



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

701 Ocean Street, #318-D  
Santa Cruz, CA 95060  
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**REGULAR MEETING AGENDA**

**Wednesday, January 5, 2022 at 9:00am**

(Meeting will be conducted using Zoom Webinar)

**Attend Meeting by Internet:** <https://us02web.zoom.us/j/84733692745>  
(Password 257512)

**Attend Meeting by Conference Call:** **Dial 1-669-900-6833 or 1-253-215-8782**  
(Webinar ID: 847 3369 2745)

**TELECONFERENCE MEETING PROCESS**

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

- a) Commission Quorum: Assembly Bill 361 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 LAFCO staff. Email comments must be submitted to LAFCO staff at [info@santacruzlafco.org](mailto:info@santacruzlafco.org). Comments on matters not on the agenda may be submitted prior to the time the Chair calls for Oral Communications. Comments on agenda items may 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 may 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. Virtual Meeting Process**

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

Recommended Action: No action required; Informational item only.

### **b. Countywide Park & Recreation Report Update**

The Commission will receive an update on the progress made since the adoption of the service and sphere review.

Recommended Action: No action required; Informational item only.

### **c. Countywide Fire Report Update**

The Commission will receive an update on the progress made since the adoption of the service and sphere review.

Recommended Action: No action required; Informational item only.

### **d. Welcome New Legal Counsel**

The Commission will welcome Joshua Nelson as LAFCO's new legal counsel.

Recommended Action: No action required; Informational item only.

## **3. ADOPTION OF MINUTES**

The Commission will consider approving the minutes from the November 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. "Ervine/Old Coach Road Extraterritorial Service Agreement" with the City of Scotts Valley (LAFCO Project No. DA 21-16)**

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. 2022-01) approving the extraterritorial service agreement involving the City of Scotts Valley.

## **6. OTHER BUSINESS**

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

### **a. Continuation of Remote Meetings**

The Commission will consider ratifying a resolution to permit the continuation of remote meetings under AB 361.

Recommended Action: Ratify the existing resolution (No. 2021-19) approving the continuation of remote meetings under AB 361.

### **b. Appoint New Chair and Vice-Chair**

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

Recommended Action: Select Chair and Vice-Chair for the 2022 calendar year.

### **c. Appoint New Personnel Committee**

The Commission will consider selecting members for the personnel committee.

Recommended Action: Assign at least two Commissioners to be part of LAFCO's Personnel Committee for the 2022 calendar year.

### **d. UCSC LRDP Update**

The Commission will receive an update on the ongoing lawsuit between the City of Santa Cruz and the University of California, Santa Cruz.

Recommended Action: No action required; Informational item only.

### **e. Regular and Alternate City Member Election Process**

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

Recommended Action: No action required; Informational item only.

## **7. WRITTEN CORRESPONDENCE**

LAFCO staff receives written correspondence and other materials on occasion that may or may not be related to a specific agenda item. Any correspondence presented to the Commission will also be made available to the general public. Any written correspondence distributed to the Commission less than 72 hours prior to the meeting will be made available for inspection at the hearing and posted on LAFCO's website.

### **a. CALAFCO Update**

The Commission will receive an update regarding the statewide organization.

Recommended Action: No action required; Informational item only.

## **8. PRESS ARTICLES**

LAFCO staff monitors newspapers, publications, and other media outlets for any news affecting local cities, districts, and communities in Santa Cruz County. Articles are presented to the Commission on a periodic basis.

### **a. Press Articles during the Months of October to December**

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. CLOSED SESSION**

Pursuant to State law, a closed session may be held to appoint, employ, evaluate the performance of, discipline, or dismiss a public employee. Prior to the closed session, the public is invited to address the Commission regarding the closed session items.

### **a. Public Employee Performance Evaluation**

Pursuant to: Government Code Section 54957

Title: Executive Officer

### **b. Conference with Labor Negotiators**

Pursuant to: Government Code Section 54957.6

Agency designated representatives: Personnel Committee

Unrepresented Employee: Executive Officer

## **11. ANNOUNCEMENTS FROM CLOSED SESSION**

The Chair and/or Legal Counsel will indicate whether there were any reportable actions from the Closed Session.

## **12. ADJOURNMENT**

LAFCO's next regular meeting is scheduled for Wednesday, February 9, 2022 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](http://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](http://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.



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

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**DRAFT MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, November 3, 2021**

**Start Time - 9:07 a.m.**

**1. ROLL CALL**

**Chair Justin Cummings** called the meeting of the Local Agency Formation Commission of Santa Cruz County (LAFCO) to order at 9:07 a.m. and welcomed everyone in attendance. He asked staff 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
- Legal Counsel, Daniel Zazueta

**2. EXECUTIVE OFFICER'S MESSAGE**

**2a. In-Person Meeting Protocol**

**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 will have access to the meeting by phone or online. Mr. Serrano anticipates conducting the next

LAFCO meetings remotely in accordance with the Governor's Executive Orders and the newly enacted law under Assembly Bill 361, which allows local agencies to conduct virtual meetings during a state of an emergency.

### 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 Roger Anderson** motioned for approval of the September 1st Meeting Minutes and **Commissioner Jim Anderson** seconded the motion.

**Chair Justin Cummings** called for a roll call vote on the approval of the draft minutes with no changes. **Executive Officer Joe Serrano** conducted a roll call vote on the item.

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

**MOTION PASSED: 6-0**

### 4. ORAL COMMUNICATIONS

**Chair Justin Cummings** requested public comments on any non-agenda items. **Executive Officer Joe Serrano** indicated that there were two requests to address the Commission. **Chair Justin Cummings** opened the floor for comments.

**Michael Tapia**, Alba Park & Recreation District Board President, provided an update on the efforts made by the District following the adoption of LAFCO's Countywide Park & Recreation Service and Sphere Review. Mr. Tapia explained that the District is currently developing a strategic plan to address all the issues identified in the LAFCO report. He also noted that internal improvements have been executed since August, such as filling in the vacancies on the District Board and becoming a member of the California Special Districts Association.

**Lindsay Speth**, Alba community resident, requested that the Commission not consider dissolution of Alba Park & Recreation District due to the ongoing improvements.

**Executive Officer Joe Serrano** indicated that there were no other requests to address the Commission. **Chair Justin Cummings** closed public comments and moved on to the next agenda item.

## 5. SPECIAL PRESENTATIONS

**Chair Justin Cummings** explained that the Commission will receive an update on the recovery effort by San Lorenzo Valley Water District following the CZU Fire.

**Executive Officer Joe Serrano** reminded the Commission that the 2020 Service and Sphere Review for the water district required an update a year after the CZU Fire as part of LAFCO's adopted resolution. The District and LAFCO staff agreed that it would be more informative if the District itself provided an update rather than receiving a typical staff report.

**General Manager Rick Rogers** summarized the effects of the fire, including the number of acres burned (86,509), number of structures destroyed (1,490), the actions taken after the fire was declared a major disaster, and the collaboration with the FEMA, Cal-OES, and other state and federal agencies to obtain funding.

*LAFCO experienced audio recording issues. Recording of the meeting reconvened prior to the consideration of the public hearing items.*

## 6. PUBLIC HEARINGS

**Chair Justin Cummings** indicated that there was one public hearing item for Commission consideration today.

### **6a. "Deer Path Road Annexation" to CSA 10 (LAFCO Project No. DA 21-14)**

**Chair Justin Cummings** requested staff to provide a presentation on the proposed annexation into County Service Area 10.

**Executive Officer Joe Serrano** indicated that the proposal was submitted by landowner petition and involved six separate parcels. The purpose of the annexation was to discontinue the use of septic tanks and connect to a more reliable sewer infrastructure. Mr. Serrano noted that the County is willing and capable of providing sewer service to the subject area. He is recommending that the Commission approve the annexation and concurrent sphere amendment which encompasses the six affected parcels and nine additional parcels within the community. The nine parcels are not part of this proposal but should be annexed into CSA 10 in the foreseeable future.

**Chair Justin Cummings** requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

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

**Commissioner Ed Banks** asked whether residents within or near a sewer agency are required to mitigate any environmental impacts regarding a failing septic systems. **Executive Officer Joe Serrano** explained that the law now requires mandatory connections of failing septic systems to a nearby sewer agency if it meets the distance criteria. The annexation, if approved, would allow the affected residents the opportunity to connect prior to the failure of a septic system.



**Commissioner Jim Anderson** asked which agency will be treating the collected wastewater. **Executive Officer Joe Serrano** welcomed Bryan Wardlow, Engineering Technician from the County Public Works Department, who could answer the question more appropriately. **Bryan Wardlow** stated that the collected wastewater is sent to the treatment plant operated by the City of Santa Cruz.

**Chair Justin Cummings** called for the approval of the proposed annexation and concurrent sphere amendment. **Commissioner Jim Anderson** motioned for the approval based on staff's recommendation and **Commissioner Roger Anderson** seconded the motion.

**Chair Justin Cummings** noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Adopt the draft resolution (No. 2021-18) approving the 4-acre annexation into CSA 10.**

**Executive Officer Joe Serrano** 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, and Rachél Lather.  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **7. OTHER BUSINESS**

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

### **7a. Continuation of Remote Meetings**

**Chair Justin Cummings** requested staff to provide a presentation on the requirements to continue remote meetings under Assembly Bill 361.

**Executive Officer Joe Serrano** stated that the Commission has been conducting virtual meetings since May 2020 in accordance with the Governor's Executive Orders, allowing public agencies to host meetings remotely during the ongoing pandemic. Mr. Serrano noted that those orders had a sunset date of September 30, 2021. He explained that since the pandemic is still a health and safety issue, a new law was passed under Assembly Bill 361 to allow remote meetings under specific conditions, such as being in a state of emergency. This flexibility gives the Commission the option to conduct remote meetings for the time being. He also noted that if the Commission desires to continue virtual meetings, a formal vote and adoption of a resolution is required.

**Chair Justin Cummings** requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for Commission comments on the remote meeting requirements.

**Commissioner Roger Anderson** asked when will the Commission consider transitioning back to in-person meetings. Executive Officer Joe Serrano answered that the Commission will review, discuss, and consider the AB 361 requirements and the potential transition during each regularly scheduled meeting starting January 5, 2021 and until the Commission decides it is safe to revert back to in-person meetings.

**Chair Justin Cummings** noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Adopt the draft resolution (No. 2021-19) approving the virtual setting for LAFCO meetings pursuant to AB 361 and Government Code Section 54953.**

**Executive Officer Joe Serrano** conducted a roll call vote on the item.

**MOTION:** Rachél Lather

**SECOND:** Jim Anderson

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

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0**

#### **7b. Legal Counsel Contracts**

**Chair Justin Cummings** requested staff to provide a presentation on the proposed contractual agreements with two firms for legal counsel services.

**Executive Officer Joe Serrano** explained that a request for proposal was sent out in July to consider and select a new legal counsel. Mr. Serrano noted that a total of six proposals were submitted before the August 31st deadline. He pointed out that the six firms were ranked based on the criteria outlined in the request for proposal. The analysis showed that Best, Best & Krieger (BBK) and Colantuono, Highsmith & Whatley (CHW) were the top two firms. He recommended that the Commission hire BBK as LAFCO's general counsel and CHW as LAFCO's special counsel. Mr. Serrano thanked all six firms for submitting their proposals and also thanked Daniel Zazueta for his services during the last few years as LAFCO's current legal counsel.

**Chair Justin Cummings** requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

**Chair Justin Cummings** called for Commission comments on the results of the request for proposal regarding legal services.

**Commissioner John Hunt** asked for clarification with the difference between general and special counsel. **Executive Officer Joe Serrano** explained that general counsel provides guidance on all matters including day-to-day operations, governance, and

regulations. Special counsel provides guidance on specific projects or areas that LAFCO's general counsel may have a conflict of interest.

**Commissioners Jim Anderson and Ed Banks** asked about the financial impacts of having two legal firms when compared to the status quo of having County counsel provide legal services to LAFCO. **Executive Officer Joe Serrano** explained that both general and special counsels will charge an hourly rate only when services are rendered. Mr. Serrano noted that the staff report includes a cost analysis showing the projected annual expense of each legal firm based on their hourly rate and travel time expenses with the assumption that each legal firm provided 72-hours' worth of services and attended each meeting in-person during FY 2020-21. He indicated that even though the total cost would be higher with BBK under this hypothetical timeframe, he believed that BBK's seven member team would have provided more technical expertise on various proposals and projects compared to the County's one attorney assigned to LAFCO.

**Chair Justin Cummings** noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Approve the two draft contractual agreements to hire Best, Best & Krieger as LAFCO's general counsel and Colantuono, Highsmith & Whatley as LAFCO's special counsel.**

**Executive Officer Joe Serrano** conducted a roll call vote on the item.

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

**MOTION PASSED: 7-0**

#### **7c. Multi-Year Work Program Update**

**Chair Justin Cummings** requested staff to provide a presentation on the upcoming services reviews under the Commission's Multi-Year Work Program.

**Executive Officer Joe Serrano** reported that the work program adopted by the Commission in November 2019 lays out the scheduled service reviews until 2024. Mr. Serrano pointed out that three service reviews are scheduled to be completed in 2022 which will analyze 41 agencies: City of Capitola (May 4), six water districts (August 3), and 34 road-related county service areas (November 2).

**Chair Justin Cummings** requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

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

**Commissioner John Hunt** asked if the Reclamation District (No. 2049) has been dissolved. **Executive Officer Joe Serrano** noted that the reclamation district is still considered a special district and will be analyzed with the other water agencies as part of the countywide report.

**Chair Justin Cummings** noted no further Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Approve the scheduled service and sphere reviews for the 2022 calendar year.**

**Executive Officer Joe Serrano** conducted a roll call vote on the item.

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

**MOTION PASSED: 7-0**  
**7d. LAFCO Meeting Schedule**

**Chair Justin Cummings** requested staff to provide a presentation on the meeting schedule for the upcoming calendar year.

**Executive Officer Joe Serrano** proposed a meeting schedule of ten regular meetings which would be held on the first Wednesday of each month with a start time of 9:00am, with one exception: the February Meeting will be held on the second Wednesday (February 9) due to a scheduling conflict with staff. He clarified that there are no regular meetings scheduled for the months of July and December.

**Chair Justin Cummings** requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

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

**Chair Justin Cummings** noted no Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Adopt the meeting schedule for the 2022 calendar year.**

**Executive Officer Joe Serrano** 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, and Rachél Lather.  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **7e. Comprehensive Quarterly Report – First Quarter (FY 2021-22)**

**Chair Justin Cummings** requested staff to provide a presentation on the completed projects and tasks during the months of July, August, and September.

**Executive Officer Joe Serrano** reported that September was the end of the first quarter. Mr. Serrano noted that during this timeframe LAFCO received 100% of the anticipated revenues. The majority of funding comes from the allocation from cities, special districts, and the County. He also noted that LAFCO incurred approximately 21% of the projected costs for this fiscal year.

**Chair Justin Cummings** requested public comments on the update. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission. **Chair Justin Cummings** closed public comments.

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

**Chair Justin Cummings** noted no additional comments or questions from the Commission and moved to the next item since no Commission action was required.

## **8. WRITTEN CORRESPONDENCE**

**Chair Justin Cummings** inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** indicated that there no written correspondence to consider. **Chair Justin Cummings** moved to the next item since no Commission action was required.

## **9. PRESS ARTICLES**

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

## **10. 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.

## **11. LEGAL COUNSEL'S REPORT**

**Legal Counsel Daniel Zazueta** indicated that there was nothing to report but wanted to thank the Commission for allowing him to be LAFCO's legal counsel for the past two years. **Chair Justin Cummings** thanked Mr. Zazueta for his services and moved to the next item since no Commission action was required.

## 12. ADJOURNMENT

**Chair Justin Cummings** adjourned the Regular Commission Meeting at 10:18 a.m. to the next regular LAFCO meeting scheduled for Wednesday, January 5, 2022 at 9:00 a.m.

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JUSTIN CUMMINGS, CHAIRPERSON

Attest:

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JOE A. SERRANO, EXECUTIVE OFFICER

DRAFT



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**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **“Ervine / Old Coach Road Extraterritorial Service Agreement” with the City of Scotts Valley (LAFCO Project No. ESA 21-16)**

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**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. 2022-01) approving the extraterritorial service agreement involving the City of Scotts Valley.

