convinced there is,” she said. “We may come out of this study and find that there are as many downsides as merits. But I am a person of facts, and I need to look at something tangible and quantifiable to bring a recommendation to the board.”

During public comment, participants voiced concerns over the cost of conducting analysis, differing consumption rates between the two valleys and employee representation. Harmon struggled to see a disadvantage in considering consolidation.

“I’m too much of an engineer for that; everything should be evaluated for efficiency, unless it’s too expensive or our partner is unwilling from the get-go,” she said.


According to Serrano, if both boards direct staff to begin analysis, LAFCO would fund one-third of the fee for an outside consultant hired to conduct a detailed analysis.


Harmon originally proposed consolidation to Rogers because of the potential increases in efficiency of both districts. According to Harmon, consolidation could allow for the elimination of many redundancies such as top executive positions, support services (legal counsels, auditors, public outreach, web hosting) and professional services (integrated regional water management agencies, LAFCO, engineering consulting, hydrogeological consulting). Consolidation could also reduce time spent on regulatory reports, lead to better use of assets, and larger departments would provide better customer service coverage, Harmon says.


“All of this is expected to result in increased efficiency, reduced operating expenses, lower rate increases, improved customer service, increased job satisfaction, and productivity,” she says.

“Based on what they heard from us, I hope that the [SLVWD Board] will decide to act,” Harmon said. “For now, it’s a waiting game.”









KATIE EVANS

Blog

LEAVE A REPLY

Your email address will not be published. Required fields are marked *

Comment



Name *

Email *

Website

☐

Save my name, email, and website in this browser for the next time I comment.

Are you an earthling? Prove it with logic: *



Post Comment

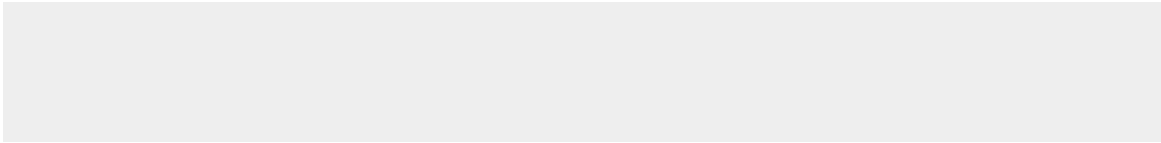
This site uses Akismet to reduce spam. [Learn how your comment data is processed.](#)

RELATED ITEMS: [BEN LOMOND](#), [BOB FULTZ](#), [BOULDER CREEK](#), [BROOKDALE](#), [FLOW](#), [JOE SERRANO](#), [LAFCO](#), [LEAD](#), [LOMPICO](#), [MOUNT HERMON](#), [NEWS](#), [PIRET HARMON](#), [RICK ROGERS](#), [SAN LORENZO VALLEY WATER DISTRICT](#), [SCOTTS VALLEY](#), [SCOTTS VALLEY WATER DISTRICT](#), [WADE LEISHMAN](#), [ZAYANTE](#)



RECOMMENDED FOR YOU

Coronavirus: Live Updates from Across Santa Cruz County	How UCSC Scientists Are Using Their Expertise to Tackle the Pandemic	Things To Do in Santa Cruz: March 10-16



Good Times is Santa Cruz County’s
premier weekly newspaper.
Since 1975.

[About Us](#)

[Job Opportunities](#)



GET ENGAGED

[Contact Good Times & SantaCruz.com](#)

[Advertising](#)

[Ad Planner/Issue Schedule](#)

[Electronic Ad Guidelines](#)

[Event Calendar](#)

[Newsletter Sign-up](#)

[Archive](#)

LOCAL NEWS

Marin City leaders consider incorporation



MARIN CITY CA – FEBRUARY 16: A view of Marin City is seen in Marin City, Calif. on Tuesday, Feb. 16, 2021. (Sherry LaVars/Marin Independent Journal)

By **LORENZO MOROTTI** | lmorotti@marinij.com | Marin Independent Journal

PUBLISHED: March 13, 2021 at 4:15 p.m. | UPDATED: March 14, 2021 at 2:05 p.m.

Marin City leaders are considering a push to incorporate the community.

Despite the name, Marin City is not a city, or a town — it has no mayor or elected council. As an unincorporated community, the county maintain its infrastructure, provides fire and law enforcement services and make key decisions for the community.

