



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, May 5, 2021**

**Start Time - 9:00 a.m.**

*Due to COVID-19, this meeting was conducted remotely pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspended certain requirements of the Ralph M. Brown Act.*

**1. ROLL CALL**

**Chair Justin Cummings** called the meeting of the Local Agency Formation Commission of Santa Cruz County (LAFCO) to order at 9:00 a.m. and welcomed everyone in attendance. He asked the Commission Clerk to conduct roll call.

The following Commissioners were present:

- Chair Justin Cummings
- Vice-Chair Rachél Lather
- Commissioner Jim Anderson
- Commissioner Roger Anderson
- Commissioner Ryan Coonerty
- Commissioner Francisco Estrada
- Commissioner Zach Friend
- Alternate Commissioner Ed Banks
- Alternate Commissioner Yvette Brooks
- Alternate Commissioner John Hunt

The following LAFCO staff members were present:

- Executive Officer Joe Serrano
- Commission Clerk Chris Carpenter
- Legal Counsel Daniel Zazueta

## 2. EXECUTIVE OFFICER'S MESSAGE

**Executive Officer Joe Serrano** announced that the Commission meeting is being conducted virtually through the Zoom Webinar platform and participation by Commissioners and staff are from remote locations. Members of the public have complete access to the meeting by phone or online.

## 3. ADOPTION OF MINUTES

**Chair Justin Cummings** requested public comments on the draft minutes. **Executive Officer Joe Serrano** noted no public comments were received. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for the approval of the draft minutes. **Commissioner Jim Anderson** motioned for approval of the April 7th Meeting Minutes and **Commissioner Roger Anderson** seconded the motion.

**Chair Justin Cummings** called for a roll call vote on the approval of the draft minutes with no changes. **Commission Clerk Chris Carpenter** conducted a roll call vote on the item.

**MOTION:** Jim Anderson  
**SECOND:** Roger Anderson  
**FOR:** Jim Anderson, Roger Anderson, Ryan Coonerty,  
Justin Cummings, Francisco Estrada, Zach Friend, Rachél Lather  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

## 4. ORAL COMMUNICATIONS

**Chair Justin Cummings** requested public comments on any non-agenda items. **Executive Officer Joe Serrano** noted no public comments were received. **Chair Justin Cummings** closed public comments.

## 5. PUBLIC HEARINGS

**Chair Justin Cummings** indicated that there are two public hearing items for Commission consideration today.

### 5a. "Service and Sphere Review for Scotts Valley Water District"

**Chair Justin Cummings** requested staff to provide a presentation on the draft version of the service and sphere review.

**Executive Officer Joe Serrano** noted that this is one of four service and sphere reviews scheduled this year for Commission consideration. Mr. Serrano explained that Scotts Valley Water District was originally formed in 1961 and currently serves water to approximately 12,000 people through an integrated system of groundwater wells,

treatment plants, pump stations, storage tanks, and a reclamation facility. The District also adopts a capital improvement plan each year, maintains a transparent website, and has been financially healthy over the past several years. Mr. Serrano pointed out that the City of Scotts Valley receives water primarily from Scotts Valley Water District but also from San Lorenzo Valley Water District for a small portion of the City. It may be beneficial for LAFCO, the City, and the two water districts to determine whether it would be more efficient to the residents to have only one water provider. He informed the Commission that the current sphere needs an update to reflect the eight unserved areas immediately adjacent to the District's jurisdictional boundary and the areas already being served by Scotts Valley Water District. LAFCO staff is recommending that the current sphere be expanded to include these areas.

**Chair Justin Cummings** requested public comments on the draft service and sphere review. **Executive Officer Joe Serrano** noted that the District's General Manager, Piret Harmon, is in attendance and has requested to speak.

**General Manager Piret Harmon** extended her appreciation to LAFCO staff for producing a thorough analysis of their water district. Ms. Harmon believes that this report will be a valuable tool for her board, staff, and constituents to better understand the District's role in the Scotts Valley community.

There were no further requests to address the Commission from the public. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for Commission comments on the report.

**Commissioner Rachél Lather** had a question about the LAFCO process if Scotts Valley Water District became the only water provider for the City of Scotts Valley. **Executive Officer Joe Serrano** explained that if both water districts supported the change, then an application for a reorganization would be required. A reorganization would detach the portion of the City served by San Lorenzo Valley Water District and concurrently annexed into Scotts Valley Water District. If the proposal is approved by the Commission, then Scotts Valley Water District would be the only water provider to the City of Scotts Valley as a result of the reorganization.

**Commissioner Roger Anderson** was overall pleased with the report but would have preferred more information about the District's aquifer, which is a critical component in their water supply. **General Manager Piret Harmon** informed the Commission that there are reports about the District's aquifer available on their website. **Executive Officer Joe Serrano** explained that the service and sphere review was created not only to fulfill the statutory requirement but to offer a detailed evaluation of the entire governance and operation of the District.

**Chair Justin Cummings** asked staff if there is an update on the water consolidation effort between Scotts Valley and San Lorenzo Valley Water Districts. **Executive Officer Joe Serrano** informed the Commission that the two water districts recently analyzed the benefits and constraints regarding consolidation. This analysis will be presented to San Lorenzo Valley Water District Board at their next meeting (May 20, 2021). LAFCO staff will provide an update on the consolidation effort at the next regularly scheduled LAFCO meeting (June 2, 2021).