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**EXECUTIVE OFFICER’S REPORT:**

In November 2021, a landowner submitted an application to receive an extraterritorial service agreement between the City of Scotts Valley and a single parcel (APN: 056-102-02) 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: 056-102-02) is approximately 224 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 County's Environmental Health Department 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. Staff is recommending that the Commission direct staff to coordinate with the City to discuss annexation of existing extraterritorial service agreements in the near 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 November 4, 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:

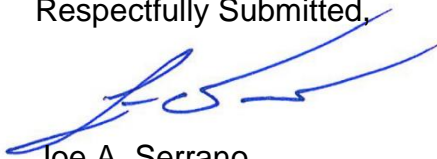
- 1) **Application Form** – Commission Policy requires a signed extraterritorial service agreement form. A signed application was submitted on November 4, 2021.
- 2) **Consent Letter** – Commission Policy requires documentation showing consent from the affected property owner as part of the application. The property owner of APN: 056-102-02 submitted a consent letter on November 4, 2021.
- 3) **Will-Serve Letter** – Government Code Section 56133 requires documentation from the affected agency indicating support and capacity to provide the requested service. The City of Scotts Valley signed a Will-Serve letter on November 10. (**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 December 7, 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, will record a Notice of Exemption after Commission approval, 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 with the application (**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,

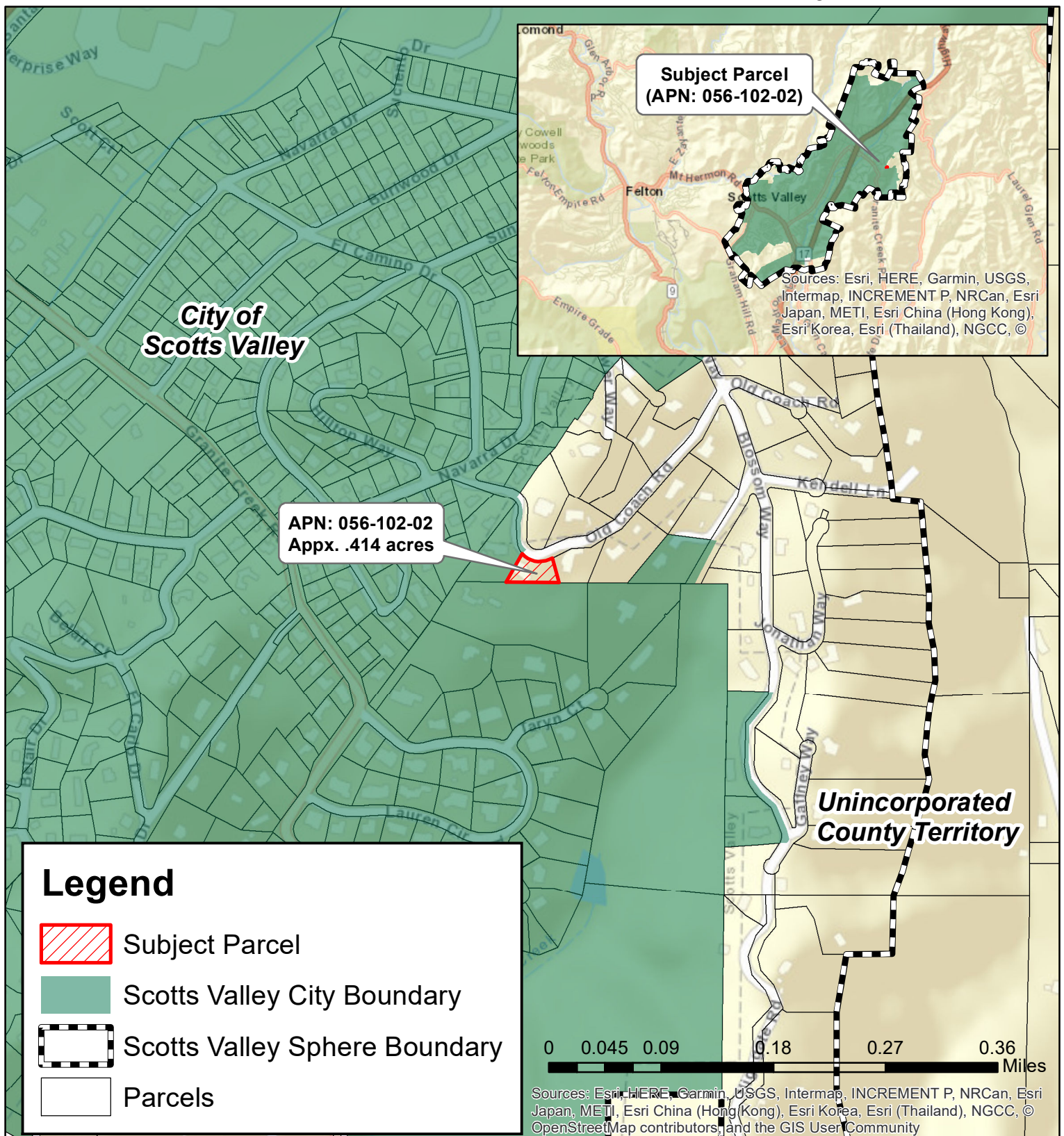


Joe A. Serrano  
Executive Officer

Attachments:

1. Proposal Area Map
2. Extraterritorial Services Policy
3. City Will-Serve Letter
4. Notice of Public Hearing
5. Notice of Exemption (CEQA)
6. Indemnification Agreement
7. Draft Resolution No. 2022-01

cc: Angela and Stuart Ervine (Property Owner; APN: 056-102-02)  
Brian Haddix, City of Scotts Valley  
Kati King, City of Scotts Valley  
Heather Reynolds, County Environmental Health Department  
Marina George, Land Use Consultant



## City of Scotts Valley Jurisdictional and Sphere Boundaries (LAFCO Project No. ESA 21-16)

The subject parcel is currently outside the City limits but within the City's sphere of influence. Pursuant to GCS 56133(c), the parcel may receive sewer services to address a health/safety issue (ex. septic tank failure).



## 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

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

November 10, 2021

To: Stuart and Angela Ervine

Re: Will Serve Letter APN 056-102-02

This is a "Will Serve Letter" for the above stated property APN, 200 Old Coach Road 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,

Kati King  
Division Manager  
City of Scotts Valley Wastewater Treatment Plant



**NOTICE OF PUBLIC HEARING  
LOCAL AGENCY FORMATION COMMISSION**

NOTICE IS HEREBY GIVEN that at 9:00 a.m., Wednesday, January 5, 2022, the Local Agency Formation Commission of Santa Cruz County (LAFCO) will hold a public hearing on the following:

- **“Ervine / Old Coach Road Extraterritorial Service Agreement” with the City of Scotts Valley (LAFCO Project No. ESA 21-16):** 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.

Due to COVID-19, this meeting will be conducted as a teleconference pursuant to the provisions of the Governor’s Executive Orders and Assembly Bill 361, which suspend certain requirements of the Ralph M. Brown Act. Members of the public are encouraged to participate remotely. Instructions to participate remotely are available in the Agenda and Agenda Packet: <https://www.santacruzlafco.org/2022-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](http://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.

A handwritten signature in blue ink, appearing to read 'Joe A. Serrano'.

Joe A. Serrano  
Executive Officer  
Date: December 7, 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:** "Ervin / Old Coach Road Extraterritorial Service Agreement" (ESA 21-16)

**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 Taryn Court, east of Granite Creek Road, south of Old Coach Road, 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 0.414 acres. The single parcel is owned by Angela and Stuart Ervin. 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 January 5, 2022. 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:** January 6, 2022

☒ Signed by Lead Agency

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



PROJECT NUMBER: ESA 21-16  
 TITLE: "Ervin/Old Coach Road ESA" with the City of Scotts Valley

### 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 of Santa Cruz County ("LAFCO"), indemnify, and hold harmless LAFCO, its officers, employees, and agents, from and against any claim, demand, damages, costs or liability of any kind (including attorneys' fees) against LAFCO 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

LAFCO shall notify the Applicant of any claim, action, or proceeding against which LAFCO seeks to be defended, indemnified, or held harmless. LAFCO shall reasonably cooperate in such defense.

B) Fees and Costs:

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

- 1) LAFCO bears its own attorneys' fees and costs; or
- 2) LAFCO and the Applicant agree in writing to the Applicant paying part or all of the Commission's attorneys' fees and costs.

C) Settlement:

When representing LAFCO, 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 LAFCO.

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.

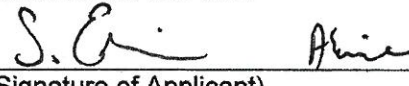
E) Recordation:

At any time after submission of the application, LAFCO 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)

November 4, 2021  
 (Date)

  
 (Signature of Applicant)

STUART & ANGELA ERVINE  
 (Printed Name)

8/16/2021  
 (Date)

LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY  
RESOLUTION NO. 2022-01

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

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE ERVINE / OLD COACH ROAD  
EXTRATERRITORIAL SERVICE AGREEMENT WITH THE CITY OF SCOTTS VALLEY  
(LAFCO PROJECT NO. ESA 21-16)

\*\*\*\*\*

WHEREAS, an application for an extraterritorial service agreement involving a single parcel (APN 056-102-02) (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 outside the City of Scotts Valley’s (“City”) jurisdictional boundary, within the City’s sphere of influence, and located north of Taryn Court, east of Granite Creek Road, south of Old Coach Road, and west of Blossom Way, as shown in Exhibit A; 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 with 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 Santa Cruz County Environmental Health Department 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 January 5, 2022, 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 January 5, 2022, 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, shall file a Notice of Exemption.

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 November 4, 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 June 3, 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 December 7, 2021, and scheduled the proposal for Commission consideration on January 5, 2022.

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 August 16, 2021 and November 4, 2021, respectively.

Section 6. The City and LAFCO must coordinate to discuss annexation of existing extraterritorial service agreements in the foreseeable future.

Section 7. The Certificate of Completion for the extraterritorial service agreement shall not be issued until all terms and conditions are met.

Section 8. The proposed extraterritorial service agreement shall be effective as of the date of recordation of the Certificate of Completion.

Section 9. 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 10. 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 5th day of January 2022.

AYES:

NOES:

ABSENT:

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JUSTIN CUMMINGS, CHAIRPERSON

Attest:

Approved as to form:

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Joe A. Serrano  
Executive Officer

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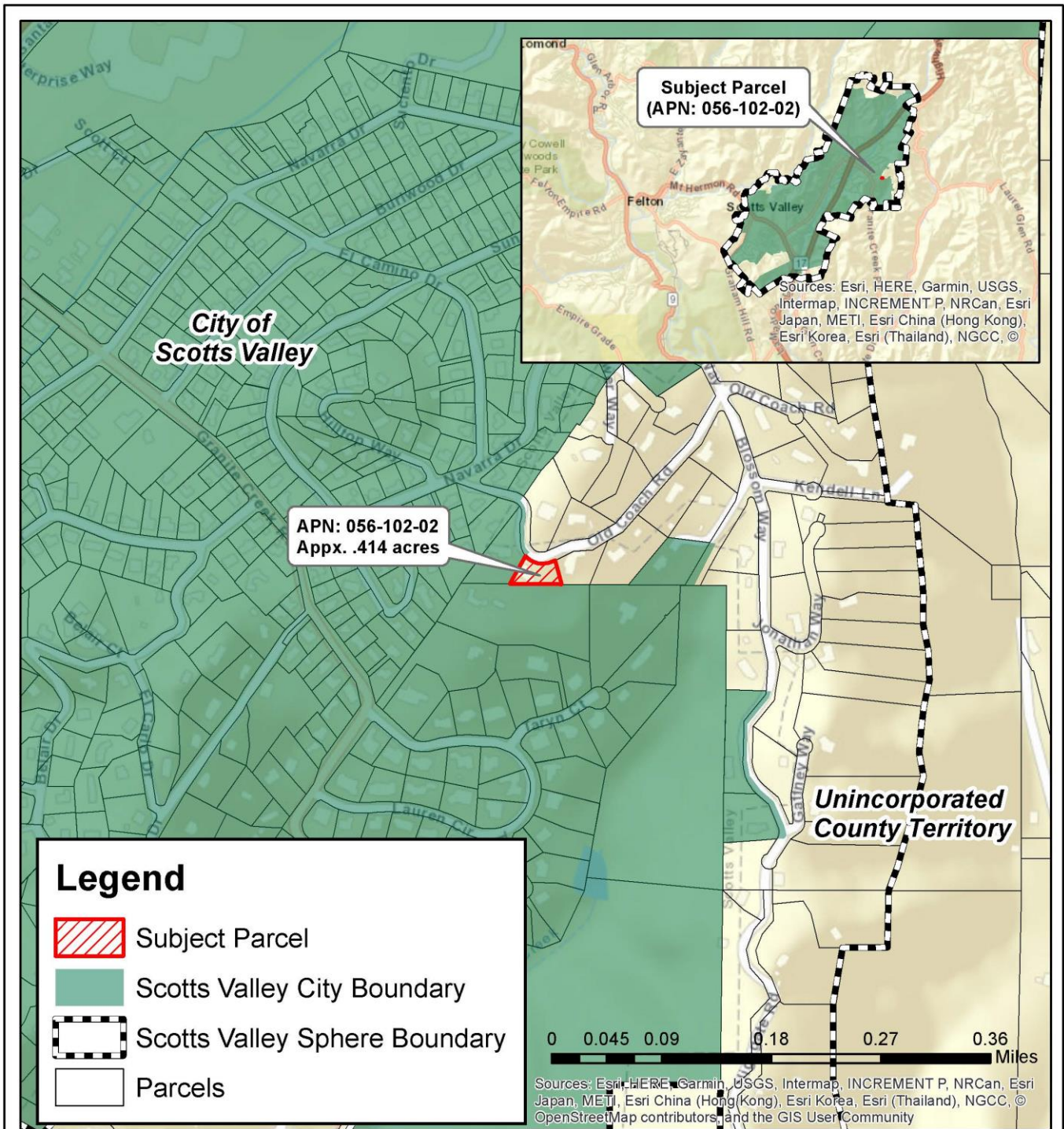
Joshua Nelson  
LAFCO Counsel

# **EXHIBIT A**

## **VICINITY MAP**

DRAFT





## City of Scotts Valley Jurisdictional and Sphere Boundaries (LAFCO Project No. ESA 21-16)

The subject parcel is currently outside the City limits but within the City's sphere of influence. Pursuant to GCS 56133(c), the parcel may receive sewer services to address a health/safety issue (ex. septic tank failure).

## **EXHIBIT B**

# **COUNTY HEALTH DEPARTMENT'S WRITTEN CORRESPONDENCE REGARDING THE HEALTH & SAFETY ISSUE**

DRAFT





# County of Santa Cruz

## Health Services Agency ♦ Environmental Health

701 Ocean Street, Room 312, Santa Cruz, CA 95060  
(831) 454-2022 Fax : (831) 454-3128 TDD/TTY -Call 711 [www.scceh.com](http://www.scceh.com) [landuse@santacruzcounty.us](mailto:landuse@santacruzcounty.us)

October 22, 2021

Stuart Ervine  
Angela Ervine  
200 Old Coach Road  
Scotts Valley, CA 95066

**RE: APN: 056-102-02: 200 Old Coach Road**

Dear Mr. & Mrs. Ervine,

A minor repair of your septic system was performed under permit #13-154. The approved work consisted of uncovering the existing leachfield and replacing the perforated pipe and the top 1-1.5 feet of rock in the trenches. At the time of this work, the contractor confirmed that roots were not the problem causing the failure and that the failure was caused by a buildup of sludge and biomat in the leachfield. The minor repair was recognized as a temporary fix to a failing system. Continued use of this system will imminently result in a failing septic system. Once the system starts to fail, the County of Santa Cruz Environmental Health Division will require that the parcel pursue a connection to the public sewer system.

If you have further questions, please contact me Monday through Friday at the phone number below.

Sincerely,

Heather Reynolds, RHES  
Environmental Health Program Manager  
(831) 454-2748

# **EXHIBIT C**

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

DRAFT



## City of Scotts Valley

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### Public Works Department

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

November 10, 2021

To: Stuart and Angela Ervine

Re: Will Serve Letter APN 056-102-02

This is a "Will Serve Letter" for the above stated property APN, 200 Old Coach Road 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,

A handwritten signature in blue ink that reads 'Kati King'.

Kati King  
Division Manager  
City of Scotts Valley Wastewater Treatment Plant



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**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **Continuation of Remote Meetings**

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**SUMMARY OF RECOMMENDATION**

The Governor issued a series of executive orders in connection with the ongoing COVID-19 pandemic, which included a waiver of all physical-presence requirements under the Brown Act. These orders expired on September 30, 2021. Assembly Bill 361, which took effect as an urgency measure on September 16, allowed local agencies to continue conducting remote meetings under specific conditions and following the adoption of a resolution. This Commission adopted a resolution on November 3, 2021. The findings within the resolution are required to be periodically renewed to allow for future remote meetings under the AB 361 guidelines.

It is recommended that the Commission ratify the existing resolution (No. 2021-19) approving the continuation of remote meetings under AB 361.

---

**EXECUTIVE OFFICER'S REPORT:**

In November, the Commission adopted a resolution (refer to **Attachment 1**) to continue remote meetings in accordance with the guidelines under AB 361, which acts as a temporary waiver of the Brown Act's in-person attendance requirements. A copy of the November 3rd staff report is also available in **Attachment 2**. In order to continue to qualify for AB 361's waiver of in-person meeting requirements, the Commission is required to renew the findings outlined in the adopted resolution.

**Renewal Consideration**

The County informed LAFCO on December 1, 2021 that the County Health Officer has issued an order requiring the use of face covering for indoor settings regardless of vaccination status. This order, shown as **Attachment 3**, is in response to a local surge in COVID-19 cases. More recently, the Governor issued a statewide mask mandate for indoor public places regardless of vaccination status. This statewide mandate will remain in place until January 15, 2022.

