



April 28, 2022

Nate Lackey, Fire Chief
Branciforte Fire Protection District
2711 Branciforte Drive
Santa Cruz, CA 95065

Subject: Status of Application for the proposed “Branciforte Fire Protection District Reorganization” (LAFCO Project No. RO 22-07)

Dear Chief Lackey:

LAFCO staff has reviewed the application and accompanying documents for the above-referenced proposal. This notice is to advise you whether your application is complete or whether additional information is required.

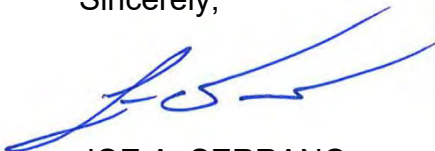
The application is **incomplete**, and the following information or action is required:

1. **FILING FEE:** Applications for boundary changes, such as reorganizations, require a fee deposit based on acreage. The proposed reorganization encompasses 782 parcels totaling approximately 5,800 acres. In accordance with LAFCO’s Filing Fee Policy, the applicant is required to provide a check payable to Santa Cruz LAFCO for \$8,000. However, the proposed reorganization may be subject to a fee waiver. LAFCO staff recommends that the District submit a letter requesting a fee waiver due to the fact that the reorganization stems from LAFCO’s Countywide Fire Report.
2. **LEGAL DESCRIPTION AND MAP:** The applicant is required to provide a map and legal description illustrating the proposed boundary change. The applicant is also responsible for paying the processing fee to the State Board of Equalization (SBE) in order to officially finalize the boundary change. The written metes and bounds of the proposal area must conform with SBE’s requirements. This requirement may be completed in collaboration with LAFCO and/or the Scotts Valley Fire Protection District.
3. **ENVIRONMENTAL REVIEW:** Santa Cruz LAFCO will serve as the lead agency for assessing impacts under the California Environmental Quality Act (CEQA). Staff believes the proposal qualifies as a project under CEQA. Therefore, an environmental review is underway.

4. PROPERTY TAX EXCHANGE AGREEMENT: California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a jurisdictional change. The Board of Supervisors (BOS) acts as the authorizing body for the District regarding property tax adjustments. LAFCO staff will coordinate with the County Administrative Office to schedule this item at an upcoming BOS meeting.
5. COMMUNITY OUTREACH: LAFCO staff has seen success in previous reorganizations and mergers when the affected agencies and LAFCO co-host community workshops. These events are meant to educate and inform the affected residents on the benefits of reorganization and also provide opportunities for the public to ask questions and learn more about the LAFCO process. Please note that this community outreach effort is not required by law but highly encouraged by LAFCO.
6. PLAN FOR SERVICE: Pursuant to Government Code Section 56653, a reorganization requires a plan for providing services within the affected territory. The intent of a Plan of Service is to describe in detail how a proposed project will be implemented if approved. LAFCO depends on applicants and service providers to document the ability to provide service for areas. This document takes into account the services, capacity, cost and adequacy of services within the subject territory and how those services would be affected by the proposed LAFCO action. This requirement may be completed in collaboration with LAFCO and/or the Scotts Valley Fire Protection District.

Attached to this letter is a tentative timeline of the reorganization process. This is meant to be a guide but dates listed may be subject to change. If you have any questions regarding this letter or the LAFCO process, please contact me at (831) 454-2055 or by email at joe@santacruzlafco.org.

Sincerely,



JOE A. SERRANO
Executive Officer

Attachments:

1. Referral Letter (Advanced Copy)
2. Vicinity Map
3. Reorganization Timeline (Tentative Schedule)



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

REFERRAL LETTER TO AFFECTED/INTERESTED AGENCIES

Date: April 28, 2022
Project Title: “Branciforte Fire Protection District Reorganization”
Project Number: RO 22-07
APNs: 782 parcels in total
Date Rec'd by LAFCO: April 1, 2022
Submitted by: Board Resolution
Subject Agencies: Branciforte and Scotts Valley Fire Protection Districts

Sphere Adoption/Amendment: Yes
Contractual Service Agreement: No

Executive Officer Message: This application proposes a reorganization involving Branciforte Fire Protection District (“BFPD”) and Scotts Valley Fire Protection District (“SVFPD”). The reorganization involves three key actions: (1) dissolution of BFPD, (2) concurrent annexation of the dissolved BFPD territory into SVFPD, and (3) sphere amendment to include the annexation area.

