



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, May 4, 2022**

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

**1. ROLL CALL**

**Chair Rachél Lather** called the meeting of the Local Agency Formation Commission of Santa Cruz County (LAFCO) to order at 9:01 a.m. and welcomed everyone in attendance. She asked staff to conduct roll call.

The following Commissioners were present:

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

The following LAFCO staff members were present:

- Executive Officer Joe Serrano
- Legal Counsel, Joshua Nelson

**2. EXECUTIVE OFFICER'S MESSAGE**

**2a. Virtual meeting Process**

**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 Emergency.

## **2b. Request for Proposal – Time Extension**

**Executive Officer Joe Serrano** noted that the deadline to submit bids for LAFCO’s fire-related feasibility study was extended to May 18. The extension allowed more time for additional bids to be submitted before LAFCO selects the most qualified consulting firm to produce the study.

## **2c. City Selection Committee - Appointment Results**

**Executive Officer Joe Serrano** informed the Commission that the City Selection Committee appointed Yvette Brooks (Capitola) and Donna Lind (Scotts Valley) to be LAFCO’s new regular and alternate members, respectively. The June 1st Regular Meeting will be their first meeting as the new city representatives on LAFCO.

## **3. ADOPTION OF MINUTES**

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

**Chair Rachél Lather** called for the approval of the draft minutes. **Commissioner Jim Anderson** motioned for approval of the April 6th Meeting Minutes and **Commissioner Justin Cummings** seconded the motion.

**Chair Rachél Lather** 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, Yvette Brooks, Ryan Coonerty, Justin Cummings, Zach Friend, and Rachél Lather.**  
**AGAINST: None**  
**ABSTAIN: None**

**MOTION PASSED: 7-0**

## **4. ORAL COMMUNICATIONS**

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** moved on to the next agenda item.

## **5. PUBLIC HEARINGS**

**Chair Rachél Lather** noted that there was one public hearing item for Commission consideration today.

### **5a. City of Capitola Service & Sphere Review**

**Chair Rachél Lather** requested staff to provide a presentation on the draft service and sphere review for the City of Capitola.

**Executive Officer Joe Serrano** noted that the City was formed in 1949 and encompasses approximately two square miles of territory. Mr. Serrano explained that the City provides municipal services to approximately 10,000 residents. He indicated that the City is financially healthy and operating an efficient government agency. However, he did point out that the City's sphere boundary has been in place almost 50 years with minimal annexations. The last annexation occurred in 1985. Staff recommended that the Commission reaffirm the existing sphere boundary with the condition that the City develop an annexation plan by the next service review cycle (May 2027).

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** closed public comments and called for Commission comments.

**Commissioner Roger Anderson** appreciated the detailed analysis in the report and asked if there was any population data within the City's sphere boundary. **Executive Officer Joe Serrano** indicated that population data is not relatively available for specific areas in unincorporated territory. Mr. Serrano noted that based on LAFCO's mapping database and the 2010 census data, staff believes that there may be up to 10,000 residents living outside the city limits but within Capitola's sphere of influence.

**Vice-Chair Yvette Brooks** extended her appreciation for the report and asked if LAFCO would help develop the proposed annexation plan. **Executive Officer Joe Serrano** noted that he understands the City's limited staff time and offered his assistance on developing the annexation plan.

**Chair Rachél Lather** noted no further Commission discussion and asked for a motion to approve the draft report. **Commissioner Justin Cummings** motioned to approve staff's recommendations. **Vice-Chair Yvette Brooks** seconded the motion.

**Chair Rachél Lather** called for a roll call vote on motion based on staff's recommendation: **(1) Find the report to be exempt from CEQA, (2) Determine that the report fulfills the requirements under GCS 56425, (3) Determine that the report fulfills the requirements under GCS 56430, and (4) Adopt the LAFCO Resolution (No. 2022-06) approving the 2022 Service & Sphere Review for the City of Capitola with the following conditions: (a) Reaffirm the City's current sphere boundary with the condition that the City develop an annexation plan before the next service review cycle, and (b) Direct the Executive Officer to distribute a copy of the adopted report to the City and any other interested/affected agency.**

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

**MOTION: Justin Cummings**

**SECOND: Yvette Brooks**

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

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 7-0**

## 6. OTHER BUSINESS

**Chair Rachél Lather** indicated that there were two business items for Commission consideration.

### **6a. Continuation of Remote Meetings**

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

**Executive Officer Joe Serrano** noted that the Commission adopted a resolution in November 2021 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. Mr. Serrano explained that 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 resolution adopted back in November. He also indicated that in April the Commission ratified the existing resolution with the condition that staff provide information on how to implement a hybrid model, which would allow Commissioners, staff, and members of the public to participate in future LAFCO meetings in-person or remotely. Staff met with County representatives and determined that it would be possible to implement a hybrid model. Mr. Serrano did point out that a quick survey was sent to the Commissioners in April and the vast majority prefers to participate remotely at this time. Staff recommended that the Commission continue conducting remote meetings under AB 361 until more Commissioners are comfortable with in-person meetings or when the COVID-related State of Emergency is lifted.

