



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, August 2, 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 9:00 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
- Commissioner Justin Cummings
- Commissioner Zach Friend
- Commissioner Rachél Lather
- Commissioner Allan Timms
- Alternate Commissioner Ed Banks
- Alternate Commissioner Manu Koenig
- Alternate Commissioner Shebreh Kalantari-Johnson

The following LAFCO staff members were present:

- LAFCO Analyst, Francisco Estrada
- Legal Counsel, Joshua Nelson
- Executive Officer, Joe Serrano

**2. EXECUTIVE OFFICER'S MESSAGE**

**2a. Virtual Meeting Process**

**Executive Officer Joe Serrano** announced that the Commission Meeting was 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 was 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 a motion. **Commissioner Jim Anderson** motioned for approval of the June 14th Meeting Minutes with no changes and **Commissioner Justin Cummings** seconded the motion.

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

**MOTION:** Jim Anderson

**SECOND:** Justin Cummings

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

**AGAINST:** None

**ABSTAIN:** Allan Timms

**MOTION PASSED: 6-0, with one abstention.**

### 4. ORAL COMMUNICATIONS

**Chair Yvette Brooks** requested public comments on any non-agenda items. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission.

**Becky Steinbruner**, member of the public, spoke about her concern regarding the State Water Board's recent actions on hexavalent chromium limits and its potential impact on local the water supply and on water districts. Ms. Steinbruner also commented on the State Water Board's draft Direct Potable Reuse guidelines and its impact on potential growth and housing elements currently being developed across the county.

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

### 5. PUBLIC HEARINGS

**Chair Yvette Brooks** indicated that there were two public hearing items for Commission consideration today.

#### **5a. "Branciforte Fire Protection District Reorganization"**

**Chair Yvette Brooks** requested staff to provide a presentation on the proposed reorganization.

**Executive Officer Joe Serrano** explained to the Commission that the Branciforte Fire Protection District ("BFPD"), formed in 1950, provides fire protection services to residents living in territory located in the central portion of the county, with less than 800 parcels and less than 200 registered voters. Mr. Serrano conveyed to the Commission the importance and reason behind the proposed reorganization between BFPD and the

Scotts Valley Fire Protection District ("SVFPD"). Currently, BFPD has a staff of 3 full-time and 9 volunteer firefighters, a fire station staffed with a single firefighter with basic life support capabilities, no administrative staff or full-time fire chief, and is in a financially distressed situation. By these same metrics, SVFPD is well-managed with sufficient capability to extend and provide fire protection services to the residents of the Branciforte Community without impacting the level of service for the rest of their district. In an effort to ensure that the Branciforte community receives adequate fire protection and emergency services now and in the future, the BFPD Board of Directors initiated the reorganization process. Mr. Serrano noted that the reorganization process between these two agencies has been a collaborative effort. In terms of concerns regarding the proposed reorganization, Mr. Serrano mentioned that LAFCO received two correspondences on the issue of governance post-reorganization and about a potential bond measure. Mr. Serrano addressed these concerns by indicating that SVFPD is considering transitioning to district-based elections after the reorganization is complete and after the district has had sufficient time to adequately study and assess the issue. In the meantime, the proposed Branciforte Advisory Commission will represent residents and advise the SVFPD Board of Directors on matters related to fire protection services in the Branciforte community. This information can be found in the Plan for Service, which was approved by the boards of SVFPD and BFPD, respectively. Finally, in terms of SVFPD's upcoming bond measure to fund the construction of a new fire station, Mr. Serrano explained that language had been added to the resolution to exclude the Branciforte community from funding the bond measure, if enacted.

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

**Commissioner Roger Anderson** had questions related to call for service levels, call distribution, and how a district election would work for the proposed reorganized territory. **Executive Officer Joe Serrano** mentioned he did not expect the SVFPD's ISO Rating to be significantly affected by the reorganization. He also reminded the Commission about the Countywide Fire Protection Service & Sphere Review which provides a breakdown of all service calls for each fire district in the county. Regarding equal representation on the SVFPD Board post-reorganization, Mr. Serrano informed the Commission that a transition from at-large to district-based elections would first require extensive and careful expert analysis before a change would occur.