Due to the recent surge in cases, coupled with the fact that we are still under a state of emergency and new face covering orders are in effect, staff is recommending that the Commission ratify the existing resolution (No. 2021-19) to continue the use of remote meetings for the next LAFCO Meeting which is scheduled for February 9, 2022.

Respectfully Submitted,



Joe A. Serrano  
Executive Officer  
Attachments:

1. Resolution No. 2021-19 (Adopted Version)
2. November 3, 2021 LAFCO Staff Report
3. County Health Officer Order (Face Covering)

LOCAL AGENCY FORMATION COMMISSION OF SANTA CRUZ COUNTY  
RESOLUTION NO. 2021-19

On the motion of Commissioner Rachél Lather  
duly seconded by Commissioner Jim Anderson  
the following resolution is adopted:

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND ORDERING THE CONTINUATION OF  
TELECONFERENCE MEETINGS DUE TO THE GOVERNOR'S PROCLAMATION OF  
STATE EMERGENCY AND STATE RECOMMENDATIONS RELATED TO PHYSICAL  
DISTANCING DUE TO THE THREAT OF COVID-19

\*\*\*\*\*

WHEREAS, the Local Agency Formation Commission of Santa Cruz County ("Commission" or "LAFCO") is committed to preserving and nurturing public access and participation in meetings of the Commission; and

WHEREAS, all Commission meetings are open and public, as required by the Ralph M. Brown Act (Government Code Section 54950 et seq.), so that any member of the public may attend, participate, and observe how the Commission conducts its business; and

WHEREAS, the Brown Act, pursuant to Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the state; and

WHEREAS, such conditions now exist in the state, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID-19, which remains in effect; and

WHEREAS, on September 16, 2021, the Governor signed Assembly Bill 361 ("AB 361"), urgency legislation effective immediately, that amended Government Code section 54953 to permit legislative bodies subject to the Brown Act to continue to meet under modified teleconferencing rules provided they comply with specific requirements set forth in the statute; and



WHEREAS, pursuant to AB 361, the Commission may hold an initial teleconference meeting under the modified teleconferencing rules and may continue to hold such teleconference meetings during a proclaimed state of emergency where the Commission has reconsidered the circumstances of the state of emergency, the state of emergency continues to directly impact the ability of the Commission to meet safely in person, and state or local officials have recommended measures to promote physical distancing; and

WHEREAS, the California Division of Occupational Safety and Health ("Cal/OSHA") regulations at Title 8 Section 3205 recommends physical distancing in the workplace as precautions against the spread of COVID-19 and imposes certain restrictions and requirements due to a "close contact" which occurs when individuals are within six feet of another in certain circumstances; and

WHEREAS, the proliferation of the Delta variant of the virus continues to pose imminent risk to health and safety and directly impacts the ability of the public and the Commission to meet safely in person, accordingly, the Commission hereby recognizes the proclamation of state of emergency by the Governor of the State of California and the regulations of Cal/OSHA recommending physical distancing; and

WHEREAS, as a consequence of the emergency related to COVID-19, the Commission does hereby find that the Commission shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of section 54953, and that the Commission shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, the Commission meetings will be accessible to the public to attend virtually or via phone.

NOW, THEREFORE, BE IT RESOLVED THAT THE COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
2. State of Emergency due to COVID-19. The Commission hereby recognizes the imminent threat to the health and safety of attendees at public meetings due to the impacts of COVID-19 and the continued recommendation of state officials to promote physical distancing to minimize any potential adverse health and safety risks.
3. Remote Teleconference Meetings. The Executive Officer is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings of the Commission in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act for remote only teleconference meetings.

4. Reconsideration of the State of Emergency. The Commission has reconsidered the state of emergency proclaimed by the Governor of the State of California and finds that the state of emergency continues to directly impact the ability of the members to meet safely in person.
5. Reoccurring Evaluation by the Commission. The Executive Officer is hereby directed to continue to monitor the conditions and health and safety conditions related to COVID-19, the status of the Governor's State of Emergency, and the state regulations related to social distancing, and present to the Commission at its next regularly scheduled meeting the related information and recommendations for remote only meetings pursuant to the provisions of Government Code Section 54953(e)(3) and to extend the time during which the Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Section 54953.

PASSED AND ADOPTED by the Local Agency Formation Commission of Santa Cruz County this 3rd day of November 2021.

AYES: Commissioners Jim Anderson, Roger Anderson, Ryan Coonerty, Justin Cummings, Francisco Estrada, Zach Friend, and Rachél Lather

NOES: None

ABSTAIN: None

  
\_\_\_\_\_  
JUSTIN CUMMINGS, CHAIRPERSON

Attest:

  
\_\_\_\_\_  
Joe A. Serrano  
Executive Officer

Approved as to form:

  
\_\_\_\_\_  
Daniel H. Zazueta  
LAFCO Counsel





<b>Agenda Item No. 7a</b>
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**Santa Cruz Local Agency Formation Commission**

Date: November 3, 2021  
 To: LAFCO Commissioners  
 From: Joe Serrano, Executive Officer  
 Subject: **Continuation of Remote Meetings**

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**SUMMARY OF RECOMMENDATION**

Santa Cruz LAFCO has been conducting virtual meetings since May 2020 under the Governor's Executive Orders. These orders expired on September 30, 2021. Following the enactment of Assembly Bill 361, state law now allows local agencies, until January 1, 2024, to use teleconferencing as a method to fulfill Brown Act requirements during certain state emergencies. AB 361 had an urgency clause meaning it took effect immediately upon signature on September 16, 2021.

It is recommended that the Commission adopt resolution (No. 2021-19) approving the virtual setting for LAFCO meetings pursuant to AB 361 and amended Government Code Section 54953.

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**EXECUTIVE OFFICER'S REPORT:**

Beginning in March 2020, Governor Newsom issued a series of Executive Orders aimed at containing the pandemic. Among these were several Executive Orders (N-25-20, N-29-20, and N-35-20) which waived requirements in the Brown Act expressly or impliedly requiring the physical presence of elected officials, staff, or the public during local agency meetings. Specifically, the Governor's Executive Orders waived the following requirements:

- Holding physical meeting locations that are open to the public to attend and provide comments during those local agency meetings;
- Identifying and noticing the teleconference location of each member of the local agency that is participating by teleconference;
- Allowing teleconference locations of each local agency member to be accessible to the public and the ability for the public to address the local agency at each teleconference location;
- Posting agendas at all teleconference locations; and
- Ensuring that at least a quorum of the local agency board members participate from locations within the boundaries of the local agency's jurisdiction.

## **CONTINUATION OF REMOTE MEETINGS**

In June 2021, the Governor issued Executive Order N-08-21 to begin winding down some of the prior measures that were adopted to respond towards COVID-19. Notably, the order included a sunset date of September 30, 2021 for the previous three Brown Act-related orders. However, on September 16, the Governor signed Assembly Bill 361 which amends the Brown Act to allow continued flexibility for public meetings following the September expiration date. Similar to the previous orders, AB 361 provides similar modified requirements listed on the first page of this report with some additional requirements, as shown below:

- Local agencies cannot require that written comments be submitted in advance of a meeting and public agencies may only close the comment period at the same time it is closed during the meeting;
- Local agencies must clearly advertise the means by which the public can observe the meeting and offer comment during the meeting via either a call in or internet based option. The public must be given an opportunity for the public to comment directly during the meeting; and
- In the event of a disruption in broadcasting the meeting, the legislative body shall take no further action until meeting access is restored to the public.

In order for the Commission to continue the modified teleconference meeting rules under AB 361, LAFCO meetings must meet one of the following provisions:

- a) The local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- b) The local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- c) The local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

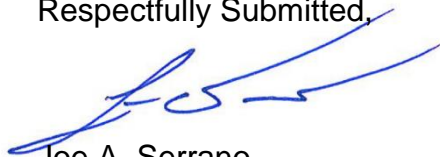
It is staff's understanding that the modified meeting rules can only be used in the event when the Governor issues a state of emergency. Therefore, the Governor's COVID-19 State of Emergency satisfies this requirement under AB 361 – allowing this Commission to continue conducting virtual meetings.

## STAFF RECOMMENDATION

If the Commission desires to continue to virtual meetings, the Commission needs to formally vote and adopt a resolution directing staff to fulfill the requirements under AB 361. In addition, AB 361 requires the Commission to frequently evaluate the COVID-19 crisis and determine if remote meetings will continue due to the current state of emergency and facts related to the potential risks to the health and safety of meeting attendees.

At present, COVID-19 and its variants continue to pose significant health risks and is highly contagious. That is why staff is recommending that the Commission approve the draft resolution directing staff to continue holding remote meetings during the current COVID-19 State of Emergency (refer to **Attachment 1**). Staff will provide the Commission periodic updates on the status of the ongoing pandemic and may offer further direction related to future Commission meetings pursuant to the provisions of AB 361.

Respectfully Submitted,



Joe A. Serrano  
Executive Officer

Attachment:

1. [Draft Resolution \(LAFCO No. 2021-19\)](#)



# County of Santa Cruz

## HEALTH SERVICES AGENCY

POST OFFICE BOX 962, 1080 Emeline Ave., SANTA CRUZ, CA 95061-0962

TELEPHONE: (831) 454-4000 FAX: (831) 454-4488 TDD: Call 711

### Public Health Division

## ORDER OF THE HEALTH OFFICER REQUIRING USE OF FACE COVERINGS INDOORS BY ALL PERSONS

**Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; Cal. Penal Code §§ 69, 148(a)(1).)**

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF SANTA CRUZ (“HEALTH OFFICER”) ORDERS:

This Order is made in light of recent significant changes in COVID-19 metrics in Santa Cruz County (“County”). Current COVID-19 metrics indicate that the County is in a COVID-19 surge as currently defined by the California Department of Public Health (CDPH). The three COVID-19 metrics that support this determination consist of the County’s 29% increase in case rates in the past fourteen (14) days, the County’s rising testing positivity rate, and the County’s Effective Reproductive Number ( $R_t$ ) rising above 1.00.

1. This Order shall become effective at 11:59 p.m. on November 21, 2021 and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer. The Health Officer intends to continually review the need for the Order by monitoring daily COVID-19 metrics including without limitation case rates, percent positivity, hospitalizations, Effective Reproductive Number, variants of concern circulating in the County, and vaccination rates.
2. All individuals, businesses and government agencies in the County are required to follow the provisions of this Order. This Order applies to the unincorporated areas of the County as well as the cities of Capitola, Santa Cruz, Scotts Valley and Watsonville.

### 3. Requirement to Wear Face Coverings Indoors.

- a. Regardless of vaccination status, all persons must wear face coverings at all times when indoors except:
  - i. in their own residence or another private setting alone or with members of their household; or
  - ii. working in a closed room or office alone or with members of their household; or
  - iii. when they are actively performing an activity that cannot be done while wearing a face covering (e.g., actively eating or drinking, swimming or showering in a fitness facility, or obtaining a medical or cosmetic service requiring removal of a face covering); or
  - iv. as specifically exempted from use of face coverings under the guidance of CDPH at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx> (e.g., to communicate with someone who is hearing impaired or where a face covering poses a safety risk).

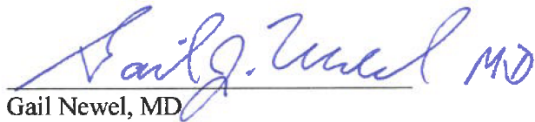
For clarity, this Order does not prohibit any otherwise lawful activity but instead requires the use of face coverings indoors to the maximum extent possible.

- b. All businesses and governmental entities must enforce this face covering requirement for all personnel and for all customers or members of the public entering their facilities, regardless of vaccination status. All businesses and governmental entities must post clearly visible and easy-to-read signage at all entry points for indoor settings to communicate the face covering requirements to all persons entering the facility. In addition, those responsible for indoor public settings are strongly encouraged to provide face coverings at no cost to individuals who do not have one upon entry.
4. **Getting Vaccinated Is the Best Way to Reduce Risk.** Getting vaccinated against COVID-19 is the best way to protect the vaccinated person from infection, hospitalization, or death from COVID-19, as well as to prevent harm to others by reducing the risk of transmission of COVID-19. Therefore, all eligible persons are strongly urged to get vaccinated against COVID-19 as soon as possible.
5. **Definitions.** For purposes of this Order, the following definitions apply:
- a. “Business” includes any for-profit, non-profit, or educational entity, whether a corporate entity, organization, partnership, or sole proprietorship, and regardless of the nature of the service, the function it performs, or its corporate or entity structure. For clarity, “business” also includes a for-profit, non-profit, or educational entity performing services or functions under contract with a governmental agency.

- b. “Face covering” means a face covering that is well-fitted to an individual and covers the nose and mouth especially while talking, consistent with the guidance of the CDPH at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve.
  - c. “Personnel” means the following individuals who provide goods or services or perform operations associated with a business or governmental entity in the County: employees; contractors and sub-contractors (such as those who sell goods or perform services onsite or who deliver goods for the business); independent contractors (such as “gig workers” who perform work via the business’s application or other online interface); vendors who are permitted to sell goods onsite; volunteers; and other individuals who regularly provide services onsite at the request of the business.
6. **Applicability.** All individuals, businesses, and other entities in the County are ordered to comply with the applicable provisions of this Order. For clarity, individuals who do not currently reside in the County must comply with all applicable requirements of the Order when they are in the County. Governmental entities must follow the requirements of this Order applicable to businesses, unless otherwise specifically directed by the Health Officer.
7. **Obligation to Follow Stricter Order.** Where a conflict exists between this Order and any order issued by the State Public Health Officer, the Governor, or a State agency (such as the California Division of Occupational Safety and Health (Cal/OSHA)) related to the COVID-19 pandemic, the most restrictive provision controls. For clarity, all individuals and entities must comply with the State Order, any mandatory guidance issued by the California Department of Public Health, any mandatory orders of the Governor or a State agency, or any other mandatory provision of State law to the extent it is stricter than any provision of this Order. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except if the State Health Officer issues an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. In addition, to the extent any federal guidelines are inconsistent with this Order, this Order is controlling.
8. **Enforcement.** Pursuant to Government Code sections 26602 and 41601, and Health and Safety Code section 101029, the Health Officer requests that the Sheriff, all chiefs of police in the County, and all enforcement officers ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
9. **Copies.** Copies of this Order shall promptly be: (1) made available at the County offices at 701 Ocean St, Santa Cruz, CA 95060; (2) posted on the County Public Health Department website ([www.santacruzhealth.org](http://www.santacruzhealth.org)); and (3) provided to any member of the public requesting a copy of this Order.

10. **Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

**IT IS SO ORDERED:**

 MD

Gail Newel, MD  
Health Officer of the County of Santa Cruz

Dated: November 18, 2021

Approved as to Form:



Office of the County Counsel





**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **Selection of New LAFCO Chair and Vice-Chair**

**SUMMARY OF RECOMMENDATION**

The Commission selects a new Chair and Vice-Chair at the first meeting of each year. It is recommended that the Commission discuss and appoint a new LAFCO Chair and Vice-Chair for the 2022 calendar year.

**EXECUTIVE OFFICER'S REPORT:**

In accordance with the Commission's Meeting Policy, at its first regular meeting in January of each year, the Commission shall choose two of its members to function as the Chair and Vice-Chair. The new officers will serve the balance of the calendar year or until the election of their successors occur in the event of a vacancy. Once selected, the new officers will begin their appointments at the February 9th LAFCO Meeting. There is currently no rule of succession or rotation. Historically, the acting Vice-Chair has been elected to be the new Chair. Past officers for the last seven years are listed below.

**Table 1: Chair and Vice-Chair Appointments (2015 – 2021)**

<b>Calendar Year</b>	<b>Chair</b>	<b>Vice-Chair</b>
2015	Zach Friend (County)	Roger Anderson (Public)
2016	Roger Anderson (Public)	Tom LaHue (District)
2017	Tom LaHue (District)	John Leopold (County)
2018	John Leopold (County)	Jim Anderson (District)
2019	Jim Anderson (District)	Roger Anderson (Public)
2020	Roger Anderson (Public)	Justin Cummings (City)
2021	Justin Cummings (City)	Rachél Lather (District)

The Commission's roster, with their respective term limits, is attached to this staff report. Staff recommends that the Commission discuss and select a Chair and Vice-Chair for this new year.