If you have any comments on this application, please provide your feedback to the LAFCO office no later than **Friday, May 27, 2022**.

Description/Justification: The proposed reorganization was initiated by BFPD through the adoption of a board resolution. The subject area includes 782 parcels totaling approximately 5,800 acres (9 square miles). The purpose of the application is to facilitate the efficient delivery of fire protection to individual and property owners within the affected territory. If approved, the reorganization will preserve the current levels of service, maintain local demand expectations, and continue the existing funding sources.

Location: The subject area involves the unincorporated community known as Branciforte and is located in the central part of Santa Cruz County. Attached is a vicinity map depicting the location of the proposal area. It is important to note that the two fire districts share one sphere boundary since 1994, indicating that they should be merged to provide the best level of service to the Branciforte community.

General Plan/Zoning: The subject area is inhabited and the vast majority of territory within BFPD is designated as R-M (Mountain Residential) and R-R (Rural Residential) under the County’s General Plan. The application does not propose any changes to the existing land use designation.

Other Municipal Services: No other change of organization is required. The proposal area will continue to receive municipal services from existing public agencies, including but not limited to water service from the Scotts Valley Water District and the City of Santa Cruz.

Environmental Review: The project site is subject to an environmental review. Santa Cruz LAFCO will serve as the lead agency for assessing impacts under CEQA. Staff believes the proposal qualifies as a project under CEQA. Therefore, an environmental review is underway.

Tax Negotiations: California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement involving the affected local agency before LAFCO can consider a jurisdictional change. The Board of Supervisors (BOS) acts as the authorizing body for districts regarding property tax adjustments.

Referrals:

Affected Agency: Branciforte and Scotts Valley Fire Protection Districts

Interested Agencies:

Cities – Santa Cruz and Scotts Valley

County Departments – Administrative Office; Elections Office; Supervisorial District 2 (Supervisor Friend) and Supervisorial District 1 (Supervisor Koenig)

County Service Areas – CSA 9; CSA9c; CSA 9d; CSA 11; CSA 12; CSA 38; CSA 48; CSA 53

School Districts – Happy Valley Elementary; Scotts Valley Unified; Soquel Union

Other Local Agencies: Central Fire District; Felton Fire Protection District; Resource Conservation District; Zayante Fire Protection District

Terms and Conditions: The LAFCO resolution will outline several terms and conditions including but not limited to the following: completion of a protest proceedings, payment of the State Board of Equalization fees, and other provisions as required by applicable law or as may be agreed by the affected parties.

Public Hearing: Yes (hearing date: TBD)