**Commissioner Justin Cummings** had a question on the reduction of volunteer firefighters in the Branciforte community over time. **Executive Officer Joe Serrano** explained that aspiring volunteers now face an increase in statutory requirements, coupled with daily life obstacles in their pursuit of becoming a volunteer or professional firefighter. Mr. Serrano also noted that this was a state trend, not an issue unique to BFPD.

**Commissioner Justin Cummings** had an additional clarifying question regarding the role of the Branciforte Advisory Commission. **Executive Director Joe Serrano** explained that Measure T funds were previously approved by the Branciforte community to help fund the purchase of equipment and maintain the Branciforte fire station. All revenues, including Measure T funds and property taxes, currently collected by BFPD will be transferred over to SVFPD to adequately fund the delivery of fire protection and emergency services to the Branciforte community post-reorganization.

**Commissioner Manu Koenig** shared his experience with the reorganization process, appreciated experiencing the evolution of opinion for the proposed reorganization from the residents of the Branciforte community, and mentioned that his office had not received any negative comments from residents about the reorganization process or proposed governance structure.

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

**Kate Anderton**, member of the public and resident of Branciforte, expressed her concern for the use of Measure T funds after the reorganization is complete.

**Becky Steinbruner**, member of the public, expressed her support for transitioning SVFPD from at-large elections to district-based elections to increase representation on the SVFPD Board of Directors for residents of the Branciforte community.

**Executive Officer Joe Serrano** reiterated that as the successor agency, SVFPD would still need the revenue from Measure T in order to continue providing fire protection services directly to the residents of Branciforte. Mr. Serrano also noted the importance and role of the Branciforte Advisory Commission to oversee the appropriate use and management of Measure T funds. Additionally, he explained key differences between the Aptos/La Selva and Central Fire Consolidation and the proposed reorganization in regard to transitioning to district-based elections.

**Chair Yvette Brooks** closed public comments and asked for any further Commission discussion.

**Commissioner John Hunt** asked a clarifying question on the administration of Measure T funds. **Executive Officer Joe Serrano** explained that the Commission has the authority to approve, deny, or modify the draft resolution for the proposed reorganization, however, any change would have to be reviewed and considered by the affected agencies before the reorganization is completed.

**Commissioner Justin Cummings** added that Branciforte residents would still have adequate representation after the reorganization through the Advisory Commission.

**Commissioner Roger Anderson** inquired on the amount collected through Measure T each year and what steps were needed to transition to district-based elections. **Executive Officer Joe Serrano** mentioned that approximately \$160,000 is collected each year and explained that assessments for district-based elections were extensive processes that required considerable time and resources.

**Commissioner Jim Anderson** spoke on the importance and role of the Branciforte Advisory Commission, which will be made up of Branciforte residents.

**Commissioner Roger Anderson** noted that a five-member board under a district-based election would require 20% of total population per district in accordance with the California Voting Rights Act. Therefore, the Branciforte community would not have a majority seat under a district-based election due to its small population amount.

**Chair Yvette Brooks** closed Commission discussion and called for a motion. **Commissioner Zach Friend** motioned for approval of staff recommendation and **Commissioner Justin Cummings** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff's recommendation: **(1) Adopt the draft resolution (LAFCO No. 2023-17) approving the reorganization involving the Branciforte and Scotts Valley Fire Protection Districts.**

**MOTION: Zach Friend**

**SECOND: Justin Cummings**

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

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSED: 7-0**

*Commissioner Zach Friend left the meeting at 9:58 a.m. Alternate Commissioner Manu Koenig will replace Commissioner Zach Friend as a voting member.*

#### **5b. "Service & Sphere Review for County Service Area 11"**

**Chair Yvette Brooks** requested staff to provide a presentation on the draft service and sphere review for County Service Area 11.

**Executive Officer Joe Serrano** informed the Commission that CSA 11 was established in 1971 to provide recreational and park-related services to the entire county, excluding the three independent special districts and the four cities within Santa Cruz County. CSA 11 is considered to be financially stable at this time and is being run in an efficient manner. Mr. Serrano did make a recommendation about CSA 11's website, which included adding more information regarding their governance structure and information on how residents can participate in their decision-making process since the CSA provides an essential service to the entire county.

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

**Commissioner John Hunt** had a clarifying question on requirements for website transparency. **Executive Officer Joe Serrano** explained that LAFCO encourages all agencies to provide more information to the public regarding governance structure, current and future actions, and overall transparency.