Respectfully Submitted,

Joe A. Serrano  
Executive Officer

Attachment: Current Commission Roster

## LAFCO TERMS OF OFFICE

Representation (Seat)	Term Limit (Ending Date)	Commissioner (Current)
<b>Regular Members</b>		
1. County Seat	May 2024	Manu Koenig (BOS District 1)
2. County Seat	May 2024	Zach Friend (BOS District 2)
3. City Seat	May 2022	Justin Cummings (Santa Cruz)
4. City Seat	May 2023	Francisco Estrada (Watsonville)
5. District Seat	May 2025	Jim Anderson (Felton Fire)
6. District Seat	May 2023	Rachél Lather (Soquel Creek Water)
7. Public Seat	May 2024	Roger Anderson
<b>Alternate Members</b>		
8. County Seat	May 2023	Ryan Coonerty (BOS District 3)
9. City Seat	May 2022	Yvette Brooks (Capitola)
10. District Seat	May 2025	Ed Banks (Pajaro Valley Public Cemetery)
11. Public Seat	May 2024	John Hunt

### Footnotes:

- a) City Representation** - The city rotation goes with the city and not with the person. The City of Santa Cruz will stay as a regular member until May of 2022. The City of Watsonville's four-year regular term lasts until May 2023. The City of Capitola will be an alternate until May 2022 when it becomes a regular member until May 2026. The City of Scotts Valley will become an alternate member May 2022. The appointing body for city members is the Mayor's Selection Committee – not an individual city council.
- b) District Representation** - Special district members are elected by the special district selection committee, which is made up of one voting member from each Independent Special District Board.
- c) County Representation** – The county members are appointed each January by the Board of Supervisors and may change each year at that time.
- d) Public Representation** – The public members are appointed by the Commission when a vacancy occurs.



**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **Selection of Personnel Committee Members**

**SUMMARY OF RECOMMENDATION**

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

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

**EXECUTIVE OFFICER'S REPORT**

The Commission utilizes a Personnel Committee to lead the review of the Executive Officer's performance, recommend any changes to staff's compensation, and provide guidance in any administrative efficiencies. Memberships are typically a two-year term. The last Personnel Committee was appointed in February 2021. The following table identifies the previous Personnel Committee members during the last five years.

**Table 1: Personnel Committee Members (2017 – 2021)**


Year	Commissioner #1	Commissioner #2
2017	John Leopold	Jim Anderson
2018	John Leopold (Chair)	Jim Anderson
2019	Roger Anderson	John Leopold
2020	Roger Anderson (Chair)	John Leopold
2021	Justin Cummings (Chair)*	Roger Anderson

*Footnote: The term limit for the regular city seat, currently served by Justin Cummings, is scheduled to expire in May 2022.*

**STAFF RECOMMENDATION**

The policy indicates that the Personnel Committee membership should include the Chair. Staff is recommending that the Personnel Committee for the 2022 calendar year include three Commissioners: (1) current chair, (2) previous chair, and (3) another board member appointed by the Commission. The members typically meet twice a year.

Respectfully Submitted,

  
Joe A. Serrano  
Executive Officer



**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **UCSC LRDP Update**

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**SUMMARY OF RECOMMENDATION**

The University of California, Santa Cruz ("UCSC") adopted its new Long Range Development Plan in September 2021. Under this plan, UCSC has identified the City of Santa Cruz as the water and sewer service provider to the proposed development areas located within its campus. Based on staff's analysis some of these development areas are located outside the City's jurisdictional boundary. Pursuant to state law, LAFCO action is required before the City can provide municipal services to the unincorporated campus area. There is currently a lawsuit between the City and UCSC regarding the delivery of these services. 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.

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**EXECUTIVE OFFICER'S REPORT**

In 2021, the University adopted a long range development plan ("LRDP"), which proposes to add 8,500 student housing beds, up to 550 employee housing units, and approximately 3.1 million assignable square feet of academic and administrative building space. These developments are scheduled to be built within the campus area. Based on LAFCO's analysis, all development projects are located within the City of Santa Cruz except for five potential projects. These five development projects are located within the University's campus but outside the city limits.

If these five development projects require municipal services from the City of Santa Cruz, the University and City must first receive LAFCO's approval in accordance with state law. Prior to the adoption of the LRDP, and during the environmental review process, LAFCO shared our analysis in two separate letters dated February 3 and June 2, respectively. While UCSC acknowledged LAFCO's letters, they have taken the position that the University does not require LAFCO's approval due to the existence of two contractual agreements with the City. The entitlement of water and sewer services, through these contractual agreements, is the central issue of a current lawsuit between the University and the City of Santa Cruz.

Current and Past Lawsuits

The current lawsuit is still ongoing. It is LAFCO's understanding that the City has been providing municipal services to the campus within the City's jurisdictional boundary only as part of two contractual agreements ratified in the 1960s. The central issue of entitlement of water and sewer services as part of the two contractual agreements was

previously litigated following the University's introduction of the 2005 LRDP. That lawsuit resulted in a settlement agreement in which two applications were submitted to LAFCO for approval: (1) an application from the University for an extraterritorial service agreement ("ESA"), and (2) an application from the City to amend its sphere boundary to encompass the ESA area.

#### Ad-Hoc Committee

The Commission may from time to time choose to establish a standing or ad-hoc committee, comprising of no more than three Commissioners, to provide LAFCO staff support in addressing specific issues. A standing committee is a permanent body with jurisdiction over a specific ongoing policy area, such as finance or personnel. An ad-hoc committee is a temporary body established to investigate and advise on more short-term issues and problems. At present, the Commission has one standing committee (Personnel Committee) and no ad-hoc committees.

Since the lawsuit is ongoing, it may be beneficial if an ad-hoc committee is formed in the near future to monitor and provide updates to the Commission as the process unfolds. The ad-hoc committee may also provide recommendations to the full Commission during and after the lawsuit reaches a verdict. The Commission should consider appointing no more than three Commissioners to be seated on this temporary committee, if desired, during a future LAFCO meeting.

Respectfully Submitted,



Joe A. Serrano  
Executive Officer



**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
**Subject: Regular and Alternate City Member Election Process**

**SUMMARY OF RECOMMENDATION**

Local representation on LAFCO consists of members from the County, independent special districts, cities, and the general public. The cities, under the direction of the City Selection Committee, have followed a rotation procedure to ensure equal representation on the Commission. An election process will occur in early-2022 to select a new regular and alternate member to represent the cities on LAFCO. This staff report is for informational purposes only and no Commission action is required. Therefore, it is recommended that the Commission receive and file the Executive Officer's report.

**EXECUTIVE OFFICER'S REPORT:**

Pursuant to Government Code Section 50276, the City Selection Committee is tasked to appoint city representatives on LAFCO. The County Administrative Officer functions as the recording officer for the City Selection Committee. Historically, the four cities rotate staggered, four-year terms on the Commission. This procedure ensures that the Cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville have equal representation on the Commission. **Attachment 1** depicts all city appointments under this model since 1995. LAFCO staff has developed a rotation schedule to clarify future appointments, as shown below. Assuming the City Selection Committee continues this practice, the Cities of Capitola and Watsonville will be seated on LAFCO as the two voting members starting May 2022 while the City of Scotts Valley will be appointed as the new alternate member. The City of Scotts Valley was previously on LAFCO in 2018 as a regular member.

**Table A: City Rotation Schedule (2020 to 2029)**

<b>Year</b>	<b>Capitola</b>	<b>Santa Cruz</b>	<b>Scotts Valley</b>	<b>Watsonville</b>
2020	Alternate Member	Regular Member	Off Commission	Regular Member
2021	Alternate Member	Regular Member	Off Commission	Regular Member
<b>2022</b>	<b>Regular Member</b>	<b>Off Commission</b>	<b>Alternate Member</b>	<b>Regular Member</b>
2023	Regular Member	Alternate Member	Regular Member	Off Commission
2024	Regular Member	Alternate Member	Regular Member	Off Commission
2025	Regular Member	Alternate Member	Regular Member	Off Commission
2026	Off Commission	Regular Member	Regular Member	Alternate Member
2027	Alternate Member	Regular Member	Off Commission	Regular Member
2028	Alternate Member	Regular Member	Off Commission	Regular Member
2029	Alternate Member	Regular Member	Off Commission	Regular Member

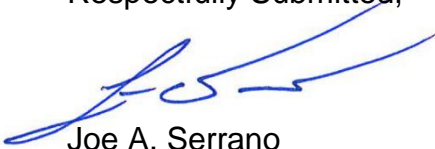
*Note: The city rotation goes with the city and not with the person. All terms end on the first Monday in May.*

### **Upcoming Election Process**

The terms for two city member seats expire in May 2022: Commissioners Yvette Brooks (Alternate Member) and Justin Cummings (Regular Member). The City Selection Committee will be holding an election in the coming months to address the scheduled vacancies. As previously stated, the Cities of Capitola and Watsonville are scheduled to be the regular members and the City of Scotts Valley is scheduled to be the alternate member. It is up to the City Selection Committee to determine which council members from those agencies will be seated on LAFCO.

The Commission is scheduled to certify the election results during its April 6th Meeting. The appointed city council members will then be officially seated on LAFCO during the May 4th Meeting. This staff report is meant to update the Commission but also inform the County Administrative Officer, acting as the Committee's Clerk of the Board, about the upcoming vacancies.

Respectfully Submitted,



Joe A. Serrano  
Executive Officer

Attachment: Past City Rotations (1995 to 2021)

cc: City Selection Committee  
City of Capitola  
City of Santa Cruz  
City of Scotts Valley  
City of Watsonville



PAST CITY ROTATION ON LAFCO (1995 to 2021)				
YEAR	CAPITOLA	SANTA CRUZ	SCOTTS VALLEY	WATSONVILLE
1995	Alternate Member	Regular Member	Off Commission	Regular Member
1996	Alternate Member	Regular Member	Off Commission	Regular Member
1997	Alternate Member	Regular Member	Off Commission	Regular Member
1998	Regular Member	Off Commission	Alternate Member	Regular Member
1999	Regular Member	Alternate Member	Regular Member	Off Commission
2000	Regular Member	Alternate Member	Regular Member	Off Commission
2001	Regular Member	Alternate Member	Regular Member	Off Commission
2002	Off Commission	Regular Member	Regular Member	Alternate Member
2003	Alternate Member	Regular Member	Off Commission	Regular Member
2004	Alternate Member	Regular Member	Off Commission	Regular Member
2005	Alternate Member	Regular Member	Off Commission	Regular Member
2006	Regular Member	Off Commission	Alternate Member	Regular Member
2007	Regular Member	Alternate Member	Regular Member	Off Commission
2008	Regular Member	Alternate Member	Regular Member	Off Commission
2009	Regular Member	Alternate Member	Regular Member	Off Commission
2010	Off Commission	Regular Member	Regular Member	Alternate Member
2011	Alternate Member	Regular Member	Off Commission	Regular Member
2012	Alternate Member	Regular Member	Off Commission	Regular Member
2013	Alternate Member	Regular Member	Off Commission	Regular Member
2014	Regular Member	Off Commission	Alternate Member	Regular Member
2015	Regular Member	Alternate Member	Regular Member	Off Commission
2016	Regular Member	Alternate Member	Regular Member	Off Commission
2017	Regular Member	Alternate Member	Regular Member	Off Commission
2018	Off Commission	Regular Member	Regular Member	Alternate Member
2019	Alternate Member	Regular Member	Off Commission	Regular Member
2020	Alternate Member	Regular Member	Off Commission	Regular Member
2021	Alternate Member	Regular Member	Off Commission	Regular Member

*Note: All terms end on the first Monday in May. Refer to Government Code Section 56334 for additional information.*



**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **Selection of New LAFCO Chair and Vice-Chair**

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**SUMMARY OF RECOMMENDATION**

In December, LAFCO received an event calendar from the California Association of LAFCOs (CALAFCO) outlining upcoming meetings and conferences during the 2022 calendar year. 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.

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**EXECUTIVE OFFICER'S REPORT:**

CALAFCO has provided an event calendar for 2022, highlighting meetings and conferences scheduled to be hosted by various statewide organizations including but not limited to the following: the California State Association of Counties (CSAC), California Association of Sanitation Agencies (CASA), Fire District Association of California (FDAC), Association of California Water Agencies (ACWA), California Association of Special Districts (CSDA), and CALAFCO.

The setting for the upcoming CALAFCO events will be split with some held virtually and others in-person. **Attachment 1** offers a complete review of 2022 Event Calendar. The list below shows the CALAFCO events that are scheduled to be conducted in-person.

**2022 CALAFCO In-Person Events**

- **Staff Workshop** (Newport Beach): March 23 - 25
- **Board of Directors Meeting** (Irvine): April 22
- **Annual Conference** (Newport Beach): October 19 - 21
- **Legislative Committee Meeting** (Sacramento): November 4

Respectfully Submitted,

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

Joe A. Serrano  
Executive Officer

Attachment: CALAFCO 2022 Events Calendar

# 2022 Events Calendar

## JANUARY

- 10** CALAFCO U Webinar
- 19-21 CA Assn. of Sanitation Agencies Conference (Palm Springs)
- 21** CALAFCO Board of Directors Meeting (Sacto)
- 21-22& League New Mayor & Council Academy  
27-28 (Virtual)
- 26** CALAFCO Monthly EO meeting (Virtual)
- 28** CALAFCO Legislative Committee (Virtual)

## FEBRUARY

- 23** CALAFCO U Webinar
- 23** CALAFCO Monthly EO meeting (Virtual)

## MARCH

- 11** CALAFCO Legislative Committee (Virtual)
- 23-25** CALAFCO Staff Workshop (Newport Beach)

## APRIL

- 5-8 Fire District Assn. Annual Meeting (Napa)
- 20-21 CA State Assn. of Counties Leg Days (Sacto)
- 22** CALAFCO Board of Directors Meeting (Irvine)
- 29** CALAFCO Legislative Committee (Virtual)

## MAY

- 3-6 Assn. of CA Water Agencies Conference (Sacto)
- 17-18 CA Special Districts Assn. Leg Days (Sacto)

## JUNE

- 17** CALAFCO Legislative Committee (Virtual)

## JULY

- 22** CALAFCO Board of Directors Meeting (Virtual)
- 29** CALAFCO Legislative Committee (Virtual)

## AUGUST

- 10-12 CA Assn. of Sanitation Agencies Annual Conference (Tahoe)
- 22-25 CA Special Districts Assn. Conference (Palm Springs)

## SEPTEMBER

- 7-9 League Annual Conference (Long Beach)
- 14-16 Regional Council of Rural Counties Annual Conference (Napa)
- 16** CALAFCO Legislative Committee (2023) (Virtual)

## OCTOBER

- 7** CALAFCO Legislative Committee (Sacto)
- 19-21** CALAFCO Annual Conference (Newport Beach)
- 20** CALAFCO Annual Business Meeting (Newport Beach)
- 21** CALAFCO Board of Directors Meeting (Newport Beach)

## NOVEMBER

- 4** CALAFCO Legislative Committee (Sacramento)
- 14-18 CA State Assn. of Counties Annual Conference (Orange County)
- 29-30 Assn. of CA Water Agencies Conference (Indian Wells)

## DECEMBER

- 1-2 Assn. of CA Water Agencies Conference (Indian Wells)
- 2** CALAFCO Board of Directors Meeting (Sacto)

### Sharing Information and Resources

CALIFORNIA ASSOCIATION OF  
LOCAL AGENCY FORMATION  
COMMISSIONS

1020 12<sup>th</sup> Street, Suite 222  
Sacramento, CA 95814

916-442-6536

For current information and other CALAFCO resources please visit [www.calafco.org](http://www.calafco.org)

Updated December 13, 2021





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**Santa Cruz Local Agency Formation Commission**

Date: January 5, 2022  
To: LAFCO Commissioners  
From: Joe Serrano, Executive Officer  
Subject: **Press Articles during the Months of October to December**

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**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.

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**EXECUTIVE OFFICER'S REPORT**

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

**Article #1: "Newsom declares drought emergency across California"**: The article, dated October 19, notes that Governor Newsom announced an emergency drought declaration affecting all 58 counties. Under this proclamation, local water suppliers are ordered to implement their water shortage contingency plans and requested voluntary water reduction by 15%.

**Article #2: "Water outage impacts majority of Big Basin customers, Boil Water Notice forthcoming"**: The article, dated October 20, highlights the ongoing water issues affecting residents within Big Basin Water, a private water company in the Boulder Creek area. At present, roughly 500 customers are receiving water from a single well source.

**Article #3: "Santa Cruz City Council pegs Watsonville's Matt Huffaker as next city manager"**: The article, dated October 28, indicates that the Matt Huffaker will be the new city manager for Santa Cruz. Mr. Huffaker was Watsonville's city manager since 2018. His role as the new Santa Cruz City Manager will begin on January 3, 2022.

**Article #4: "Public survey to help steer future of fire services"**: The article, dated November 1, highlights two surveys that are now available for Santa Clara County residents to provide input towards current and future fire services. One survey is being conducted by Santa Clara LAFCO as part of their service and sphere review process, while the other is being conducted separately by the County of Santa Clara.

**Article #5: "Frustrations mount over drinking water reliability in Boulder Creek: 'We are at the breaking point'"**: The article, dated November 3, summarizes the ongoing water issues involving the Big Basin Water Company. The article provides a historical overview of the issues as well as the significant impact on the company's infrastructure following the CZU Fire.

**Article #6: “San Lorenzo Valley Water District greenlights first step in exploring merger with Big Basin”:** The article, dated November 4, notes that the San Lorenzo Valley Water District (SLVWD) Board unanimously approved exploring the potential merger with the Big Basin Water Company. It is important to note that the “merger” would require the annexation of the Big Basin area into SLVWD. LAFCO amended the District’s sphere to include the Big Basin area in November 2020, indicating that SLVWD was the most logical service provider for those residents.