**Chair Justin Cummings** noted no further Commission discussion and called for a roll call vote on the approval of the service and sphere review based on staff's recommendation: **Find that the report is exempt from CEQA; Determine that the report fulfills the requirements under Government Code Sections 56425 and 56430, and Adopt the draft resolution (No. 2021-11) approving the 2021 Service and Sphere of Influence Review for Scotts Valley Water District.**

**Commission Clerk Chris Carpenter** conducted a roll call vote on the item.

**MOTION:** Jim Anderson  
**SECOND:** Rachél Lather  
**FOR:** Jim Anderson, Roger Anderson, Ryan Coonerty,  
Justin Cummings, Francisco Estrada, Zach Friend, Rachél Lather  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **6. OTHER BUSINESS**

**Chair Justin Cummings** indicated that there are two business items for Commission consideration today.

### **6a. Special Districts Regular & Alternate Seats – 2021 Election Results**

**Chair Justin Cummings** requested staff to provide a presentation on the results of the election process for the vacancies on LAFCO and the Santa Cruz County Consolidated Redevelopment Successor Agency Oversight Board ("COB").

**Executive Officer Joe Serrano** noted that the Commission was initially informed about the selection results back in March. Calls for applications were conducted earlier in the year and the number applications equaled the number of vacant seats on both LAFCO and the COB. In accordance with state law, if this occurs then the applicants are selected in lieu of an election. As a result, Jim Anderson and Ed Banks have been appointed on LAFCO and on the COB. Today the Commission is simply certifying the selection results by adopting the two resolutions.

**Chair Justin Cummings** requested public comments on the selection results. **Executive Officer Joe Serrano** noted no public comments were received. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for Commission comments on the selection results. The Commission did not have any questions for staff on this item.

**Chair Justin Cummings** called for a roll call vote to certify the results based on staff's recommendation: **Adopt the draft resolutions (No. 2021-12 and 2021-13) certifying the results of the recent election process.**

**Commission Clerk Chris Carpenter** conducted a roll call vote on the item.

**MOTION:** Ryan Coonerty

**SECOND:** Roger Anderson

**FOR:** Jim Anderson, Roger Anderson, Ryan Coonerty,  
Justin Cummings, Francisco Estrada, Zach Friend, Rachél Lather

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0**

#### **6b. Comprehensive Quarterly Report – Third Quarter (FY 2020-21)**

**Chair Justin Cummings** requested staff to provide a presentation on the quarterly report.

**Executive Officer Joe Serrano** noted that this report is meant to keep the Commission informed about all LAFCO-related activities, including the status of active proposals, the schedule of upcoming service reviews, the current financial performance of LAFCO's adopted budget, and other projects. Mr. Serrano covered these areas and indicated that the Commission's budget is doing well with over 100% of anticipated revenues already received and only approximately 51% of anticipated expenses incurred.

**Chair Justin Cummings** requested public comments on the quarterly report.

**Becky Steinbruner** extended her appreciation for LAFCO staff's productivity and the quality level of analysis found in recent reports.

**Executive Officer Joe Serrano** noted no further public comments were received. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for Commission comments on the quarterly report. There were no comments or questions from the Commission. **Chair Justin Cummings** moved to the next item since no Commission action was required.

### **7. WRITTEN CORRESPONDENCE**

**Chair Justin Cummings** inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** indicated that there were none received. **Chair Justin Cummings** moved to the next item since no Commission action was required.

### **8. PRESS ARTICLES**

**Executive Officer Joe Serrano** indicated that this item highlights LAFCO-related articles recently circulated in local newspapers. **Chair Justin Cummings** moved to the next item since no Commission action was required.



## 9. COMMISSIONERS' BUSINESS

**Chair Justin Cummings** inquired whether any Commissioner would like to share any information. There were no comments. **Chair Justin Cummings** moved to the next item since no Commission action was required.

## 10. LEGAL COUNSEL'S REPORT

**Legal Counsel Daniel Zazueta** indicated that there was nothing to report. **Chair Justin Cummings** moved to the next item since no Commission action was required.

## 11. CLOSED SESSION

**Chair Justin Cummings** noted that pursuant to state law, closed session may be held in accordance with the Government Code Section 54950 ("Brown Act"). Prior to the closed session, the public is invited to address the Commission regarding the closed session items.

**Chair Justin Cummings** requested public comments prior to entering the closed session. **Becky Steinbruner** inquired about the purpose of the closed session. **Legal Counsel Daniel Zazueta** noted that LAFCO could not share such information at this time. There were no further comments. **Chair Justin Cummings** requested that all Commissioners leave the regular meeting on Zoom and enter the closed session via conference call.

## 12. ANNOUNCEMENTS FROM CLOSED SESSION

**Chair Justin Cummings** deferred to Legal Counsel for any reportable actions. **Legal Counsel Daniel Zazueta** indicated that there were no reportable actions from the closed session.

## 13. ADJOURNMENT

**Chair Justin Cummings** adjourned the Regular Commission Meeting at 10:46 a.m. to the next regular LAFCO meeting scheduled for Wednesday, June 2, 2021 at 9:00 a.m.

  
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JUSTIN CUMMINGS, CHAIRPERSON

Attest:

  
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JOE A. SERRANO, EXECUTIVE OFFICER