**Chair Yvette Brooks** requested public comments on the proposal. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission.

**Becky Steinbruner**, member of the public, spoke on the importance of increasing transparency for the county website, especially when it comes to Measure G funds, which support local parks such as Aptos Village Park.

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

**Chair Yvette Brooks** called for a motion. **Commissioner Justin Cummings** motioned for approval of staff recommendation and **Commissioner Jim Anderson** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the 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. 2023-18) approving the 2023 Service & Sphere Review for CSA 11 with the following conditions: (a) Reaffirm CSA 11's current sphere of influence, and (b) Direct the Executive Officer to distribute a copy of this adopted service and sphere review to the CSA 11 representatives and any other interested or affected parties identified in the service review.

**MOTION:** Justin Cummings

**SECOND:** Jim Anderson

**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Justin Cummings, Manu Koenig, Rachél Lather, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSED: 7-0**

## **6. OTHER BUSINESS**

**Chair Yvette Brooks** indicated that there are two business items for Commission consideration today.

### **6a. "CALAFCO Annual Conference"**

**Chair Yvette Brooks** requested staff to provide an update on this year's annual conference and upcoming CALAFCO Board of Directors election process.

**Executive Officer Joe Serrano** informed the Commission that the annual CALAFCO conference will be taking place in Monterey County this year and several Santa Cruz LAFCO Commissioners have registered to attend. As part of the conference, there is an election process for the CALAFCO Board of Directors. Mr. Serrano requested that the Commission appoint a voting delegate and an alternate for the scheduled board election. Additionally, Mr. Serrano provided an overview of the two potential award nominations involving Santa Cruz LAFCO.

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

**Commissioner Roger Anderson** suggested to the Commission to make two separate motions and take two separate votes to determine the CALAFCO annual conference voting delegates and to approve the award nominations.

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

**Chair Yvette Brooks** closed public comments. **Commissioner Justin Cummings** had a clarifying question about attendance to the CALAFCO annual conference. **Executive Officer Joe Serrano** provided the Commission with an updated list of Commissioners attending the annual conference.

**Chair Yvette Brooks** called for a motion designating **Commissioner Allan Timms** as the Voting Delegate and **Executive Officer Joe Serrano** as the Alternate Voting Delegate for the upcoming CALAFCO Board of Directors election. **Commissioner Justin Cummings** motioned for approval of the recommendation and **Commissioner Rachél Lather** seconded the motion.

**MOTION:** Justin Cummings  
**SECOND:** Rachél Lather  
**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Justin Cummings, Manu Koenig, Rachél Lather and Allan Timms.  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

**Chair Yvette Brooks** called for a motion approving the proposed nominations for the Mike Gotch Excellence in Public Service Award. **Commissioner Roger Anderson** motioned for approval of staff recommendation and **Commissioner Allan Timms** seconded the motion.

**MOTION:** Roger Anderson  
**SECOND:** Allan Timms  
**FOR:** Jim Anderson, Roger Anderson, Yvette Brooks, Justin Cummings, Manu Koenig, Rachél Lather and Allan Timms.  
**AGAINST:** None  
**ABSTAIN:** None

**MOTION PASSED: 7-0**

#### **6b. “Comprehensive Quarterly Report – Fourth Quarter (FY 2022-23)”**

**Chair Yvette Brooks** requested staff to provide a presentation on the quarterly report.

**LAFCO Analyst Francisco Estrada** 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. Estrada covered these areas and indicated that the fiscal year ended with over 100% of anticipated revenues received and only approximately 62% of anticipated expenses spent.

**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 on this item.

**Becky Steinbruner**, member of the public, shared her appreciation for LAFCO staff's willingness to attend and be present at important meetings throughout the county.

**Chair Yvette Brooks** moved to the next item since no Commission action was required.

## 7. WRITTEN CORRESPONDENCE

**Chair Yvette Brooks** inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** informed the Commission 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 10:14 a.m. to the next regular LAFCO meeting scheduled for Wednesday, September 6, 2023, at 9:00 a.m.

  
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YVETTE BROOKS, CHAIRPERSON

Attest:

  
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JOE A. SERRANO, EXECUTIVE OFFICER