**Article #7: “Nonprofit headed by health agencies calls for localizing ownership of Watsonville hospital”:** The article, dated November 8, states that a new nonprofit organization was formed with representatives from the Santa Cruz County, City of Watsonville, Community Health Trust of Pajaro Valley and Salud Para La Gente. The “Pajaro Valley Healthcare District Project” was formed to help create a healthcare district and assume ownership of the Watsonville hospital. It is important to note that healthcare districts are formed by LAFCO but the group is currently working on special legislation to expediate the formation process following the hospital’s recent declaration of bankruptcy. LAFCO will continue to monitor and provide assistance as the process unfolds.

**Article #8: “State awards San Lorenzo Valley Water District \$3.2 million to provide some Big Basin customers relief”:** The article, dated November 10, indicates that the State Department of Water Resources awarded San Lorenzo Valley Water District the necessary funds to provide aid to residents receiving water from Bracken Brae and Forest Springs, which are both privately-owned water companies. The awarded funds will help the water district takeover service responsibilities from the two water companies. No LAFCO action is required since the two water companies are already within the district’s jurisdictional boundary.

**Article #9: “Cal Fire appoints new CZU fire chief for Santa Cruz, San Mateo counties”:** The article, dated November 11, notes that Nate Armstrong is the new Fire Chief for the Cal Fire San Mateo-Santa Cruz Unit. Chief Armstrong has 22 years of fire service experience. He replaces Chief Ian Larkin after his 33 years of dedicated service.

**Article #10: “Branciforte Fire reopens Scotts Valley Fire merger talks”:** The article, dated November 16, highlights the consideration by the Branciforte Fire Protection District (FPD) to initiate a reorganization involving Scotts Valley FPD. This potential action stems from the ongoing discussions between the two fire districts and LAFCO.

**Article #11: “City, Water District Celebrate Utility Annexation”:** The article, dated November 16, points out that the City of San Juan Capistrano successfully transferred its water service responsibilities to the Santa Margarita Water District following the approval by Orange LAFCO. The reorganization allows the water district to provide adequate water services to approximately 36,000 city residents.

**Article #12: “Committee explores Branciforte Fire district consolidation”:** The article, dated November 19, notes that the Branciforte Fire Protection District (FPD) formed an ad-hoc committee to evaluate the reorganization with Scotts Valley FPD. It is LAFCO’s understanding that both districts now have in place an ad-hoc committee to help analyze the benefits and constraints associated with a potential merger.

**Article #13: “SLVWD Eyes Possible Merger With Big Basin as Financial Concerns Loom”**: The article, dated November 24, indicates that the water district board authorized its District Manager to begin evaluating the potential merger with Big Basin Water, a private water company. The article refers to the terms “merger” and “consolidation” but under LAFCO law, the governance change will simply be an annexation of the Big Basin area.

**Article #14: “Midpen gets grant for program to reduce wildfire risk”**: The article, dated November 28, states that the Midpeninsula Regional Open Space District was awarded a \$1.5 million grant by the California Wildlife Conservation Board to help with its new Wildland Fire Resiliency Program. This program is meant to place preventative measures to reduce wildfire risk and to ensure local emergency agencies can respond properly in the event of a wildfire.

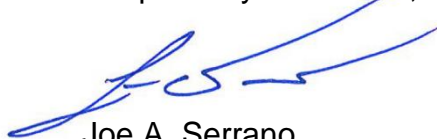
**Article #15: “Watsonville Community Hospital Faces Closure”**: The article, dated November 29, highlights the ongoing financial challenges faced by the Watsonville Community Hospital. The operating losses have led to the current owners to consider bankruptcy and search for a new owner. The Pajaro Valley Healthcare District Project, made up of the County of Santa Cruz, the City of Watsonville, Community Health Trust of Pajaro Valley and Salud Para La Gente, was formed to purchase the hospital and help establish a healthcare district in the county.

**Article #16: “Scotts Valley Selects New City Manager”**: The article, dated December 2, indicates that the City of Scotts Valley has hired Mali LaGoe to be its new city manager. Ms. LaGoe has worked in Nevada County for the past nine years, including as the County’s Assistant Executive Officer. Her official start date will be January 10, 2022.

**Article #17: “Watsonville City Council Appoints Tamara Vides as Interim City Manager”**: The article, dated December 2, notes that the Watsonville City Council appointed Tamara Vides to serve as the interim city manager. Ms. Vides has been a Watsonville employee for 23 years. She began her interim role on December 15.

**Article #18: “Watsonville Community Hospital reaches preliminary agreement for sale to avoid closure”**: The article, dated December 3, points out that representatives from the Watsonville Community Hospital have reached a tentative agreement to sell the hospital’s operations to the Pajaro Valley Healthcare District Project (PVHDP). The intent is that the PVHDP purchase the hospital and then transfer the ownership once a healthcare district is formed.

Respectfully Submitted,



Joe A. Serrano  
Executive Officer

Attachments:

1. “Newsom declares drought emergency across California”
2. “Water outage impacts majority of Big Basin customers, Boil Water Notice forthcoming”

3. "Santa Cruz City Council pegs Watsonville's Matt Huffaker as next city manager"
4. "Public survey to help steer future of fire services"
5. "Frustrations mount over drinking water reliability in Boulder Creek"
6. "San Lorenzo Valley WD greenlights first step in exploring merger with Big Basin"
7. "Nonprofit headed by health agencies calls for localizing ownership of Watsonville hospital"
8. "State awards SLVWD \$3.2 million to provide some Big Basin customers relief"
9. "Cal Fire appoints new CZU fire chief for Santa Cruz, San Mateo counties"
10. "Branciforte Fire reopens Scotts Valley Fire merger talks"
11. "City, Water District Celebrate Utility Annexation"
12. "Committee explores Branciforte Fire district consolidation"
13. "SLVWD Eyes Possible Merger With Big Basin as Financial Concerns Loom"
14. "Midpen gets grant for program to reduce wildfire risk"
15. "Watsonville Community Hospital Faces Closure"
16. "Scotts Valley Selects New City Manager"
17. "Watsonville City Council Appoints Tamara Vides as Interim City Manager"
18. "Watsonville Community Hospital reaches preliminary agreement for sale to avoid closure"



[latimes.com](https://www.latimes.com)

## Newsom declares drought emergency across California - Los Angeles Times

*Ian James*

10-12 minutes

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Gov. Gavin Newsom declared a statewide drought emergency on Tuesday, appealing to all Californians to do more to conserve water in the face of one of the state's most severe droughts on record.

"As the western U.S. faces a potential third year of drought, it's critical that Californians across the state redouble our efforts to save water in every way possible," Newsom said.

While most of California's 58 counties have been in [a state of drought emergency since July](#), Newsom's proclamation added the last eight remaining counties, and further bolstered his call for everyone to voluntarily reduce water use by 15%. The proclamation notes that the State Water Resources Control Board may adopt emergency regulations to prohibit wasting water, such as hosing down sidewalks or driveways, allowing drinking water to flood gutters or streets, or washing a car without a shut-off nozzle.

The declaration came as state water officials announced that Californians had cut their water usage by 5% in August, a modest improvement over July, when water use decreased by 1.8%

The [proclamation](#) orders local water suppliers to implement their water shortage contingency plans at "a level appropriate to local conditions that takes into account the possibility of a third consecutive dry year."

The eight counties added to the emergency declaration are Imperial, Los Angeles, Orange, Riverside, San Bernardino, San

Diego, San Francisco and Ventura.

The monthly water conservation figures, which were released during a meeting of the State Water Resources Control Board, showed parts of the state already meeting or approaching the governor's call for reducing water use.

Water use decreased 18.3% in August in the North Coast region and 9.9% in the San Francisco Bay Area.

In the South Coast region of Southern California, which is home to more than half the state's population, people used 3.1% less water in August than they did in the same month in 2020. While still far from Newsom's target, that was significantly better than in July, when the region's water use was down a minuscule 0.1%.

"It is encouraging and heartening to see an over-doubling of the conservation effort from July to August, really demonstrating that it does take time for ... the message to spread, and for, really, the response to be seen," said Joaquin Esquivel, chair of the state water board. "We're seeing good signs, but we need to continue to ensure we're conserving."

A series of storms are forecast to [bring rain and high-elevation snow](#) to northern and central parts of California in late October. But those storms alone won't be nearly enough to pull the state out of drought.

The state Department of Water Resources has said that because the past year has been extremely hot and dry, an estimated [140% of average statewide precipitation](#) would be needed in the coming year to achieve average statewide runoff. The agency said in a report that this reflects the "moisture deficit" across the state.

The Metropolitan Water District of Southern California responded to the governor's statewide drought declaration calling for all communities to help conserve limited water resources.

Adel Hagekhalil, the MWD's general manager, said people in Southern California have done a great job using water more

efficiently in recent years.

“Metropolitan has worked alongside them to adjust our operations and increase our calls for conservation to ensure the region has water to get through this drought,” Hagekhalil said in a statement. “But given the increasing severity of conditions, we all need to step up and immediately cut back our water use even more.”

He said the MWD board of directors will consider next month whether to urge member water agencies across Southern California “to implement mandatory conservation in their communities, as outlined in their water shortage contingency plans.”

Hagekhalil said that these community-specific plans will help promote conservation, and that Metropolitan plans to expand its programs offering rebates that encourage customers to make water-saving changes.

The past year ranks among the most severe droughts in more than a century of records in California.

Based on statewide precipitation totals, the water year that ended Sept. 30 was the [second-driest on record](#), surpassed only by 1924. State officials say the past two water years have been the driest on record for a two-year period, surpassing the drought of 1976-77.

Scientific research has shown that the heating of the planet with the burning of fossil fuels is [making droughts more intense](#) in the West and reducing the flows of rivers beyond the decreases they would have seen without global warming.

Major reservoirs in Northern California, from Shasta Lake to Folsom Lake, have dropped to extremely low levels. The federal government [has declared a shortage on the Colorado River](#) for the first time, forcing substantial cuts in water supplies for Arizona, Nevada and Mexico.

Because California faces the potential for another dry winter, Esquivel said, it will be especially important for people to do more to conserve.

For part of the last drought between 2012 and 2016, then-Gov. Jerry Brown ordered a mandatory 25% reduction in urban water use. Many Californians responded and took steps such as replacing lawns with drought-tolerant plants. Those changes in water habits have had a lasting effect in reducing water use.

Esquivel said conservation will be vital “for the long term as we battle climate change.” He and others at the water board will be watching the conservation figures going into the winter months, a time when less water is used due to lower temperatures and less outdoor watering.

“Certainly 5% isn’t 15. And we’re really needing to see a double-down on conservation,” Esquivel said. He said state water regulators will continue to “work with communities to see that conservation way of life ethic really embraced.”

Water suppliers in different parts of the state have been taking different approaches to encouraging conservation based on their local circumstances. San Jose Water Company, for instance, is taking steps to implement a [mandatory water conservation plan](#) and is [seeking approval from state regulators](#) to begin charging customers drought surcharges if they don’t meet the 15% conservation requirement. The water company serves about 1 million people in much of San Jose and other surrounding communities.

“Because we have not hit 15%, we’re now taking the next steps,” spokesperson Liann Walborsky said in a phone interview. “It’s critical that people conserve. I think some people are taking this seriously, some people aren’t. But this is severe.”

Officials from several local water districts spoke during the meeting, discussing the steps they are taking to encourage people to use less. For some agencies, the efforts have included relaunching drought websites, airing advertisements to promote conservation and dispatching more employees on patrol to spot water wasting.

Piret Harmon, general manager of Scotts Valley Water District in

Santa Cruz County, said customers in the area reduced water use by about 20% during the last drought and have sustained that reduction, an important step for an area that depends entirely on local water supplies.

“Our community has continued to save, so for us the 15% ask this time is a little different. I very much appreciate the spirit of that, calling on customers to save more,” Harmon said. “But it does confuse our customers a little bit when they come to us and say, ‘What does it mean? I’ve done everything. How much more can you ask me to do?’”

Harmon said all customers in the district are now on meters that allow them to see their individual water use in 15-minute increments, which has helped them spot leaks and water waste. The district has also tried to get more people behind saving water, she said, by hosting a water-saving challenge with a raffle and awards.

Some people in the area are already going to great lengths, she said, including collecting water while showering and using it to water plants.

“Every individual is unique, and every region is unique,” Harmon told the water board’s members.

Esquivel said he appreciates that point.

“Especially if folks have already invested and are conserving as much as you can on your household level, then good,” Esquivel said. “It’s really about the message writ large. And it’s especially that 15% number, which isn’t meant to translate specifically to, you know, what each district should be aiming for, or even each household. But a way to set a metric and a target to say, ‘This is what we’re going to try to reach for as the state to really boost up conservation.’”

To assess conservation efforts, the state water board is tracking monthly water use by more than 400 urban water suppliers throughout California.

Some of those who spoke at the meeting stressed that saving water also can help to save a lot of energy and reduce greenhouse gas emissions.

“We know in California that water and energy are inextricably linked,” said Heather Cooley, director of research for the Pacific Institute. “By implementing comprehensive urban water efficiency, we can significantly reduce our future water use and the associated energy use and greenhouse gas emissions.”

Cooley recently co-authored a [report](#) with other researchers from the Pacific Institute and Next 10 about the water-energy nexus in California. They found that water conservation and efficiency efforts in urban areas could significantly reduce water-related electricity use and natural gas use between now and 2035.

The researchers noted that California’s water system, from its pumps to water treatment plants, is responsible for about 20% of total statewide electricity use. They said improving water-use efficiency in urban areas offers the greatest potential for reducing water-related energy use and emissions that contribute to global warming.

“Agricultural water use is far greater than that of California’s urban sector, but the urban water is nine times more energy intensive and produces nine times more greenhouse gas emissions,” Cooley said during a recent webinar. “We have made significant improvements in water efficiency, in urban efficiency especially, but far more can be done. Urban conservation and efficiency can help us to meet our water goals as well as our energy and climate goals.”

[santacruzsentinel.com](http://santacruzsentinel.com)

## Water outage impacts majority of Big Basin customers, Boil Water Notice forthcoming

*Hannah Hagemann*

2-3 minutes

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BOULDER CREEK — Just weeks after a widespread water outage and boil water order [affected 80 Big Basin Water customers in the Boulder Creek area](#), another outage is impacting a majority of the system, which residents report began Tuesday afternoon.

Details on what caused the outage and when water will be back online are sparse.

According to the company website, [a boil water order is forthcoming](#): “We are fixing a leak. It is affecting most of the system. Don’t have a time it will be done. If you need water you can fill up at the SLV Water station in Boulder Creek. Also I will be posting a boil water order soon.”

The Sentinel has reached out to the State Water Resources Control Board for further details.

As the Sentinel has previously reported, [customers say communication from the company during critical incidents is sparse](#), unreliable and often by way of resident posts on [Nextdoor or Facebook](#).

This outage is the third in a series, beginning in June. According to records obtained by the Sentinel during at least two of these incidents, the company didn’t report to the regulator.

A June 27 outage was not reported to the board, according to State



Water Board – Division of Drinking Water Monterey District  
Engineer Jonathan Weininger.

During the Oct. 1 outage, Weininger wrote in an email that something similar occurred: “Big Basin Water Company did not notify the Division of Drinking Water of the outage or notification, which they should have. Big Basin Water Company’s boil water notice incorrectly stated that the notice was issued with Division of Drinking Water approval.”

The company also faces [dozens of regulatory compliance deadlines](#), many of which have not been met, according to the state board.

Roughly 500 customers continue to be provided water from a singular well, as the company suffered major infrastructure damage in the CZU Complex fire.

[santacruzsentinel.com](http://santacruzsentinel.com)

## Santa Cruz City Council pegs Watsonville's Matt Huffaker as next city manager

*Hannah Hagemann*

3 minutes

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SANTA CRUZ — Watsonville City Manager Matt Huffaker will take the reins as the Santa Cruz city manager next year, pending a city council vote in November.





Matt Huffaker

The Santa Cruz City Council announced its unanimous recommendation Thursday.

According to City of Santa Cruz spokesperson Elizabeth Smith, the decision was reached during Tuesday's closed session portion of the city council meeting.

The announcement comes after Santa Cruz County District 3 Supervisor Ryan Coonerty [confirmed he was also interested in the position.](#)

Huffaker has served as the Watsonville city manager since 2018, first as assistant city manager beginning in 2016. Before that, Huffaker held leadership positions with the city of Walnut Creek.

"Matt has a unique set of qualifications to make a positive impact for our community quickly. Not only will he bring a wealth of operational experience to the role, but he will also arrive with deep relationships across the region already in place," said Mayor Donna Meyers in a press release. "We are incredibly excited about him as the recommended hire for our next city manager."

The appointment is pending a city council vote on Nov. 9. Huffaker would start the job in January.

"As I reflect on the last five and half years serving Watsonville, I'm filled with immense gratitude," Huffaker wrote in an email to the Sentinel. "It's been an honor to serve alongside all of our dedicated employees and work together to move Watsonville onto a positive trajectory."

If confirmed, Huffaker would succeed former Santa Cruz City Manager Martín Bernal. Santa Cruz Water Director Rosemary Menard is currently serving as the interim city manager.