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** closed public comments and called for Commission comments.

**Vice-Chair Yvette Brooks** motioned to approve staff's recommendations. **Commissioner Jim Anderson** seconded the motion.

**Commissioner Justin Cummings** thanked staff for the report and highlighted the value of engaging with the public and colleagues in-person.

**Chair Rachél Lather** called for a roll call vote on motion based on staff's recommendation: **Ratify the existing resolution (No. 2021-19) approving the continuation of remote meetings under AB 361.**

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

**MOTION:** Yvette Brooks

**SECOND:** Jim Anderson

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

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **6b. Comprehensive Quarterly Report – Third Quarter (FY 2021-22)**

**Chair Rachél Lather** requested staff to provide a presentation on the quarterly report.

**Executive Officer Joe Serrano** noted that this report is meant to keep the Commission informed about all LAFCO-related activities, including the status of active proposals, the schedule of upcoming service reviews, the current financial performance of LAFCO's adopted budget, and other projects. Mr. Serrano covered these areas and indicated that the Commission's budget is doing well with over 100% of anticipated revenues already received and only approximately 42% of anticipated expenses spent.

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** closed public comments and called for Commission comments on the quarterly report. There were none.

**Chair Rachél Lather** moved to the next item since no Commission action was required.

## **7. SPECIAL BUSINESS**

**Chair Rachél Lather** noted that there was one special business item for Commission consideration today.

### **7a. Resolution of Appreciation for Commissioner Justin Cummings**

**Chair Rachél Lather** requested staff to provide a presentation on the resolution of appreciation for Commissioner Justin Cummings.

**Executive Officer Joe Serrano** reminded the Commission that the four-year term for Commissioner Justin Cummings ends in May. Mr. Serrano thanked Commissioner Cummings for his leadership during his time with LAFCO and noted that Mr. Cummings will still be a council member for the City of Santa Cruz until December 2022.

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** closed public comments and called for Commission comments.

**Commissioners Roger Anderson and Ryan Coonerty** thanked Mr. Cummings for his commitment towards local government and championing efforts to improve the efficient delivery of public services throughout Santa Cruz County.

**Chair Rachél Lather** noted no further Commission discussion and asked for a motion to approve staff's recommendations. **Commissioner Ryan Coonerty** motioned to approve staff's recommendations. **Commissioner Jim Anderson** seconded the motion.

**Chair Rachél Lather** called for a roll call vote on motion based on staff's recommendation: **Adopt LAFCO Resolution (No. 2022-07) acknowledging Commissioner Cummings' leadership on LAFCO.**

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

**MOTION:** Ryan Coonerty

**SECOND:** Jim Anderson

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

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **8. WRITTEN CORRESPONDENCE**

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

## **9. PRESS ARTICLES**

**Chair Rachél Lather** 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.

**Commissioner Roger Anderson** asked for more information about the issues facing Santa Barbara LAFCO regarding a potential consolidation of two special districts. **Executive Officer Joe Serrano** noted that a water district and a sewer district have expressed interest in merging together to better serve their residents. The two districts hired an outside consultant to produce a feasibility study. Mr. Serrano indicated that there are some internal issues being faced by one of the districts, specifically involving their board of directors. He stated that it is unknown whether those issues will affect the consolidation effort.

**Chair Rachél Lather** requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission.

**Chair Rachél Lather** moved to the next item since no Commission action was required.

## **10. COMMISSIONERS' BUSINESS**

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

## 11. ADJOURNMENT

Chair **Rachél Lather** adjourned the Regular Commission Meeting at 9:49 a.m. to the next regular LAFCO meeting scheduled for Wednesday, June 1, 2022 at 9:00 a.m.



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RACHÉL LATHER, CHAIRPERSON

Attest:



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JOE A. SERRANO, EXECUTIVE OFFICER