The community's de facto government is the Marin City Community Services District, comprised of five Black directors. Representatives on the Board of Supervisors, which currently govern the community, are White.



If Marin City incorporates itself, it would be the 12th city in the county. Marin City CSD Director Damian Morgan said while it has been tried without success [before](#), the board is seriously looking into the effort.

“This goes beyond just planning and discussion,” Morgan said. “We have a team of lawyers and consultants collecting and analyzing our financial data in the background. They will follow up and see how we would fare as a city.”

Marin City CSD community meeting to discuss the issue is tentatively set for March 23.

In order for the community of about 3,000 people to become a city, the Marin City CSD would have to file an application with the Local Agency Formation Commission, which would conduct a financial analysis.

“Part of that process would be, what exactly as a city would it be offering citizens, where it will be getting its revenue from and if that would be able to cover services it must provide,” LAFCO Executive Officer Jason Fried said.

Fried said it would take about a year to go through the process. But before LAFCO could consider the request, he said the Marin City CSD would need to establish a tax exchange agreement with the county because it would take over some responsibilities — such as infrastructure, fire or law enforcement services.

“So the county says ‘what are you taking away from us and how much is that worth compared to what we currently get for that area?’ So that all needs to get worked out,” he said.

Marin City CSD director Terrie Green said she hopes something can be worked out.

“We are in the process of making sure we have the finances to become a city,” Green said. “We believe we do, but we have to get the county to be transparent and give us back the tax dollars they owe us.”

She said while the value of homes has increased, the Marin City CSD has not seen that increase reflected in its annual revenue, which is determined by the county.

Marin City belongs to two tax rate areas, which contain 14 taxing entities that provide services, according to Mina Martinovich, county assistant finance director.

In 2019-20, these two areas earned about \$3.2 million in property taxes. Marin City CSD received about \$275,000 of that money.

She said Marin City leaders have expressed interest in becoming a city in the past.

“On both occasions, the services provided to Marin City were significantly higher than the revenues collected,” Martinovich said. “In 2013, we were spending over \$3 million more than what we were collecting in tax revenues.”

Built during World War II, Marin City housed thousands of shipyard workers. After the war, Black workers were barred from buying homes in surrounding communities due to exclusionary housing covenants.



In the 1960s, Golden Gate Village was built to house low-income families. Until the 1970s Marin City's population was predominantly Black, but as townhomes were added the community diversified ethnically.

White and Black people made up about 38% of the population, Latinos 14% and Asians 11%, according to the 2010 census.

Marin City CSD director Royce McLemore said the population has shifted over the years.

"Black people are not the majority anymore," McLemore said. "That's because they couldn't afford it and moved away, or people started selling out."

She said if Marin City were to become a city, it might have more say in the fate of Golden Gate Village. The county's housing authority is looking at a redevelopment plan for the complex of eight high-rise and 22 low-rise buildings by New-Jersey based Michaels Development Co.

An alternative plan proposed by the Golden Gate Village Resident Council calls for the complex to be transferred into a community land trust, provide job training and apprenticeship programs for residents and stagger maintenance and installation of green infrastructure in phases.

District 3 Supervisor Stephanie Moulton-Peters, who represents Marin City, did not respond to a request for comment.

Tags: [Golden Gate Village](#), [Marin City](#), [newsletter](#)