In 2017, Santa Cruz County officials tapped Carlos Palacios — who worked as Watsonville’s city manager for 19 years — as its county administrative officer.

“For both personal and professional reasons, I felt it was the right time and the right fit,” Huffaker said. “I’ll be leaving Watsonville in good hands and on strong footing. I know the community will continue to do great things.”

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[losaltosonline.com](http://losaltosonline.com)

## Public survey to help steer future of fire services

*Megan V. Winslow*

2 minutes

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Santa Clara County residents have until Friday (Nov. 5) to participate in an online survey that will influence whether the various local fire districts are consolidated in the future.

The anonymous “Santa Clara County Fire Services Survey” is one part of an operational study the county is conducting in response to a 2020 management audit that recommended combining the districts to more evenly distribute both physical and financial resources. The Local Agency Formation Commission (LAFCO) of Santa Clara County is conducting a similar but separate survey as part of its own fire services review.

Among the 16 questions contained within the county survey are prompts for respondents to order various fire services by priority, to select their top three concerns about their department/district and to describe their level of satisfaction with current services. They are also asked to supply information about any fire mitigation steps they have completed for their own home or business.

The county survey is meant to take approximately 10 minutes to complete. It is available online until 5 p.m. Friday at [surveymonkey.com/r/SCCFire](https://surveymonkey.com/r/SCCFire). Direct questions to Robert Finn, lead project analyst, at [rfinn@matriccg.net](mailto:rfinn@matriccg.net).

Take the 19-question LAFCO survey by visiting [bit.ly/LAFCO\\_FireSurvey](https://bit.ly/LAFCO_FireSurvey).

[santacruzsentinel.com](http://santacruzsentinel.com)

## Frustrations mount over drinking water reliability in Boulder Creek: 'We are at the breaking point'

*Hannah Hagemann*

11-14 minutes

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BOULDER CREEK — Take a left turn from downtown Boulder Creek onto Highway 236, and picturesque sky opens up, redwood canopies filling in the horizon like a landscape painting. But look a little closer and the remnants of the CZU Lightning Complex fire are still plenty.

Handmade signs along the throughway read “CZU FIRE SURVIVORS WE MISS YOU” and “THANK YOU FIREFIGHTERS.” Properties that once held homes, families and memories have been leveled to dirt lots and for sale signs.

More than a year after the historic fire was put out — and some residents were able to return home — much of the Boulder Creek region is still without reliable drinking water. The CZU Complex [destroyed most of the Big Basin Water Company's pipelines and tanks](#), along with its only surface water treatment plant.

The fire also burned down the water purveyor's office, and with it all of its records. It meant residents had to boil water months after the blaze. And more recently [that's become routine once again](#).

“We are totally dependent on water for our daily lives and Big Basin is failing us,” said customer Daniela Apostol.

Three water outages took place in October and customers faced multiple boil water orders — [one of which spanned up two weeks](#).

“You need a bottle of water to brush your teeth, to cook, to wash your hands,” Apostol said. “We’re at the breaking point. This cannot go on.”

The company, run by owner Jim Moore, his wife and son, faces millions of dollars in repair costs and state water board fines. As a result of the fire, it serves around 480 Boulder Creek customers from a single well.



Tap water runs at Big Basin Water customer Daniela Apostol’s home during a Boil Water notice. Apostol said she uses bottle water to drink, cook and brush her teeth with when the notice is in place. (Hannah Hagemann / Santa Cruz Sentinel)

Big Basin ratepayers say they are growing increasingly frustrated with erratic water service and slow-moving regulatory action. The company, customers report, is slow to communicate on crucial issues, and posted updates are confusing. The Sentinel found the company has also habitually missed deadlines set by the state to rebuild its infrastructure and improve water quality in the wake of the fire.

## History of issues



In April, the State Water Resources Control Board Division of Drinking Water issued a lengthy compliance order to Big Basin Water.

According to regulators, Big Basin's problems [didn't begin with the fire](#). Issues with the company's aging infrastructure and concerns about water quality began surfacing in 2016. In 2018, the water board requested that the company make nearly \$3 million in upgrades to its system, which were not completed, documents show.

In that Sanitary Survey, regulators reported that Big Basin Water didn't have sufficient water sources to supply its customer base. Concerns were levied about wooden infrastructure as well as rodent feces being a risk to water quality.

Those issues were only exacerbated by the fire, said San Lorenzo Valley Water District Manager Rick Rogers. The district has worked to assist Big Basin since the CZU Complex fire, and recently provided maintenance crews to the company when a pipe burst, as well as access to a water fill up station to those without drinking water.

"It was struggling before the fire," Rogers said. "I think the fire pushed it to the point of no return."

Residents have reported their taps running brown after water outages. Some customers say they have lost confidence in the water quality with increasing outages and boil water orders.

"We need accountability and transparency," said customer Jen Parks. "If there are sanitation issues involved, it's a health and life hazard."

When a water system loses pressure Jennifer Clary, California director of Clean Water Action, explained, bacteria such as E.coli can leech into the water supply.

"Because E.coli is a bacteria, a single use can create illness, particularly in vulnerable populations," Clary said. "That's why you

issue a boil water order. It's extremely serious."

More than the short-term impacts though, Clary said the issue is a warning sign of deeper troubles with the water system.

### **Missed deadlines**

Big Basin Water has missed major timepoints in rebuilding its water infrastructure, mandated by the State Water Board, and hasn't made significant progress on bolstering supplies, according to the agency.

The company didn't meet at least four of eight regulatory deadlines set forth in the compliance order, according to State Water Board – Division of Drinking Water Monterey District Engineer Jonathan Weininger.

Monthly progress reports have not been sent by the company, according to Weininger. A plan for a temporary surface water treatment plant, that would take pressure off the sole well serving the community, was accepted, but an installation date was not provided. A June deadline, which would have required the company to identify other ways in which water supply could be amped up, was also missed.

A mandate requiring the company to address the historic sanitary and supply issues identified in 2018 was also missed, according to Weininger. A July deadline which would have forced Big Basin to investigate how it could respond to water supply emergencies, such as a power outage or wildfire, was not met.

On Oct. 28, the Water Board issued a second citation to the company for failing to comply with deadlines, to the tune of \$21,000.

Big Basin is looking for funding to make upgrades and comply with the state, according to Jim Moore.

"My wife and I stopped taking any money at all, I just pay my son, because we don't have any money coming in," Moore said. "We're

losing money every month.”



Apostol stands next to her water filtration system she installed in her Boulder Creek home. Apostol estimates she's spent around \$5,000 dealing with a year of boil water orders and tap shutoffs. In the wake of the fire, she chose to rent an apartment for a month when Big Basin was still testing water for fire-linked contaminants like benzene and taps were not running. Then, after she moved back in, she bought a UV water filtration system for her house so she could feel okay cooking and brushing her teeth. "I have no confidence in the water quality," Apostol said. (Hannah Hagemann / Santa Cruz Sentinel)

As a result of the fire, the company's customer base shrunk. According to Moore, 200 homes in the water purveyor's jurisdiction burned.

That combined with rates that haven't been upgraded since 2014, Moore said, means the company can't afford to make required upgrades. So far he said they have sourced \$200,000 attempting to abide by the enforcement order.

## **Miscommunications**

Communication from the company has been a serious issue, according to residents and the State Water Board. Both in June and October, the water company did not notify the board of water shutoffs and implemented a boil water notice without regulatory approval, Weininger told the Sentinel.

During the system's most recent boil water order the company posted to its website that if the tap was running, water was safe to drink again. According to Weininger, that was inaccurate, and water still needed to be boiled.

An Oct. 1 boil water order that preceded a main pipeline break did not go into effect until about a day after the leak.

"What happened in between?," Apostol said. "We don't have any clear notification system. We have no idea what's going on."

Updates on crucial issues such as water shutoffs and boil water orders come through Nextdoor posts. A California based call center — Southwest Answering Service — has replaced the previous phone line, which was answered by company employees.

"All of the information that we get is just through word of mouth from our neighbor, or postings on Facebook, but a lot of people like myself don't have a Facebook account," said customer John Armstrong.

Armstrong said he's tried to connect with Big Basin owners but struggled to reach them.

"It's like prying open a safe with a crowbar, you just have to scratch away to try and get information," Armstrong said.

Residents have also voiced that the outages have taken a financial toll.

Big Basin customer Linda Moore and her husband were out of their home for nine months after the CZU Complex. Their house survived, but everything surrounding it burned including a shed, trailers and their yard. Their water infrastructure also burned. After moving through nine rentals, the couple came home to water

issues. Throughout the spring and summer, Moore said they've dealt with intermittent water outages, occurring only for their property.

"Because of our age, and the fact both of us have physical handicaps, it's difficult to lug the water back and forth. We can do 1 gallon, it's difficult to do the 5-gallon containers," Moore said.

Beyond that, the couple, say supplementing water has taken a financial toll.

"We're financially really stressed, the fire has driven us into a very difficult place," Moore said. "To continue to have to buy water, having the additional stress to deal with the outages, it's horrible."

Still Moore, who's of no relation to Big Basin owner Jim Moore, said she feels for the local family.

"It's a very difficult situation," she said. "I think everyone has empathy for Jim on the one hand and frustration on the other."

### **Consolidation possible**

On Nov. 4, the San Lorenzo Valley Water District Board of Directors will vote on greenlighting the first step in exploring a consolidation with Big Basin Water Co. The district also suffered extensive damage in the fire, and has had to boost water rates in order to fund its own repairs.

District manager Rogers said the community and state must support the merging between Big Basin and the district for it to be successful.

"This is going to need to be a group effort from the elected officials, from the state, from all these people who put pressure on Big Basin Water to consolidate," Rogers said. "Now we need money."

Just to begin the investigation process of such a merger, Rogers estimated it would cost up to \$500,000, money he says, the district does not have.

“The SLV Water District cannot bear the cost. These costs have to borne by Big Basin Water Company,” Rogers said.

Still, Rogers said he’s confident funding for the consolidation and needed upgrades could be sourced through state and federal grants. He pointed to the billions Gov. Gavin Newsom allocated in the 2021 state budget for small water systems and those most impacted by drought.

The process would also have to go through The Local Agency Formation Commission, feasibility and engineering studies, as well as a public protest period.

The merger could be risky for the district. Compared to previous consolidation successes, such as in the Lompico area of Felton, Rogers said folding in Big Basin would be more challenging. But in the forefront of his mind are fire victims.

“These poor people that were burned out because of the CZU fire not only have a horrendous undertaking to rebuild their home, but also are dealing with the uncertainty of their water system...” Rogers said. “What are they going to do? Somebody has to step up.”

## **IF YOU GO**

What: San Lorenzo Valley Water District Board of Directors meeting.

When: 6:30 p.m. Thursday.

Where: Through Zoom webinar at [bit.ly/2ZSnNL8](https://bit.ly/2ZSnNL8). For information on meeting agenda, visit [bit.ly/3jXI3IE](https://bit.ly/3jXI3IE).

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## San Lorenzo Valley Water District greenlights first step in exploring merger with Big Basin

*Hannah Hagemann*

4-5 minutes

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FELTON — During its virtual meeting Thursday night, the San Lorenzo Valley Water District Board of Directors unanimously approved moving forward to explore a merger with Big Basin Water Co., after the purveyor suffered major damage in the CZU Lightning Complex Fire and [has struggled for more than a year](#) to provide reliable drinking water to its Boulder Creek customers.

The vote means that the district has the green light to pay for legal expenses associated with investigating the consolidation and to begin looking for grant money to fund the merger.

“We take our responsibility as a member of the community, and therefore support all of our community members, not just SLV water customers in the recovery of the Valley,” Director Jayme Ackemann said. “I think its important that all of our community members have a continuing safe healthy water supply, because that is so critical to our basic quality of life.”

The process to successfully merge with Big Basin will be challenging said San Lorenzo Valley Water District Manager Rick Rogers. To begin exploring the merger, Rogers estimated it would take up to \$500,000 of “seed money.” After the district itself suffered major damage in the CZU, Rogers said it cannot fund such an



undertaking.

“So there’s a risk here and SLV Water can’t afford to take that risk, put that kind of money up and not get it back. We just don’t have it. And it’s not fair to our ratepayers,” Rogers said.

The consolidation would be dependent on federal and state grants, as well as funding from Big Basin, and its customers, Rogers said.

The recommendation approved Thursday also could mean San Lorenzo Valley Water District could enter into an emergency agreement with Big Basin and begin help managing operations within weeks, according to Rogers. The district has already been supplying maintenance crews to the company and clean drinking water to its customers.

Eleven residents of 43 in attendance spoke during public comment, the majority of which were Big Basin customers.

“We are in an emergency situation and it’s been going on for a year and it’s been getting worse in the last few weeks,” customer Ann Thryft said.

“It is a very dire situation here, we never know if the water is going to be on or off in any given moment,” Tanya Desoto said, echoing Thryft.

Big Basin customer Julie Jennings asked about how much cost burden customers could expect they would take on as a result of such a merging. Rogers said that information wouldn’t be known until the consolidation process was further along.

Director Bob Fultz commended Big Basin owners Jim Moore and Shirley Moore for coming forward to the district to formally explore a merger on Oct. 26.

“I do want to recognize the Moores for making this request, this is their life endeavor, something they’ve worked for ... coming forward in this fashion, that took a lot,” Fultz said.

Santa Cruz County Supervisor Bruce McPherson commended the district for moving forward with the merging.

“It’s taken longer than I think we all would have hoped for I hope we can come to a conclusion very soon,” McPherson said.

McPherson pledged his support, along with the Santa Cruz County Office of Response, Recovery & Resilience, and said he felt confident that the State Water Resources Control Board would also provide assistance in the merger.

The consolidation would mean feasibility and engineering studies, as well as going through the Local Agency Formation Commission process, which includes a public protest period. That can take up to 18 months or longer.

“It’s going to be a uphill climb all the way, and it may not even go,” Rogers said. “At this point, we’re cautiously moving forward to reach out and help.”

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## Nonprofit headed by health agencies calls for localizing ownership of Watsonville hospital

*Melissa Hartman*

6-7 minutes

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WATSONVILLE — There's a new nonprofit in town, and its end goal is to create a health care district that makes the local ownership of Watsonville Community Hospital possible.

Santa Cruz County, the city of Watsonville, Community Health Trust of Pajaro Valley and Salud Para La Gente announced recently that they had teamed up to form the Pajaro Valley Healthcare District Project. The project was formed with the common goal of advocating for community-led services in the Pajaro Valley region.

One way to make sure health care offerings in the area are high-caliber is to seek out the creation of a health care district, also known as a hospital district. Through state legislation, Pajaro Valley could join California's existing 73 health care districts.

"A healthcare district would allow for a stronger local voice in addressing the health care needs of the community. A district can provide and increase essential community health services and is directly accountable at the community level. The founders of PVHDP share a deep commitment to Watsonville Community Hospital and healthcare services throughout the region," County Spokesman Jason Hoppin said in a statement.

Watsonville has been owned by for-profit corporate ownership for

more than 20 years. In that time, it has faced [ownership turnover](#), [insufficient staffing complaints and even protests](#) from its own medical staff members. The hospital, founded in 1895, is south county's main treatment center.

“For the last few decades, whoever has been running the hospital is forced to think about how they make money. They cannot provide the services that the community truly needs or invest in population health or prevention,” former health official Dr. Mimi Hall said this week.

All the while, leaders of agencies such as the Watsonville City Council have sought to support patients and employees of the facility. Most recently, the council unanimously passed a resolution to keep the hospital a hospital and not a commercial development — a fear that churned when Prospect Medical Holdings replaced Halsen Healthcare in the midst of Halsen's failure to pay stakeholders.

“We want the community to know we are standing behind our hospital, we want to make sure the new owners understand we feel the hospital is vital to our community, for the health and safety for our residents and we want to make sure the hospital stays in Watsonville,” said Mayor Jimmy Dutra in March.

### **Bringing everyone up**

Hall, [who just resigned from her position](#) with the County of Santa Cruz Health Services Agency, is leading the charge toward local operation. Hall sat on the Community Health Trust board when Halsen Healthcare was moving toward a purchase of the hospital. At the time, the trust had the opportunity to exercise its first right of refusal for 45 days. Unfortunately, the board could not raise the funds necessary to propose an alternative.

“Since that time all of us, this energized group of people who work

in the health care community and care about south county, knew there may be an opportunity,” Hall said. “We kept it in the back of our minds for sure.”

Though Hall has started a new job with California’s mega-health information exchange Manifest MedEx before her impending retirement from public health, she has stayed on with the project as a community volunteer in order to lend her experience of working in small counties with health care districts to the Santa Cruz agencies. She calls it a labor of love.

“It was a revolving door of CEOs, just like here. And you can’t build a foundation with cycling administrators,” she said. “We can’t bring up the health of Santa Cruz County as a whole unless we make sure that those with the biggest disparities are brought up too.”

Hoppin said that the health care district project chairs met with Watsonville Community Hospital leadership as an invitation to work together to examine community ownership and governance. The Sentinel reached out to [the hospital’s recently appointed CEO](#), Steven Salyer, for a response to the announcement of the district. Salyer, who at the time of his arrival said he had moved within county lines to truly be a local, declined an interview but offered a statement of approval.

