



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

ADOPTED MINUTES

LAFCO REGULAR MEETING AGENDA

Wednesday, November 2, 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 9:00 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 Francisco Estrada
- 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 under Assembly Bill 361, which allows local agencies to conduct virtual meetings during a State of Emergency.

2b. CALAFCO Annual Conference Recap

Executive Officer Joe Serrano noted that the CALAFCO Annual Conference was well attended, with 47 out of the 58 LAFCOs represented at the conference. Mr. Serrano stated that over 200 people were in attendance.

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 September 7, 2022 Meeting Minutes and **Commissioner Ryan Coonerty** seconded the motion.

Chair Rachél Lather called for a roll call vote on the approval of the draft minutes. **Executive Officer Joe Serrano** conducted a roll call vote on the item.

MOTION: Jim Anderson

SECOND: Ryan Coonerty

FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Ryan Coonerty, Francisco Estrada, 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 one request to address the Commission.

Becky Steinbruner asked how LAFCO's feasibility fire study will affect the proposed reorganization between Branciforte and Scotts Valley Fire Protection Districts and the scheduled benefit assessment study for the Branciforte Fire Station. Ms. Steinbruner also informed the Commission about the water issues in Santa Cruz County.

Executive Officer Joe Serrano clarified that the Branciforte Fire Protection District hired an outside consultant (SCI Consulting) to produce a benefit assessment study to determine the cost in keeping the Branciforte Fire Station open post-reorganization. LAFCO also hired an outside consultant (AP Triton) to produce a feasibility study to determine the fiscal impact to the County and the fire agencies if annexations were to occur based on current sphere boundaries. He noted that these two studies are separate projects.

Chair Rachél Lather noted no further comments and moved to the next agenda item.

5. PUBLIC HEARINGS

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

5a. Countywide Service and Sphere Review for Road County Service Areas

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

Executive Officer Joe Serrano summarized the findings for each of the 34 county service areas (“CSAs”) evaluated in the comprehensive report. Mr. Serrano explained that based on staff’s analysis, several sphere boundaries should be amended. He noted that the CSAs lacked transparency and the majority of them experienced fiscal challenges. He also stated that CSA 39 has been inactive for two consecutive years and should be dissolved. It was recommended that the Commission approve staff’s recommendations and adopt the 2022 Countywide Service & Sphere Review.

Chair Rachél Lather requested public comments on this item. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission.

Becky Steinbruner thanked staff for the comprehensive report and suggested that LAFCO reach out to the communities living within a county service area in order for them to better understand the Commission’s findings outlined in the report.

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

Commissioner Roger Anderson appreciated the thorough report and asked that future analysis cover additional areas including the connection between fire safety and county roads, potential consolidation of the existing CSAs, and more emphasis on population estimates and its correlation with the CSAs’ existing finances.

Chair Rachél Lather noted no further comments and asked for a motion. **Commissioner Ryan Coonerty** motioned to approve staff’s recommendations and **Commissioner Roger Anderson** seconded the motion.

Chair Rachél Lather called for a roll call vote on motion based on staff’s recommendation: **(1) Find the report exempt from CEQA; (2) Determine the report fulfills the requirements under Government Code Section 56425; (3) Determine the report fulfills the requirements under Government Code Section 56430; and (4) Adopt the draft resolution (LAFCO No. 2022-14) approving the 2022 Countywide Service & Sphere Review for the Road County Service Areas.**

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

MOTION: Ryan Coonerty

SECOND: Roger Anderson

FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Ryan Coonerty, Francisco Estrada, Zach Friend, and Rachél Lather.

AGAINST: None

ABSTAIN: None

MOTION PASSED: 7-0

6. OTHER BUSINESS

Chair Rachél Lather indicated that there are four business items for Commission consideration today.

6a. Virtual Meetings Update

Chair Rachél Lather requested staff to provide a presentation on the future use of virtual settings for LAFCO meetings in the coming months.

Executive Officer Joe Serrano reported that the COVID-related State of Emergency is scheduled to be lifted in February 2023, which would make AB 361 no longer serviceable. Mr. Serrano noted that AB 2449 was recently approved by the Governor which would replace AB 361 but adds more conditions on how Commissioners may attend meetings remotely. As a result, LAFCO is recommending that the Commission revert back to in-person meetings by March 1, 2023.

