



## NOTICE OF PROTEST HEARING

NOTICE IS HEREBY GIVEN that at 9:00 a.m., Wednesday, September 27, 2023, the Local Agency Formation Commission of Santa Cruz County (LAFCO) will hold a protest hearing regarding the fire reorganization approved by LAFCO on August 2, 2023. The proposed terms and conditions for the proposal are set forth in the LAFCO Resolution No. 2023-17.

- **“Branciforte Fire Protection District Reorganization” (LAFCO Project No. RO 22-07):** The reorganization involves 745 parcels totaling approximately 5,800 acres. The reorganization was initiated by the Branciforte Fire Protection District (BFPD) and supported by the Scotts Valley Fire Protection District (SVFPD). If recorded, the BFPD will be dissolved, and the dissolved area will be concurrently annexed into SVFPD. The purpose of the application is to facilitate the efficient delivery of fire protection to individual and property owners within the affected territory. The reorganization will preserve the current levels of service, maintain local demand expectations, and continue the existing funding sources. This Notice and all related documents (staff report, resolution, maps, etc.) are available on the LAFCO website. *If you have issues accessing information online, please contact LAFCO at 831-454-2055.*

### **Why is this happening?**

BFPD has no full-time fire chief, no administrative staff, and can only afford one firefighter on duty. At present, BFPD can only afford three full-time firefighters. Additionally, BFPD expects to run out of money within a year - which is why the BFPD Board unanimously adopted a resolution to initiate a reorganization to ensure that the Branciforte community receives adequate fire protection and emergency services now and in the future.

### **What is a reorganization?**

In this case, BFPD will be dissolved (no longer in existence) and concurrently added into the Scotts Valley Fire Protection District's service area. This change in governance was approved by a state agency known as LAFCO on August 2, 2023. The attached map shows the location of the reorganization area.

### **If the reorganization was approved, why am I getting this notice?**

While the reorganization was approved in August by LAFCO, the affected residents still have an opportunity to oppose the reorganization. If enough opposition is submitted, then the reorganization will not move forward. However, it is important to know that BFPD is failing and will run out of money soon. BFPD and SVFPD have worked together for several years on this reorganization to ensure that the Branciforte community is fully protected under a sustainable fire district. If the reorganization is not recorded, then BFPD will still cease to operate and the Branciforte community will be without a designated fire district to provide fire protection or emergency services. The process to dissolve BFPD as an inactive district will then begin once again with LAFCO, but this time it will not have BFPD's participation since it will no longer be in operation. Therefore, this reorganization has significant importance.

### **Will my property taxes go up? Will I incur new costs?**

No. The reorganization does not financially impact the affected residents. In fact, the reorganization will provide a better level of service to the Branciforte community at no additional cost. Under the reorganization, the Branciforte community will be covered by SVFPD's two nearby fire stations, 26 full-time paramedic firefighters (with advanced life support skills), and governed by their five-member board, plus a five-member advisory commission seated by Branciforte residents.

### **What will happen to the Branciforte Fire Station?**

Since BFPD does not have enough money to properly staff the Branciforte Fire Station, the community recently considered implementing a new benefit assessment to fund the station through a mailed-in election. The proposed assessment failed. However, SVFPD will maintain the fire station in a serviceable order and be ready for emergency staffing at any time. The potential exists for SVFPD to staff the BFPD station on an as needed basis, based on certain conditions such as red flags warnings, significant wind or weather-related events, or other public safety situations that may require an additional staffed piece of equipment. The station may also be used to house mutual aid resources that may be staged in-county, such as a strike team or pre-position resources. It is the intent of SVFPD to continue with the station remodel plans for the older portion of the station, as well as exterior upgrades that have been previously identified. SVFPD also intends to make the station available for public meetings, once the meeting space can be remodeled to provide secure separation from the living quarters and access to a bathroom that is compliant with the Americans with Disabilities Act (“ADA”).

### **Protest Proceeding Process Explained**

Pursuant to Government Code Section 57000, when the Commission adopts a resolution making determinations regarding a change of organization, affected residents within the proposal area will have an opportunity to voice their opposition during the protest period. During this period, from **September 4 to September 27**, affected residents may submit petitions of opposition. A protest hearing will also be conducted on **Wednesday, September 27, 2023, at 9:00am**. Instructions on how to participate are available on the LAFCO website: <https://santacruzlafco.org/meetings/>

### **Who can File a Protest?**

Landowners and registered voters within the proposal area may file a written protest using the official [LAFCO Protest Form](#) if they oppose this reorganization. Landowners and registered voters must include their name, the address of the land within the proposal area, and the Assessor Parcel Number. Agents submitting a protest on behalf of the landowner/registered voter must attach proper authorization. This may include written consent of the landowner/registered voter, written consent from a trustee of the property placed into a trust, signature authorization or majority shareholder consent of a corporation or LLC, or other suitable documentation. See Government Code Section 56704, 56708, and 56710 for more information.

### **Where to Get a Protest Form?**

If you wish to protest the reorganization, you first need to obtain a Protest Form by either:

- Downloading the form from the LAFCO website: <https://www.santacruzlafco.org/forms/> (refer to *Forms 12 and 13*); or
- Contact LAFCO by phone (831-454-2055) or email ([info@santacruzlafco.org](mailto:info@santacruzlafco.org)) to have a form mailed to you.