“We share the PVHDP’s goal of ensuring our community continues to have access to vital healthcare services. We support the initiative and we are working closely with the PVHDP on this project,” he wrote.

## **Requests for support**

The [Santa Cruz County Board of Supervisors](#) and the [Watsonville City Council](#) will consider items announcing support for the Pajaro Valley Healthcare District Project during their Tuesday meetings.

The resolutions, if passed, call not only for the formal establishment

of the district but for the designation of city and county representatives to serve on the district board. The Board of Supervisors would also direct its Health Services Agency to return on or before Dec. 7 with plans on how to ensure the hospital stays open and provides services especially for Medi-Cal, Medicare and uninsured populations. Finally, county staff would report back with the district's progress in March.

With their blessings, the four agencies will get to work planning and evaluating resources around transitioning from a nonprofit into a health care district. Hall said that forming the nonprofit was formalizing the group's commitment to pursuing a community-based hospital in a manner where accountability was prioritized.

"If the district is formed, five people would be elected and it would be in their hands," Hall said of calculating who will ultimately own and operate Watsonville Community Hospital. "Our job is to preserve this asset in a way that there are community stewards looking out for it. If we are successful in our job, people who are really smart will manage it."

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## State awards San Lorenzo Valley Water District \$3.2 million to provide some Big Basin customers relief

*Hannah Hagemann*

4-5 minutes

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FELTON — The San Lorenzo Valley Water District has been awarded more than \$3.2 million by the state Department of Water Resources to provide aid to some Big Basin Water Co. customers, who've endured unreliable water service in the wake of the CZU Lightning Complex fire.

The district is one of seven purveyors selected for a Small Community Drought Relief program grant across the state, according to a Department of Water Resources announcement on Tuesday. Forty water providers applied for the program.

Of the \$25 million dollar funding pool, the district's grant is the second largest share.

The monies will fund the construction of about 2 miles of critical pipeline that will funnel water from district sources to around 150 households currently served by Big Basin.

"I was ecstatic... that we received the grant in not only a short period of time, but the amount of the grant," said San Lorenzo Valley Water District Manager Rick Rogers.

The funding means Bracken Brae and Forest Springs — two water systems that contracted with Big Basin Water to keep the taps running — will have a permanent connection to San Lorenzo Valley



Water within two years.

The grant will also fund upgrades to nearly 4,000 feet of San Lorenzo Valley Water pipeline. That will be a backbone, Rogers said, in a future system to supply water to what are presently around 500 Big Basin customers.

The two Boulder Creek neighborhoods were hit particularly hard in the CZU Complex fire, Rogers said.

To make matters worse, Big Basin, also lost a significant amount of its water pipes, tanks and its sole surface water treatment plant. Like other Big Basin customers, residents in the Bracken Brae and Forest Springs neighborhoods have [experienced multiple prolonged water outages and boil water notices since the fire.](#)

“This was the difference of getting Bracken Brae and Forest springs reliable water supply...they could have not done this on their own,” Rogers said of the grant.

But even before the fire, the two small water systems historically relied upon two stream sources, amidst increasing drought conditions.

The district has been working with the two small systems seriously on consolidation since August, according to Rogers.

“They decided that Big Basin wasn’t a reliable water source, so they knocked on our door,” Rogers said.

But there’s more work ahead. While the Bracken Brae and Forest Springs neighborhoods lie within the district’s legal boundaries — making consolidation with the larger water provider easier — fire damage still presents challenges.

Rogers said more funds will be needed to repair burned pipeline and rebuild water storage.

There also remains the uncertain future of the larger Big Basin Water customer base.

Unlike Bracken Brae and Forest Springs, those roughly 350 customers, must go through [a more formal annexation and consolidation](#), through the Local Agency Formation Commission process.

The San Lorenzo Valley Water will meet with Big Basin Water owner Jim Moore next week to discuss an emergency pipeline intertie, which could supply customers reliable water in the interim. Funding still needs to be sourced for that endeavor, Rogers said.

The larger question of money, remains on his and residents' minds. Just how much it will cost to repair Big Basin's infrastructure, comply with State Water Resources Board mandate, build new pipelines, and buy in to a new public water system, is uncertain.

But Rogers said the state grant gives him hope on the more strenuous process ahead.

"It just energizes me to get right back out and start this same process for Big Basin," he said.

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## Cal Fire appoints new CZU fire chief for Santa Cruz, San Mateo counties

*Jessica A. York*

2-3 minutes

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FELTON — A new chief has taken the helm this week of the Cal Fire San Mateo-Santa Cruz Unit in the wake of long-time Chief Ian Larkin's retirement.



Cal Fire Director Thom Porter has appointed Nate Armstrong, who previously served as Cal Fire CZU's deputy chief of operations, to his new unit chief role.

According to a Cal Fire media release, Armstrong has 22 years of fire service experience with the agency's operations, paramedic services, training, emergency command centers, administration and State Incident Command Teams. As the unit chief headquartered in Felton, Armstrong will oversee more than 280 permanent and seasonal staff in 16 fire stations, the California Department of Corrections and Rehabilitation's Ben Lomond Conservation Camp and the Soquel State Demonstration Forest, plus another 110 volunteers across eight more fire stations serving San Mateo and Santa Cruz counties.

Through cooperative agreements, Armstrong also will serve as fire chief for Santa Cruz County Fire Department, the Pajaro Valley Fire Protection District, San Mateo County Fire Department and the Coastside Fire Protection District.

[A video posted Oct. 28](#) to the Cal Fire CZU Facebook page described Larkin, a Watsonville native, as having a 33-year fire service career that began as a volunteer firefighting career. Overseeing the August 2020 CZU Lighting Complex fire operations was a "once-in-a-career" event in Larkin's career, according to the video. Larkin's parting message was one urging leaders to work together to reduce flammable vegetative fuels in both Santa Cruz and San Mateo counties to avoid future similar catastrophic events.

"When you do something this long and take as much pride in it as I do, it's with mixed emotions, but I'm excited to start the next chapter in my life," Larkin said of his retirement.

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## Branciforte Fire reopens Scotts Valley Fire merger talks

*Jessica A. York*

3-4 minutes

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HAPPY VALLEY — Branciforte Fire Protection District leaders will discuss potentially rolling itself into a neighboring fire agency during a board meeting Thursday night.

If approved, the agenda item, involving the drafting of a formal annexation resolution, would be the first step toward a merger with the Scotts Valley Fire Protection District.

Branciforte Fire's Board Chairman Pat O'Connell told the Sentinel Tuesday that the agenda item, a potential first move toward a more permanent relationship with Scotts Valley, was the first such public conversation since a six-year contract with the neighboring fire district [dissolved in October](#).

"There appears to be an opportunity that we have something that we can work out with the other district," O'Connell said. "It's a long way off, still. There's a lot of things to be discussed, but at least we can have a discussion."

Branciforte Fire Protection District had hired Scotts Valley Fire to take on the smaller district's administrative functions in the wake of a 2015 Santa Cruz County [Grand Jury report](#) raising the alarm about the agency's precarious financial position. The stop-gap solution was renewed several times before its expiration.

Separately, in October, the Santa Cruz Local Agency Formation Commission board approved a comprehensive analysis of each of the county's 13 fire agencies including a recommendation that Branciforte and Scotts Valley fire protection districts "should be merged or consolidated in the foreseeable future." LAFCO Executive Officer Joe Serrano said he had provided draft copies of

the report to each named fire agency ahead of time.

“LAFCO staff believes that the merger concept should be considered by BFPD and its residents to ensure the level of service remains the same or improve as a result of the proposed reorganization,” the [Local Agency Formation Commission's Oct. 13 report states](#).

District board members, discussing the pending Scotts Valley administrative contract dissolution in August, said they were prepared for the resumption of internal operational oversight. Scotts Valley Fire Chief Ron Whittle at the time said, generally, that staffing-level disagreements were why the two fire districts were not moving toward a longer-term merger. A sticking point for the two was whether or not Branciforte fire station at 2711 Branciforte Drive, a hybrid paid-volunteer station, would remain continuously staffed and open or shuttered and operated out of a Scotts Valley fire station.

Less clear ahead of Thursday's meeting were motivations behind a second agenda item Thursday that would authorize issuing a job announcement for a new Branciforte part-time fire chief. Current interim Chief Samantha Sweeden was only recently appointed to lead Branciforte Fire, stepping in as Scotts Valley Fire Chief Ron Whittle's oversight contract ended in September. O'Connell said he was limited in what he can discuss about the issue, due to personnel privacy restrictions.

## **IF YOU GO**

**What:** Branciforte Fire Protection District board meeting.

**When:** 6 p.m., Thursday.

**Where:** By [video teleconference on Zoom](#) – details available at [branciforte-fire.com](#), or by phone, calling 408-638-0968, meeting ID 644 822 9286 and password 220453.

**At issue:** District annexation by Scotts Valley Fire Protection District.

[thecapistranodispatch.com](http://thecapistranodispatch.com)

# City, Water District Celebrate Utility Annexation | The Capistrano Dispatch

*By Capo Dispatch*

5-6 minutes

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*By Collin Breaux* | Twitter: [@collin\\_breaux](#)

The City of San Juan Capistrano is officially out the water business—a milestone recognized with a celebration at city hall on Monday, Nov. 15.

The city's water utilities have now been annexed into Santa Margarita Water District, a process in the works since 2015. The city council and SMWD have separately approved the agreement, which was additionally given the thumbs up by the Orange County Local Agency Formation Commission in August—one of the last steps towards solidifying the annexation.



Mayor John Taylor thanked representatives from the city, SMWD, and LAFCO for their guidance, expertise, and support involved with the transfer.



- Mayor John Taylor heralds San Juan Capistrano's water utility transfer over to the Santa Margarita Water District on Monday, Nov 15. Photo: Collin Breaux

Mayor John Taylor heralds San Juan Capistrano's water utility transfer over to the Santa Margarita Water District on Monday, Nov 15. Photo: Collin Breaux

"When the city council began to contemplate the idea of transferring the city's water utility to another agency many years ago, the goal was simple—ensure the stability and reliability of essential water service to all our customers in the community," Taylor said. "In selecting Santa Margarita Water District, we have certainly met and exceeded this goal. Management of utilities by a specialized water agency will undoubtedly enhance efficiencies and economies of scale for the city's customers, and in turn moderate rate increases in the future."

Reasons previously cited by city officials for San Juan no longer being a water provider include the city not having enough capability to adequately do so and expected higher rate increases than under SMWD. SMWD has committed to \$25 million in system improvement and optimization investments at the city hall groundwater recovery plant, Taylor said.

For the first transition year in Fiscal Year 2021-22, expenditures are expected to exceed revenues by \$6.3 million, though that shortfall will be covered by reserve funds. Revenues and expenditures are then expected to stabilize in coming years, and revenues will be allocated for reserve funds, according to discussions held during the LAFCO meeting.

Water utility rates are expected to increase over the next 10 years. The idea to transfer San Juan's water system originated with city officials.

Specific ongoing SMWD projects include upgrades to remote facility monitoring, implementing a water-use efficiency program, and expanding recycled water use within the city.

"We'd like to optimize (the groundwater recovery plant at city hall), and it's not that this facility hasn't been run well," SMWD Deputy General Manager Don Bunts said. "By bringing additional resources to bear, we hope to help double the capacity of this plant of what it's running right now—which will help reduce the cost per acre foot and ultimately benefit all the citizens of the city, as well as existing customers for Santa Margarita Water District."

SMWD officials presented Taylor a bell to ring in celebration. Representatives from the offices of Congressman Mike Levin, State Rep. Laurie Davies, and Orange County Fifth District Lisa Bartlett's offices were also on hand to issue proclamations recognizing the transfer and celebrate the occasion.

Davies said the transfer will enable San Juan to focus on important city issues like public safety and infrastructure.

“Now you’re going to have a little weight off your shoulder as well, so you’ve got a little bit more time on your hands,” Davies said.

“You couldn’t ask for a better water district to be managing and representing you.”



## **Collin Breaux**

*Collin Breaux covers San Juan Capistrano and other South Orange County news as the City Editor for The Capistrano Dispatch. Before moving to California, he covered Hurricane Michael, politics and education in Panama City, Florida. He can be reached by email at [cbreaux@picketfencemedia.com](mailto:cbreaux@picketfencemedia.com).*

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## Committee explores Branciforte Fire district consolidation

*Jessica A. York*

3-4 minutes

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HAPPY VALLEY — Looking toward a possible merger with another fire agency, the Branciforte Fire Protection District board Thursday agreed to direct an ad-hoc committee with community members to explore the issue.

Interim Fire Chief Samantha Sweeden said the committee, including two board members, would allow the district to speak directly with other fire departments in order to explore potential annexation. Initially, the evening's agenda item was tailored toward hiring an attorney to draft a future annexation resolution specifically with the Scotts Valley Fire Protection District. That agency, until recently, had been contracted to perform Branciforte Fire's administrative functions for the previous six years. Sweeden, however, recommended a broader approach that would allow for annexation talks with any interested fire district.

"There was some new information that came to light that perhaps it's time for us to prepare for potential talks with Scotts Valley," board Chairman Pat O'Connell said during the video teleconference meeting. "But, in order to do that, we needed to talk among ourselves to determine, what are the items that are important for us moving forward. This may or may not lead anywhere at this point. Fine. But there is an opening for us do that through ad-hoc

committees, between the boards of any district that wants to talk.”

Fire agency merger talks come in the wake of recommendations made in last month’s Santa Cruz Local Agency Formation Commission report, “[Countywide Service and Sphere Review for Fire Protection Services](#).” According to the report, Branciforte Fire has the lowest accreditation rating of fire agencies in the county and serves about 1,700 people within 9 square miles out of a single fire station. Nationally, fire department accreditation or “ISO” ratings are issued by the independent Insurance Service Office as a measurement of each agency’s ability to protect insured loss and influence insurance premiums paid by the property owners.

Ad-hoc committee member Dale Thurston said the group had met three times and its members agreed that it was in the best interest of the district to engage in talks with Scotts Valley, with an aim to “make any movement that will benefit us all together.” Fellow committee member Larry Pageler said group members were researching concerns heard from the community, such as fire protection-related impacts to residents’ property insurance, as well as fire risk exposure.

“It’s important to let our community know what’s being talked about, what are some of the issues and what are what are the things we’re looking at to maybe solve our problems,” Thurston said.

O’Connell said the ad-hoc committee’s goals soon would be posted on the fire district’s website, [branciforte-fire.com](http://branciforte-fire.com), and that residents would receive flyers with details of a planned Dec. 18 quarterly fire district meeting.

[pressbanner.com](https://pressbanner.com)

# SLVWD Eyes Possible Merger With Big Basin as Financial Concerns Loom

*By: Christina Wise*

4-6 minutes

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In a special meeting on Nov. 10, the San Lorenzo Valley Water District (SLVWD) Board of Directors authorized District Manager Rick Rogers to begin investigating the potential consolidation of Big Basin Water with SLVWD, but there are issues that surround an acquisition of the utility.

Recent boil water orders issued by Big Basin, including one that was terminated on Nov. 2, along with a water conservation request, has left a bad taste in the mouth of current Big Basin ratepayers.

In addition, Big Basin issued a memo regarding “Discontinuation of Service for Nonpayment Policy” in February of 2020, and its website doesn’t reflect an update to that policy. While SLVWD has worked to eliminate water shutoffs in response to hardships placed on ratepayers by the CZU Lightning Complex fires and the pandemic, Big Basin is still disconnecting water service to those whose accounts are 60 days or more in arrears. (Opportunities to work with Big Basin on a payment plan are available, but notices of delinquencies and shutoffs are still being issued by the utility.)

In sharp contrast, SLVWD has worked closely with its customer base to keep residents in water, but the district is facing long-term financial hardship, and the acquisition will require a multi-million-dollar investment into Big Basin’s crumbling infrastructure.

SLVWD Director Bob Fultz created an outline of debt coverage for future presentation to the board, and the 5-year forecast is eye-opening. The graph, which “assumes no future increases to operating revenue charges, flat consumption and expenses increasing at historic trends,” shows that SLVWD could fail to meet its obligations shortly after 2026, leaving the cash-strapped utility looking for additional funding options.

It could also inhibit its ability to borrow additional funds for infrastructure improvements.

Fultz says he believes that the district needed to begin expanding its income to maintain operating expenses in the early 2000s, long before he or other board members oversaw the utility. Had the district recognized the long-term implications of their decisions around 2003, and adopted an operating margin that addressed the lack of fiscal restraint by implementing a 3.5% increase in operating expenses, the utility wouldn’t be facing a potential \$39 million delta between its operating expenses and operating margin by 2023.

But SLVWD Board President Gail Mahood says she sees the silver lining in the district’s finances.

“Given what the district has been through in the last two years, with the demands of the Covid pandemic and the CZU Fire recovery on district personnel and financial resources, I think we are doing as well as can be expected. Actually, perhaps better than expected,” she said.