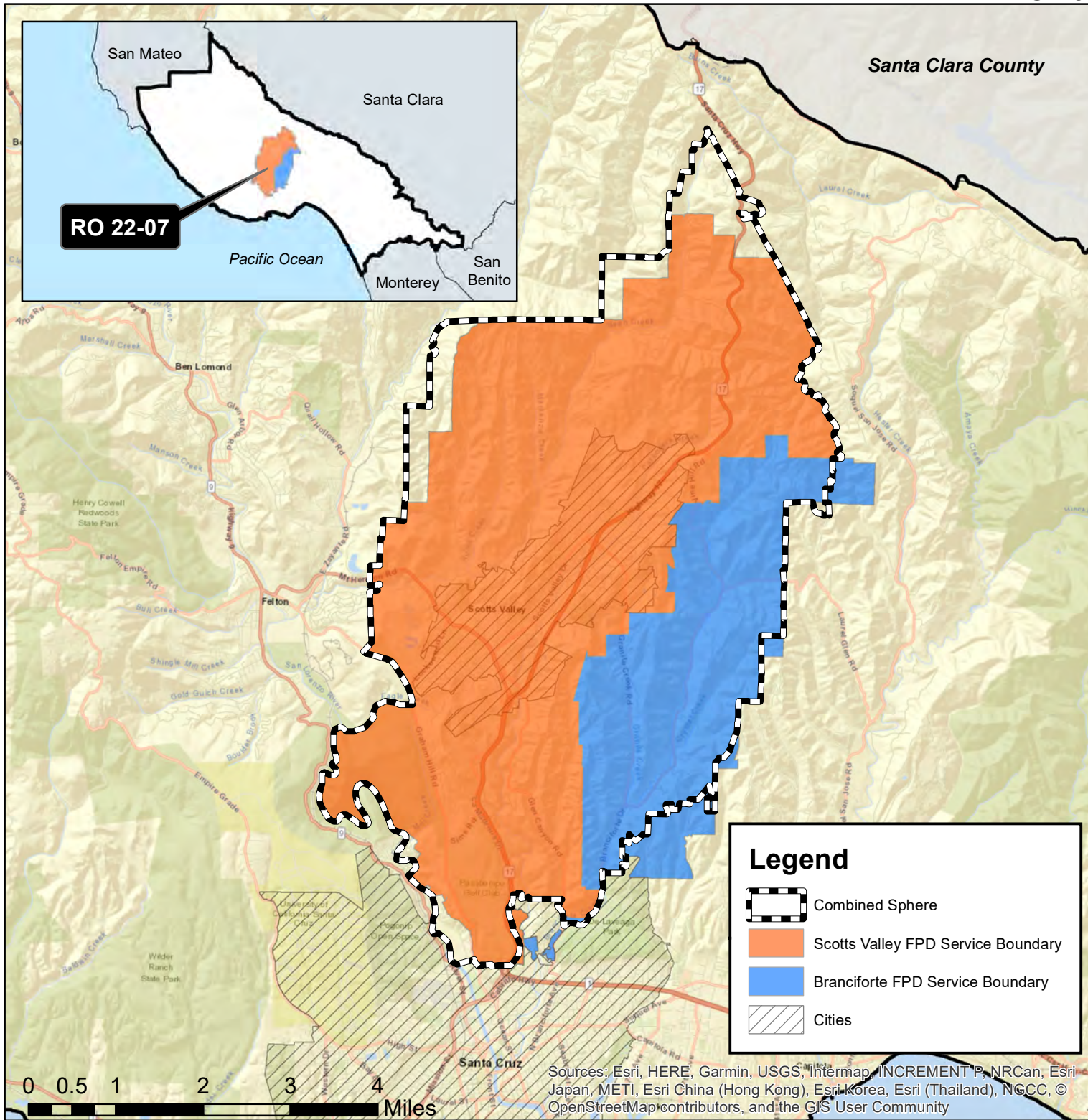
Date File Opened: 4/1/22

Filing Fee Deposit: \$8,000

Date Paid: Pending

Date Status Letter Sent: 4/28/22

Attachment: Vicinity Map



"Branciforte Fire Protection District Reorganization" (LAFCO Project No. RO 22-07)



- The proposed reorganization includes three actions:
- 1) dissolution of the Branciforte FPD
 - 2) concurrent annexation of the dissolved area into SVFPD
 - 3) sphere amendment to include the annexation area

In 1994, Branciforte FPD was added to Scotts Valley FPD's sphere boundary as a precursor to consolidation.