### **How to Submit Protest Form?**

Petitions of opposition can be submitted in two ways:

- In person at the LAFCO office prior to the conclusion of the protest hearing on September 27, 2023. The LAFCO office is located at **701 Ocean Street, Room 318-D, Santa Cruz, CA 95060**; or
- By mail addressed to LAFCO at 701 Ocean Street, Room 318-D, Santa Cruz, CA 95060. *If your mailed protest form is postmarked by September 27, 2023, and received by LAFCO within four (4) days of a September 27, 2023 postmark, we will process, verify, and count that protest.*

**The written protest must be signed and dated during the official protest period, which begins on September 4, 2023, and ends on September 27, 2023. Any protest submitted without a date, bearing a date prior to September 4, 2023, received in-person after the conclusion of the Protest Hearing, or postmarked after September 27, 2023 and not received by LAFCO within four (4) days of a September 27, 2023 postmark, shall be disregarded for purposes of determining the value of any written protests. Protest cannot be accepted by fax or email.**

### **How will the Protest be Evaluated?**

Within 30 days following the conclusion of the Protest Hearing, the Executive Officer will make a determination on whether the reorganization is terminated or approved, as follows:

- **Approve** the proposal if written protest is less than 25% of the landowners and/or registered voters;
- **Conduct** a special election if written protest is more than 25% but less than 50% of the landowners and/or registered voters;
- **Terminate** the proposal if written protest is received from landowners who own more than 50% of the total value within the reorganization area; or
- **Terminate** the proposal if written protest is received from registered voters who reside in the reorganization area reaches beyond 50%.

A resolution, finalizing the protest results, will be considered by the Commission during the October 4, 2023 LAFCO Regular Meeting. If you have any questions regarding this Notice, please contact the LAFCO office at 831-454-2055 or by email at [info@santacruzlafco.org](mailto:info@santacruzlafco.org).

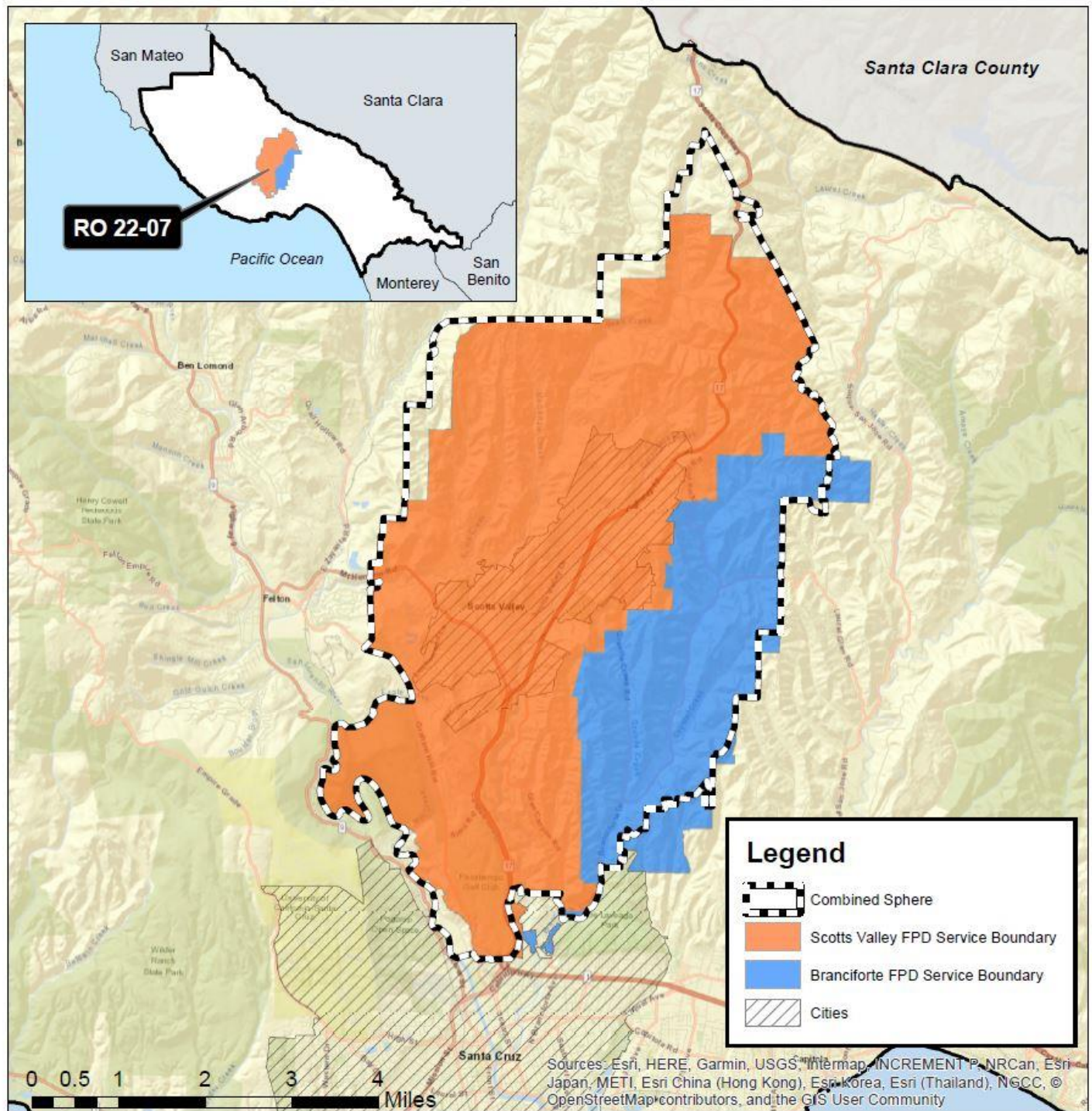


Joe A. Serrano, Executive Officer

Date: September 1, 2023



Vicinity Map – Proposed Reorganization



# "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.*