SLVWD is no stranger to mergers and acquisitions: the utility assumed control of Felton’s water district in 2008 after years of negotiations with Cal-Am Water, and in June of 2016, SLVWD merged with the Lompico County Water District after the rural utility’s financial woes became too much for the board to manage.

The attempt in early 2020 to merge SLVWD with Scotts Valley



Water District was overwhelmingly opposed by SLV residents, resulting in the process being aborted. But now, SLVWD, which serves the communities of Boulder Creek, Brookdale, Ben Lomond, Lompico, Zayante, Scotts Valley, Manana Woods and Felton, is looking for a little support as it struggles to retain its financial footing.

One relationship that is set to flourish involves PG&E and the Olympia Watershed, which is managed by SLVWD. The district is set to kick off a partnership with PG&E on habitat remediation in the watershed, which comprises approximately 180 acres of land north of Felton near Zayante.

One pressing issue is the ever-present acacia tree, which is native to Australia and considered an invasive species in the sandhills of the Santa Cruz Mountains. It leaves behind detritus that piles up, and stifles native plants in the region. The rehabilitation of the Olympia Watershed will be an ongoing process, and more information regarding the plans will be released in the coming weeks by the water district.

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*The SLVWD Board of Directors meet the first and third Thursday of each month. Minutes, agendas and links to join upcoming board meetings can be found at [slvwd.com](http://slvwd.com).*



[mercurynews.com](https://www.mercurynews.com)

## Midpen gets grant for program to reduce wildfire risk

*Michelle Pitcher*

4-5 minutes

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The Midpeninsula Regional Open Space District recently scored a big win for its ongoing fire prevention efforts .

The agency was awarded a \$1.5 million grant by the California Wildlife Conservation Board to help with its new Wildland Fire Resiliency Program along the Los Gatos Creek Watershed.

The Midpeninsula Regional Open Space District has been charged with protecting open and green space in the South Bay since 1972. Fire prevention has always been one of the agency's aims, but the catastrophic fire seasons in recent years—including the 2020 SCU Lightning Complex fire that affected Santa Clara County—have made risk mitigation a top priority.

According to Leigh Ann Gessner, public affairs specialist for the Midpeninsula Regional Open Space District, the agency finalized the Wildland Fire Resiliency Program this summer. The program is multifaceted but overall aims to put preventative measures in place to reduce wildfire risk and to ensure local emergency agencies and the ecosystem itself can respond properly in the event of a wildfire.

“We have always done proactive work to prevent fire,” Gessner said. “Every year, we’re maintaining hundreds of miles of fire roads, fuel brakes, helicopter landing flights, etc. But conditions have been

changing in California, so we're proactively doing more to meet the needs of our situation right now."

The Wildland Fire Resiliency Program has four components. The first is vegetation management, which focuses on the ecological health of native plants. The agency is also working with local emergency responders to make maps of the preserves that will identify sensitive environmental areas and the best routes to use in the event of a fire.

The third part of the program relies on scientific monitoring, which Gessner said will help the agency ensure its efforts are effective. The fourth component, which is still undergoing the environmental impact review process, is reintroducing prescribed fires into the agency's land management procedures.

In order to increase its capacity to reach the program's goals, Gessner said the agency is applying to several grant programs, hiring new staff and entering into partnerships.

The new California Wildlife Conservation Board funds will go to the agency's vegetation management efforts. These are fire prevention measures focused on making sure the vegetation doesn't fuel future wildfires and that it can rebound when fires do inevitably occur.

According to Gessner, vegetation management can take many different forms, including removing brush and dense vegetation under the forest while leaving the canopy intact. This would prevent the vegetation from feeding a fire and allowing it to spread.

"The native plants in California evolved over millennia with fire and can be resilient to it," Gessner said. "So really, our focus is to restore the natural ecological functions and have plant communities that are healthy and able to be resilient in the face of fire, which is a fact of life here in California."

While the agency had vegetation management efforts in place before this new program, agency officials said in a release that this program will increase the efforts by about 600% over the next decade.

The vegetation management efforts will be expansive, spanning 353 acres across numerous open space preserves, including Sierra Azul, Long Ridge, Saratoga Gap and Bear Creek Redwoods.

This California Wildlife Conservation Board grant is not the only cash infusion the Midpeninsula Regional Open Space District has received recently. The agency received almost half a million dollars from the California Coastal Conservancy earlier this year to fund vegetation management efforts in San Mateo County.

[goodtimes.sc](http://goodtimes.sc)

## Watsonville Community Hospital Faces Closure | Good Times Santa Cruz

3-4 minutes

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Watsonville Community Hospital will either be sold to a new buyer or—if that fails—close by Jan. 28, CEO Steven Salyer announced Monday.

In a letter sent to employees, Salyer states that the hospital is facing “significant financial challenges,” which have been compounded by decreased revenue due to the Covid-19 pandemic.

“Like many health care providers, WCH was forced to borrow millions of dollars to fund its operating losses,” Salyer wrote. “As a stand-alone community hospital, WCH was not able to absorb or avoid these losses.”

While such a closure would be a calamity for South County, the news might not be all bad. The hospital is actively seeking a buyer, Salyer says, and a group of local healthcare professionals and providers has announced its intention to purchase the hospital.

The Pajaro Valley Healthcare District Project (PVHDP), made up of the County of Santa Cruz, the City of Watsonville, Community Health Trust of Pajaro Valley and Salud Para La Gente, was formed with the express purpose of making the purchase and giving the county’s southernmost city a measure of control over its health care.

“We have been collaborating with the Hospital for several weeks to figure out how that can happen,” said PVHDP spokeswoman Mimi Hall. “We are making plans to be a bidder.”

Salyer says the sale will likely be completed through a Chapter 11 bankruptcy court process.

“This Chapter 11 filing will give our hospital the financial breathing room required to focus on patient care and operations while we conclude a sale,” Salyer wrote.

Salyer also asked the new buyer to rehire all the hospital’s employees, who face termination when the sale closes on Jan. 28.

“We are hopeful that we will be able to find a buyer and sell the Hospital, but if we are not able to do so, the Hospital will have to suspend its operations after the bankruptcy court authorizes those steps,” Salyer wrote. “We are saddened to have to take this step but are hopeful that the sale will go through, and that the Hospital will be able to continue serving the community.”

It is not yet clear whether PVHCD will be able to secure the funding necessary to make the purchase by Jan. 28. Hall says the price is still under discussion.

The Santa Cruz County Board of Supervisors has unanimously allocated \$500,000, and the city of Watsonville has also pledged its support.

Also unclear is what will happen to the physical property.

When the previous owner Halsen Healthcare took over WCH in 2019, it sold the property and building to Alabama-based Medical Properties Trust (MPT), and then leased it from them in a so-called sale/leaseback.

Halsen officials said the \$39 million sale price would go toward operations. That company was ousted in January 2021, when

Prospect Medical Holdings took over.

Hall says that PVHDP has hired a project manager, and a team of attorneys to help with the purchase, as well as a lobbyist to help with legislative issues that will come with officially forming the group.

“We continue to plan for how to form a structure and pursue financing,” she said.

[pressbanner.com](http://pressbanner.com)

## Scotts Valley Selects New City Manager - Press Banner

*By: Drew Penner*

4-5 minutes

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Scotts Valley is moving to hire Nevada County Assistant Executive Officer Mali LaGoe as its new city manager, after the [departure of Tina Friend](#), earlier this year.

And LaGoe couldn't be happier.

"I'm so excited to join the community and join the team of staff at Scotts Valley," she said. "I think it's just a really good fit with my background."

LaGoe has worked in Nevada County for the past nine years. Before that she worked in the solar energy sector and for nonprofits, including as the market manager at Nevada City Farmers Market.

"Coming down to the Santa Cruz area is something I've done several times on vacations," she said. "My husband lives in San Jose, so we've been living in two places for the last two years."

When she was considering which nearby community she might want to work in, Scotts Valley was at the top of her list, she says.

Now that she's secured the position—expected to be formalized Dec. 1 by the City Council—her husband and two stepsons have begun considering housing options here.

LaGoe says she's looking forward to hiking with them around Scotts Valley on weekends.

"I might get back into riding horses," she added. "That's something that was a passion of mine in the past."

Scotts Valley Mayor Derek Timm says while their hiring casts netted plenty of good candidates, it was clear LaGoe was the best of the catch.

"When she came in and we met with her, both the staff and the Council were just so impressed with her," he said. "Everyone just felt she was the best candidate for our city."

Her wildfire prevention task force work in Nevada County was of particular note, he said.

"She set it up and ran it," he said. "I was more impressed with the County's trust in her to run something that's so complex."

LaGoe studied political science at the University of Nebraska-Lincoln and public administration at CSU Northridge. She's also served as a board member for the Nevada County Economic Resource Council.

She says she's excited to work on economic development in Scotts Valley, including focusing on the question, "How can we recover from the pandemic?"

That's something Timm says will be an important part of her new role.

"One of the key ones is making sure we have economic stability for our community for the future," he said. "We are in the process of completing renovations in Scotts Valley to the Kmart center and getting that turned into the Target center."

Timm said Scotts Valley's recruitment consultant said, despite a difficult climate for hiring, the community garnered more interest

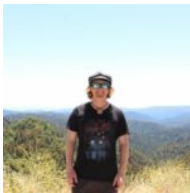


than others have recently.

There is a dearth of talent for senior local government roles, the recruiter said, because after the financial crisis of 2008 municipalities slimmed their middle-management roles, according to Timm.

He adds it wasn't that the other applicants weren't appealing—just that LaGoe was clearly a better choice.

“In the recruitment process there were other candidates who had been city managers in other cities who had great pedigrees, but her skill set and her leadership qualities were just a step higher,” he said. “I mean, she really stood out.”



### [Drew Penner](#)

Drew Penner is an award-winning Canadian journalist whose reporting has appeared in the Globe and Mail, Good Times Santa Cruz, Los Angeles Times, Scotts Valley Press Banner, San Diego Union-Tribune, KCRW and the Vancouver Sun. Please send your Los Gatos and Santa Cruz County news tips to [dpenner@weeklys.com](mailto:dpenner@weeklys.com).

[goodtimes.sc](http://goodtimes.sc)

## **Watsonville City Council Appoints Tamara Vides as Interim City Manager | Good Times Santa Cruz**

5-6 minutes

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The Watsonville City Council appointed Tamara Vides to serve as the interim city manager in a special meeting on Tuesday night.

Vides, an employee of the city of Watsonville for 23 years, will step into the role on Dec. 15, the day after outgoing City Manager Matt Huffaker will leave his position.

Huffaker, the city's chief executive for the past three years, is slated to take over as Santa Cruz's city manager on Jan. 3.

The City Council voted 4-2 to approve the move, with Mayor Jimmy Dutra and City Councilwoman Rebecca Garcia dissenting.

After the brisk 20-minute meeting was adjourned, Dutra and Mayor Pro Tempore Ari Parker engaged in a brief verbal spat about the former's vote. The two eventually went their separate ways as the 15 or so people gathered in the City Council Chambers quickly dispersed.

Vides, who was named deputy city manager in 2018 and then reassigned to assistant city manager in October 2020, stuck around as the chambers emptied and hugged and kissed her kids telling them several times that "it'll be OK."

Asked what she was feeling after the meeting, Vides said it was tough to pin down only one emotion.

"One feeling is relief, just knowing that I can really plan and start looking forward because not knowing was unsettling," Vides said. "It

has not been an easy process and I know there's work to do and I'm ready to do it."

The meeting brought to an end extensive deliberation among the Watsonville City Council about who should take the reins from Huffaker in the interim. The elected leaders met four times in closed sessions to discuss the matter.

The topic was a contentious one. Nearly all city of Watsonville department directors spoke in favor of Vides' appointment over the past four weeks, but other city employees—both on the record and in private messages to the City Council and media—came forth with concerns over her stepping into the role.

Only one person spoke during the public comment portion of the meeting. Pedro Castillo, a community activist and UCSC professor of history emeritus, said that Vides had no connection to the community.

"I think that you still have time and I think there is terrific, wonderful, qualified people within the city that you could appoint in an interim basis," he said.

Both Dutra and councilman Francisco "Paco" Estrada said that the process has brought to light workplace issues in the city that must be addressed in the coming months.

"We need to make sure that our city continues to move forward, but we also want to make sure that we have somebody that is going to unify our organization," Dutra said. "We can't deny that there are issues in our organization, because there are. I don't want to brush anything under a rug. However we move forward, we have to address those issues."

Added Estrada: "It breaks my heart to hear that there are members of the city that come to work, that are not happy and that do not feel confident enough to express themselves or to share a concern either in person, anonymously or in any other way. That is an issue that we will be asking the next city manager to immediately address. Because I think spending 40 hours a week of your life

unhappy is not fair.”

Normally a supporting staff member that operates in the background, Vides was thrust into the center of the conversation when [Huffaker announced he would leave the city](#) in late October. The experience, Vides says, has at times been brutal, as people have questioned her leadership, temperament and commitment to the city.

“It’s been hard because I pour my heart and soul and for someone to stand there and say ‘we don’t know this person,’ I just don’t know how you don’t know me,” Vides said, holding back tears. “How do you not know me when I’ve been here 23 years, and I’ve consistently dedicated not 40, not 50 [hours per week]. I dedicate an incredible amount of hours and I’m incredibly enthusiastic about the job I do. I don’t recruit through a flyer. I’ve walked the streets of this community. I have knocked on doors. I have sat in the living rooms of these families. I’ve visited the fields. I’ve visited the schools. It’s hard for me to hear some of the feedback.”

But, she says, it has also been a big learning experience.

“At the end of the day, the workplace is super important to me. I spend way too many hours here. I was just telling (another city employee) earlier this week, ‘you know this is my community.’ I live here now, but I didn’t go to high school here. This is where I make friends. This is where I connect with people. So my workplace, it is my all. So to have positive professional relationships, to me, is super important. I’m going to work hard on making sure that we work to uplift our employees and our organization.”

The City Council also approved a contract with the recruitment firm Peckham & McKenney to seek candidates to replace Huffaker.

Finding his permanent replacement will take anywhere from three to six months, the city said.

[lookout.co](https://lookout.co)

## **Watsonville Community Hospital reaches preliminary agreement for sale to avoid closure - Lookout Local Santa Cruz**

*Hillary Ojeda*

4-5 minutes



Quick Take

**Watsonville Community Hospital officials have reached a tentative agreement to sell the hospital's operations to the Pajaro Valley Healthcare District Project — a recently formed nonprofit made up of local government bodies and healthcare nonprofits. If successful, the purchase would prevent the closure of the hospital.**

**UPDATE:** The various entities that make up Watsonville Community Hospital filed Chapter 11 a bankruptcy petition Sunday, listing debts of at least \$13 million — including a \$1 million Pacific Gas & Electric claim. The figure does not include money owed to employees or to retirement plans, but is likely millions more. Read the federal filing below.

After announcing to employees in November the [hospital could](#)

[suspend its operations if it didn't find a buyer](#) due to financial challenges, Watsonville Community Hospital CEO Steven Salyer announced Friday that the hospital reached a preliminary agreement with a local nonprofit, the Pajaro Valley Healthcare District Project, for its purchase.

“We are excited to have reached a preliminary agreement with the PVHDP for the acquisition of the hospital’s operations and to have funding to continue the life-saving work of providing care to our community,” Salyer said in a release.

The hospital holds 106 beds and employs more than 620 employees and 200 physicians, according to its website. Earlier Friday, nurses at the facility held a news conference demanding that the hospital stay open.

When asked for comment, Roseann Faris — a nurse at the hospital and its California Nurses Association union representative — said she hadn’t seen the news about the preliminary agreement. At the time of publication, Faris said she had not yet received approval to speak further.

The hospital plans to file a motion asking a bankruptcy court to approve the district as the purchaser. Using the Chapter 11 process, the court would need to approve the sale of the hospital’s operations through an auction, according to the release.

At the moment, Medical Properties Trust owns the land and the buildings that make up the hospital, but it has been managed by Prospect Medical Holdings since January.

Mimi Hall, CEO and president of the group seeking to purchase the hospital, said there is still work to be done before they reach a final agreement, but at the least, an “imminent closure” was averted.

“This is a framework that allows us to seek necessary legislative and financial support to complete the acquisition and renew the

hospital under public stewardship,” said Hall, in the release. “We look forward to working with our state and local elected officials and our partners who are dedicated to advancing community ownership of the hospital.”

Made up of the county of Santa Cruz, the city of Watsonville, Salud Para La Gente and the Community Health Trust of Pajaro Valley, the nonprofit incorporated this summer, according to Hall. The project is in the process of formalizing as an official health care district — which is similar to a water district but focused on a community’s healthcare needs.

While the project is the entity purchasing the hospital, the hope is that once the healthcare district is formed it would transfer ownership to the district.

“Our project could reach an agreement with the current owners for a hospital sale...it could happen before a district is formed, it could happen after a district is formed,” said Hall. “What we would do is transfer ownership to the eventual health care district.”

The district would have a board of elected members who make decisions on behalf of the constituents to run the hospital.

The hospital expects to request a hearing from the bankruptcy court to consider the sale in February 2022, according to the release. In the meantime, hospital officials say they have received enough funding to continue operations while the sale is processed or through the end of March 2022.