



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, April 5, 2023**

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

**1. ROLL CALL**

**Chair Yvette Brooks** 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 the roll call.

The following Commissioners were present:

- Chair Yvette Brooks
- Vice-Chair John Hunt
- Commissioner Jim Anderson
- Commissioner Roger Anderson
- Commission Zach Friend
- Commissioner Rachél Lather
- Alternate Commissioner Ed Banks
- Alternate Commissioner Allan Timms

*Alternate Commissioner Allan Timms will be a voting member on behalf of Commissioner Eduardo Montesino (City Representative).*

The following LAFCO staff members were present:

- Executive Officer Joe Serrano
- Legal Counsel, Joshua Nelson
- Administrative Aide, Juliette Burke (*Temporary County Support*)

**2. EXECUTIVE OFFICER'S MESSAGE**

**2a. Virtual meeting Process**

**Executive Officer Joe Serrano** announced that the Commission Meeting is being conducted through a hybrid approach with Commissioners and staff attending in-person while members of the public have the option to attend virtually or in-person. Mr. Serrano noted that Legal Counsel is participating remotely in accordance with state law.

### 3. ADOPTION OF MINUTES

Chair **Yvette Brooks** requested public comments on the draft minutes. **Executive Officer Joe Serrano** noted no public comments. **Chair Yvette Brooks** closed public comments.

Chair **Yvette Brooks** called for the approval of the draft minutes. **Commissioner Roger Anderson** motioned for approval of the March 1st Meeting Minutes and **Commissioner Jim Anderson** seconded the motion.

Chair **Yvette Brooks** called for a voice vote on the approval of the draft minutes with no changes.

**MOTION:** Roger Anderson

**SECOND:** Jim Anderson

**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 6-0**

### 4. ORAL COMMUNICATIONS

Chair **Yvette Brooks** requested public comments on any non-agenda items. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

Chair **Yvette Brooks** closed public comments and moved on to the next agenda item.

### 5. PUBLIC HEARINGS

Chair **Yvette Brooks** indicated that there was one public hearing item for Commission consideration today.

#### **5a. "Scotts Valley Water District Sphere Annexation"**

Chair **Yvette Brooks** requested staff to provide a presentation on the proposed multi-parcel annexation into the water district.

**Executive Officer Joe Serrano** provided an extensive overview of the District's historical sphere boundary and the two recent service reviews requesting that the District consider annexation based on its existing sphere. Mr. Serrano explained that the District's board of directors unanimously adopted a resolution to initiate the annexation of all the parcels within its sphere boundary, including the parcels already being served. He stated that residents will have the option to connect into the District's infrastructure for water service, if desired, without the need for future LAFCO action. He also noted that the District requested a fee waiver since the application was directly tied to the recommendations LAFCO made in the 2021 Service & Sphere Review for the Scotts Valley Water District and the 2022 Countywide Water Service & Sphere Review. Staff recommended that the Commission approve the annexation request.

**Chair Yvette Brooks** opened the floor for Commission discussion.

**Commissioner Roger Anderson** inquired whether existing water sources, such as wells, would be required to be discontinued post-annexation. **SVWD General Manager David McNair** clarified that the District does not have a moratorium on private wells as a condition to connecting into their water system.

**Chair Yvette Brooks** noted no further Commission discussion and requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there were two requests to address the Commission.

**Ryan Morper** expressed support towards staff's recommendation and asked whether the proposed annexation would also allow residents to connect to the City of Scotts Valley's sewer system. **Executive Officer Joe Serrano** explained that the City of Scotts Valley and the Scotts Valley Water District are two separate governmental entities and the proposed annexation only involves the water district.

**Unnamed landowner** asked how their property on El Rancho Drive was included in the District's sphere and expressed interest in removing said property from the proposed annexation. **Commissioner Jim Anderson** noted that if the property is omitted from the annexation and if the property owner later reconsiders connecting to the District for water service, that they would be subject to the LAFCO process and associated fees. Commissioner Jim Anderson further explained that this annexation would save them time and money but recommended that they coordinate with LAFCO staff for further discussion.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Zach Friend** motioned for approval of the annexation and **Commissioner Allan Timms** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **Adopt the draft resolution (No. 2023-08) approving the 184-parcel annexation into the Scotts Valley Water District.**

**MOTION: Zach Friend**

**SECOND: Allan Timms**

**FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.**

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 6-0**

## **6. OTHER BUSINESS**

**Chair Yvette Brooks** indicated that there were four business items for Commission consideration today.

## **6a. Special Districts Regular Member Seat – 2023 Election Results**

**Chair Yvette Brooks** requested staff to provide a presentation on the election results.

**Executive Officer Joe Serrano** explained that state law requires LAFCO to conduct the appointment process when there is a vacancy on the Commission. Mr. Serrano summarized the process and indicated that two candidates were identified in mailed-in ballots: Rachél Lather (Soquel Creek Water District) and James Joseph Gallagher (Pajaro Valley Health Care District). He noted that Rachél Lather was selected based on the submitted ballots. Staff recommended that the Commission adopt the draft resolution to certify the election results.