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

Chair Rachél Lather called for Commission comments on the proposed virtual meeting process and asked for a motion. **Commissioner Zach Friend** motioned to approve staff's recommendations and **Commissioner Jim Anderson** seconded the motion.

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 to the next regularly scheduled meeting (January 4, 2023) and direct staff to implement in-person meetings starting March 1, 2023.**

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

MOTION: Zach Friend

SECOND: Jim Anderson

FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Ryan Coonerty, Francisco Estrada, Zach Friend, and Rachél Lather.

AGAINST: None

ABSTAIN: None

MOTION PASSED: 7-0

6b. Multi-Year Work Program Update

Chair Rachél Lather requested staff to provide a presentation on the upcoming projects 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 six service reviews are scheduled to be completed in 2023. The work program also identifies anticipated proposals and other upcoming projects.

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

Chair Rachél Lather called for Commission comments on the proposed work program schedule and asked for a motion. **Commissioner Jim Anderson** motioned to approve staff's recommendations and **Vice-Chair Yvette Brooks** seconded the motion.

Chair Rachél Lather noted no 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 2023 calendar year.**

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

MOTION: Jim Anderson

SECOND: Yvette Brooks

FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Ryan Coonerty, Francisco Estrada, Zach Friend, and Rachél Lather.

AGAINST: None

ABSTAIN: None

MOTION PASSED: 7-0

6c. LAFCO Meeting Schedule (2023 Calendar Year)

Chair Rachél Lather requested staff to provide a presentation on the meeting schedule for the upcoming calendar year.

Executive Officer Joe Serrano proposed a meeting schedule of nine regular meetings which would be held on the first Wednesday of each month with a start time of 9:00am. He clarified that there will be no regular meetings scheduled for the months of February, July and December.

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

Chair Rachél Lather called for Commission comments on the proposed schedule and asked for a motion. **Commissioner Jim Anderson** motioned to approve staff's recommendations and **Commissioner Roger Anderson** seconded the motion.

Chair Rachél Lather noted no Commission discussion and called for a roll call vote on motion based on staff's recommendation: **Adopt the meeting schedule for the 2023 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, Yvette Brooks, Ryan Coonerty, Francisco Estrada, Zach Friend, and Rachél Lather.
AGAINST: None
ABSTAIN: None

MOTION PASSED: 7-0

6d. Comprehensive Quarterly Report – First Quarter (FY 2022-23)

Chair Rachél Lather 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 noted that LAFCO incurred approximately 20% of the projected costs for this fiscal year. He also summarized the four active applications, the completion of three separate service reviews, and the meetings held during the first quarter.

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

Chair Rachél Lather called for Commission comments on the update.

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

7. WRITTEN CORRESPONDENCE

Chair Rachél Lather inquired whether there was any written correspondence submitted to LAFCO.

Executive Officer Joe Serrano noted that LAFCO received written correspondence. Mr. Serrano summarized the correspondence submitted by Focus Ag regarding staff's certificate of achievement, Becky Steinbruner regarding her inquiry about conflict of interest, Special District Risk Management Authority regarding LAFCO's Special Acknowledgement Award, and the State Controller's Office regarding inactive districts.

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

8. 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.

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.

9. COMMISSIONERS' BUSINESS

Chair Rachél Lather inquired whether any Commissioner would like to share any information.

Commissioner Zach Friend extended his appreciation to Commissioner Ryan Coonerty for his dedicated service with LAFCO. Mr. Friend indicated that this will be Mr. Coonerty's last meeting as a Commissioner since he is resigning from the County Board of Supervisors at the end of the month. Other Commissioners extended their appreciation as well. **Executive Officer Joe Serrano** noted that a Resolution of Appreciation will be presented to Mr. Coonerty during the January 4th LAFCO Meeting.

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

10. ADJOURNMENT

Chair Rachél Lather adjourned the Regular Commission Meeting at 10:09 a.m. to the next regular LAFCO meeting scheduled for Wednesday, January 4, 2023 at 9:00 a.m.



RACHÉL LATHER, CHAIRPERSON

Attest:



JOE A. SERRANO, EXECUTIVE OFFICER