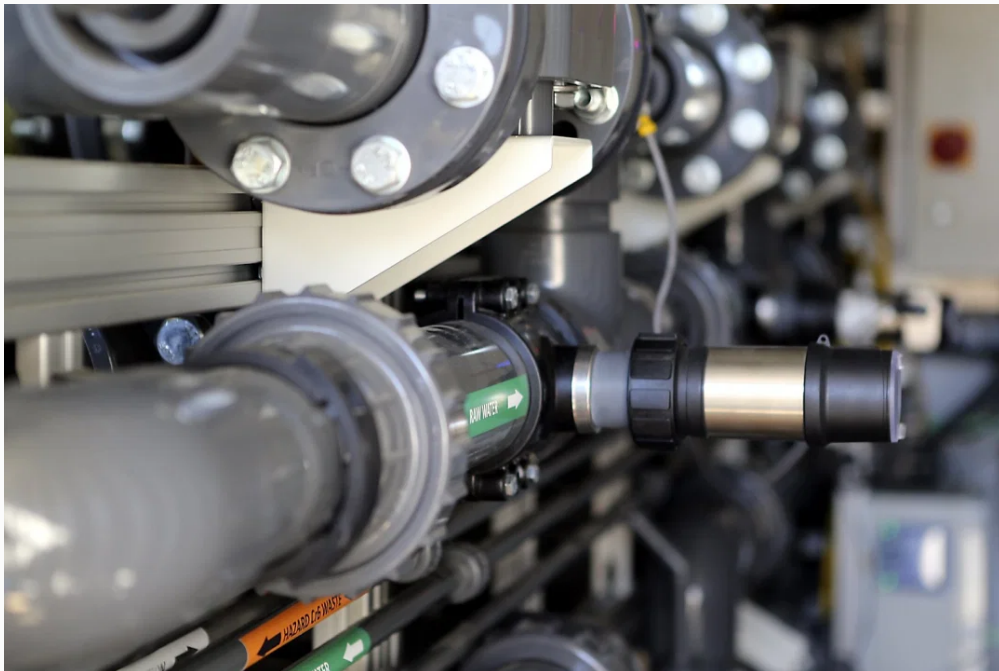
Lorenzo Morotti



NEWS > ENVIRONMENT

Next phase of Pure Water Soquel project gets green light

The 8 miles of water pipeline is slated to be completed by early 2023



Next phase of Pure Water Soquel project gets green light

By **HANNAH HAGEMANN** | hhagemann@santacruzsentinel.com |

PUBLISHED: March 18, 2021 at 4:29 p.m. | UPDATED: March 18, 2021 at 4:29 p.m.



SOQUEL — The construction of [8 miles of water pipeline](#) that will be integral to the Pure Water Soquel project, was approved by Soquel Creek Water District Board of Directors this week.

The Santa Cruz Mid-County Groundwater Basin, from which at least 50,000 residents depend on for drinking water, has been deemed critically depleted by the state. Years of intensive pumping for agriculture and drinking water has drawn out more water from the aquifer than is being replenished naturally by rainwater. That's led to seawater seeping into underground storage and wells. The Pure Water project aims to bolster groundwater levels in the aquifer, and prevent seawater contamination, which has already been detected in some areas.

The water-recycling project, [according to the Soquel Creek Water District](#), will produce about 490 million gallons of purified water yearly. The project includes two water treatment elements — the first will create recycled water at the Santa Cruz Wastewater Treatment Facility. The second component is a water purification plant to be constructed at Chanticleer and Soquel Avenue. From there, the treated water will be injected into three planned "Seawater Intrusion Prevention" wells.

"By putting this purified water back into the ground, it's creating that positive pressure, that barrier, to prevent that seawater intrusion from creeping inland," said Melanie Mow Schumacher, communications manager with the Soquel Creek Water District.

Residents living in Capitola to La Selva Beach who are served by the Soquel Creek Water District depend solely on the Mid-County Basin for drinking water. In addition, private well owners, residents in Live Oak, as well as those served by Central Water District and various small mutual water companies, [are also dependent on the underground reservoir](#).

"We are one of the few areas in California that rely on local water sources," said Mow Schumacher. "We don't get any state or imported water, and we have seawater contamination affecting our sole source of supply."

Soquel Creek, along with other agencies, are under a mandate by the state to bring the Mid-County Basin back to a sustainable level. The reservoir is one of 21 in California defined as critically depleted.

Contractors are scheduled to break ground on the water pipeline construction as soon as this May, according to the Soquel Creek Water District. That phase of the project is slated to cost more than \$34 million and to be completed by early 2023.

So far, officials have received \$50 million from the State Water Resources Control Board, a low-interest loan from the federal EPA, as well as some other grant funding.



The news comes as Santa Cruz County has shown some early indications of drought. Despite rain showers this week, according to city records as of March 15 [precipitation that's fallen over the winter season thus far, hovers at 57% of the city's historical average.](#) The Loch Lomond reservoir is currently at a little more than 72% capacity.

Manu Koenig, 1st District Santa Cruz County Supervisor, said Pure Water is one part of a larger-effort to amp up water supply and protect drinking water resources across Santa Cruz.

"This is not an isolated solution," Koenig said. "Some critics of the project might say we need to look at all possible alternatives and that recycled water is a relatively energy intensive process...but I would say we really are doing everything we can to address the shortfalls in our area — this is just one piece of the solution."

Tags: [All Readers](#), [Newsletter](#)



**Hannah
Hagemann**