**Chair Yvette Brooks** opened the floor for Commission discussion.

**Chair Yvette Brooks** noted no Commission discussion and requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Jim Anderson** motioned for approval of the election results and **Commissioner Zach Friend** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **Adopt the draft resolution (No. 2023-09) ratifying the results of the recent election process.**

**MOTION: Jim Anderson**

**SECOND: Zach Friend**

**FOR: Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.**

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 6-0**

## **6b. Employee Performance Evaluation**

**Chair Yvette Brooks** requested staff to provide a presentation on the recent performance evaluation of LAFCO's Executive Officer.

**Executive Officer Joe Serrano** explained that in accordance with the Commission's adopted policies, the Commission conducts an annual performance evaluation and considers amending staff's salary if warranted. Mr. Serrano noted that based on the Commission's closed session discussion in March and the recommendations made by LAFCO's Personnel Committee, staff is subject to a salary adjustment. Staff recommended that the Commission adopt the draft resolution approving the salary change based on staff's performance during the 2022 calendar year.

**Chair Yvette Brooks** opened the floor for Commission discussion.

**Chair Yvette Brooks** noted no Commission discussion and requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Roger Anderson** motioned for approval of the salary adjustment and **Commissioner Rachél Lather** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **Adopt the draft resolution (No. 2023-10) approving the salary adjustment for LAFCO's Executive Officer.**

**MOTION:** Roger Anderson

**SECOND:** Rachél Lather

**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 6-0**

#### **6b. LAFCO Staffing – Current Consultants and Potential Analyst**

**Chair Yvette Brooks** requested staff to provide a presentation on the current and proposed staffing structure.

**Executive Officer Joe Serrano** summarized the importance of LAFCO's current consultants for legal counsel and other professional services. Mr. Serrano noted that the Commission would benefit from having a second full-time employee. He explained that a search for an analyst began in November 2022 and resulted in three potential candidates. He stated that three separate interviews were held and Francisco Estrada was determined to be the best candidate by LAFCO's Executive Officer and Personnel Committee. Staff recommended that the Commission approve the contractual agreement to hire Francisco Estrada as the new LAFCO Analyst.

**Chair Yvette Brooks** opened the floor for Commission discussion.

**Chair Yvette Brooks** noted no Commission discussion and requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission.

**Francisco Estrada** thanked the Commission for the opportunity to become LAFCO's newest employee. Mr. Estrada is thrilled to be back in local government to help the public receive the best level of municipal service possible under LAFCO's jurisdiction.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Zach Friend** motioned for approval of the contractual agreement and **Commissioner Allan Timms** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **Approve the draft contractual agreement to hire a new LAFCO Analyst with a starting date of April 10, 2023.**

**MOTION:** Zach Friend

**SECOND:** Allan Timms

**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 6-0**

#### **6d. Legislative Update**

**Chair Yvette Brooks** requested staff to provide a presentation on the latest news regarding this year's legislative session.

**Executive Officer Joe Serrano** explained that there are 22 LAFCO-related bills currently in circulation. Mr. Serrano notes that of those 22 bills, staff is closely monitoring three bills. He summarized that Assembly Bill 1753 is the annual omnibus bill that addresses minor edits to the Cortese-Knox-Hertzberg Act. Staff recommended that the Commission adopt a "Support" position for AB 1753.

**Chair Yvette Brooks** opened the floor for Commission discussion.

**Chair Yvette Brooks** noted no Commission discussion and requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there were no requests to address the Commission.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Jim Anderson** motioned for approval of the support position and **Commissioner Zach Friend** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **Take a "Support" position on AB 1753 and direct the Executive Officer to submit a letter to the bill's author declaring the Commission's position.**

**MOTION:** Jim Anderson

**SECOND:** Zach Friend

**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Zach Friend, Rachél Lather, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 6-0**

## 7. WRITTEN CORRESPONDENCE

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

## 8. PRESS ARTICLES

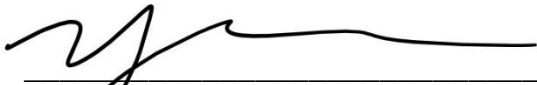
**Chair Yvette Brooks** requested staff to provide a presentation on the press articles. **Executive Officer Joe Serrano** indicated that this item highlights LAFCO-related articles recently circulated in local newspapers. **Chair Yvette Brooks** moved to the next item since no Commission action was required.

## 9. COMMISSIONERS' BUSINESS

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

## 10. ADJOURNMENT

**Chair Yvette Brooks** adjourned the Regular Commission Meeting at 9:39 a.m. to the next regular LAFCO meeting scheduled for Wednesday, June 14, 2023, at 9:00 a.m.



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YVETTE BROOKS, CHAIRPERSON

Attest:



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JOE A. SERRANO, EXECUTIVE OFFICER