"Branciforte Fire Protection District Reorganization" (LAFCO Process - Proposed Schedule)			
(For Discussion Purposes Only - Dates Subject to Change)			
Action	Responsible Agency	Target Date	Description
Pre-LAFCO Process			
Discussion about application requirements	BFPD, SVFPD, and LAFCO	September 2021 to March 2022	Discuss the LAFCO process, proposal area, and application requirements to transfer service responsibilities from BFPD to SVFPD.
Conduct Community Workshops	BFPD, SVFPD, and LAFCO	Throughout the Process	While not mandatory, it may be beneficial to educate the community about the existing issues and the benefits from the reorganization. A series of meetings/workshops would help alleviate any misconceptions, issues, or questions that residents may have.
During LAFCO Process			
Submittal of Application to LAFCO	BFPD	April 1, 2022	A completed application must also include the following: 1) Initiating Document (adopted resolution); 2) Plan for Service; 3) Environmental Questionnaire (CEQA requirement); 4) Map & Legal Description (SBE requirement); 5) Signed Pre-Reorganization Agreement; 6) LAFCO Filing Fee (Initial Deposit; or Fee Waiver Request); 7) Any additional information requested by LAFCO (TBD)
Review and Notification of Application	LAFCO	April 27, 2022	Pursuant to state law, LAFCO will identify any missing items to the applicant within 30 days. Concurrently, LAFCO will solicit comments from affected and interested agencies/parties.
Hire Consulting Firm to Produce Benefit Assessment Study	BFPD	July-August 2022	A benefit assessment study is required to determine the cost and funding source to operate the Branciforte Fire Station post-reorganization.
Review Draft Study	BFPD, SVFPD, and LAFCO	October - December 2022	The stakeholders (BFPD, SVFPD, and LAFCO) will review the draft study.
Schedule Benefit Assessment Measure for Voter Approval	BFPD, SVFPD, and LAFCO	January 2023	The stakeholders will coordinate with the County Election's Department to place the measure on the next available election cycle
Adoption of a Property Tax Exchange Agreement	County	January - February 2023	The County will need to determine the transfer of ad valorem property tax revenues to fulfill the requirements of Section 99 of the Revenue and Taxation Code.
Discuss Application's Pending Items	BFPD, SVFPD, and LAFCO	February 2023	Address any pending items. These items must be resolved before LAFCO staff can deem this project complete and ready for Commission consideration.
Complete Certificate of Filing	LAFCO	February 2023	Pursuant to State law, LAFCO's Executive Officer will deem the project complete when a Certificate of Filing is signed. All required documents and actions need to be accomplished before this step is taken.
Advertise LAFCO Hearing in Newspaper(s)	LAFCO	March 2023	Pursuant to State law, LAFCO will advertise the consideration of the proposed reorganization in a newspaper(s) at least 21-days prior to the hearing date (GCS 56157[h] 1/8 page in newspaper).
Conduct LAFCO Hearing (Consider Proposal)	LAFCO	April 2023	The Commission will consider the proposed change of organization in a public forum. Affected/interested agencies and members of the public will have an opportunity to address the Commission on this matter.
Record Environmental Document	TBD	April 2023	The affected parties and LAFCO must determine which environmental document will be needed to fulfill the requirements of the California Environmental Quality Act (CEQA). LAFCO may act as the Lead Agency.
Conduct 30-day Request for Reconsideration Period	LAFCO	April to May 2023	Pursuant to state law, the request for reconsideration period is 30 days. <u>Reconsideration:</u> If the reorganization is approved, any person or affected agency may file a written request with the executive officer requesting amendments to or reconsideration of the adopted resolution. The request shall state the specific modification to the resolution being requested and shall state what new or different facts that could not have been presented previously are claimed to warrant the reconsideration.
Advertise LAFCO Protest Hearing in Newspaper(s)	LAFCO	May 2023	Pursuant to State law, LAFCO will advertise the protest proceedings for the reorganization in a newspaper(s) at least 21-days prior to the hearing date (GCS 56157[h] - 1/8 page in newspaper)
Conduct Protest Proceedings	LAFCO	May to June 2023	Pursuant to state law, the date of the protest hearing shall not be less than 21 days or more than 60 days after the date the notice is given. This is an opportunity for affected residents/landowners to submit protest petitions against the Commission's action (i.e. approval of the reorganization). If less than 25% oppose, then Commission action holds If 25%-50% oppose, then election is required If more than 50% oppose, then Commission action is terminated
Conduct Protest Hearing (Collect Final Petitions)	LAFCO	June 2023	A protest hearing will be held to receive any final protest petitions from affected residents/landowners.
Conduct LAFCO Hearing (Adopt Protest Results)	LAFCO	June 2023	Pursuant to state law, LAFCO will adopt a resolution acknowledging the results of the protest proceedings.
Completion of all Terms & Conditions	BFPD, SVFPD, and LAFCO	June to July 2023	The adopted resolution from the June 2023 LAFCO Meeting will list a number of terms and conditions. The affected parties will be responsible to fulfill such conditions prior to recordation, including but not limited to legislative assistance, bond measures, etc.
Recordation of Proposal	LAFCO	July 2023	<u>LAFCO:</u> Recordation of the approved proposal with the County and the State Board of Equalization. <u>BFPD-SVFPD:</u> The effective date of the reorganization may be the day of recordation or a specified date. The affected parties may specify the effective date as a potential condition in the LAFCO resolution.
Post-LAFCO Process			
Certificate of Completion Distribution	LAFCO	July 2023	LAFCO will send a copy of the Certificate of Completion, which includes the adopted resolution, to all affected/interested parties.
State Board of Equalization (SBE) Tax Roll Update	SBE	July - August 2023	Reorganization will be reflected in new tax roll