

# County Service Area 38 (Sheriff's Patrol)

SERVICE & SPHERE REVIEW



Local Agency Formation Commission  
of Santa Cruz County

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LAFCO

Adopted Version – January 10, 2024

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# EXECUTIVE SUMMARY

## Introduction

This Service and Sphere of Influence Review provides information about the services and boundaries regarding County Service Area 38 ( “CSA 38”). The report will be used by the Local Agency Formation Commission (LAFCO) to conduct a statutorily required review and update process. The Cortese-Knox-Hertzberg Act requires that LAFCO conduct periodic reviews and updates of Spheres of Influence for all cities and special districts in Santa Cruz County (Government Code Section 56425). It also requires LAFCO to conduct a review of municipal services before adopting sphere updates (Government Code Section 56430). The last service review for CSA 38 was adopted on August 1, 2018.

The service review process does not require LAFCO to initiate changes of organization based on service review conclusions or findings; it only requires that LAFCO make determinations regarding the delivery of public services in accordance with Government Code Section 56430. However, LAFCO, local agencies, and the public may subsequently use the determinations and related analysis to consider whether to pursue changes in service delivery, government organization, or spheres of influence.

Service and sphere reviews are informational documents and are generally exempt from environmental review. LAFCO staff has conducted an environmental review of the Districts’ existing spheres of influence pursuant to the California Environmental Quality Act (CEQA) and determined that this report is exempt from CEQA. Such exemption is due to the fact that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (Section 15061[b][3]).

## County Sheriff Department

Similar to the four cities and their respective police departments, the County of Santa Cruz operates a department dedicated to providing police protection in unincorporated county territory. The Santa Cruz County Sheriff-Coroner is an elected official and serves a 4-year term as the Chief Law Enforcement Officer in the County. Employees with the Sheriff’s Department are responsible for law enforcement services, including patrol and criminal investigations in the unincorporated areas of the County, operating the custodial facilities, providing court security for the Superior Court along with Coroner and Civil Service throughout the County. About half of the County’s estimated 288,000 residents live in the unincorporated area, which is served by the Sheriff’s Department. The Sheriff’s Department is divided into three bureaus: Administration, Corrections and Operations.

### CSA 38 (Extended Police Protection)

County Service Area 38 was created on January 12, 1983 as a funding mechanism to provide “extended police protection” in areas outside the four cities. Prior to 1983, the four cities were providing police patrol outside their jurisdiction. CSA 38 was ultimately formed and now collects property taxes to fund sheriff patrol outside city limits. CSA 38 is expected to collect approximately \$2.9 million primarily in property taxes during FY 2022-23. This service review will only analyze CSA 38 and not the County Sheriff Department because these are two separate entities and LAFCO does not have purview over the County’s internal departments.

Figure 1: Countywide Vicinity Map



## County Service Area 38 (Sheriff's Patrol)



CSA 38 was created in January 1983 to provide "extended police protection" from the County's Sheriff Department to the areas outside the city limits of Capitola, Santa Cruz, Scotts Valley, and Watsonville.

## Key Findings

The following are key findings of the 2024 Service and Sphere of Influence Review for County Service Area 38 (Sheriff Patrol):

### 1. **CSA 38 provides extended police protection countywide.**

The CSA was created in 1983 as a funding mechanism to provide “extended police protection” in areas outside the four cities. However, there is no clear correlation between CSA 38 and the County Sheriff Department. LAFCO could not determine how CSA 38 provides services, how many employees operate the district, whether it has a standalone board and regular meetings, and could not locate an official webpage providing additional information, including but not limited to policies/bylaws. For these reasons, the County should clearly define CSA 38’s purpose and role in the county by providing more transparency and easier access to supporting documents (ex. agendas, minutes, policies, maps, finances, etc.)

LAFCO is recommending that the County establish a webpage dedicated to CSA 38 and/or add CSA 38 related information to the County Sheriff Department’s website. This task should be completed no later than January 30, 2025. If this task is not completed, the County should consider initiating dissolution by January 30, 2025 or request LAFCO to initiate the dissolution in accordance with Government Code Section 56375(a)(2)(B).

### 2. **CSA 38 is financially stable at this time.**

The CSA’s primary source of revenue is from property taxes. During the last six fiscal years, the revenue and expenditures were virtually identical. CSA 38 had a zero balance in reserves until FY 2021-22, when it ended with a balance of \$9,400. The current balance represents less than half of a percent of the total budget amount. At present, financial information for the CSA is not readily available to the public. LAFCO is recommending that the County provide this information on the County Sheriff Department’s website or within a standalone webpage.

### 3. **CSA 38’s sphere boundary should be reaffirmed with a condition.**

LAFCO originally adopted a coterminous sphere of influence for CSA 38 in 1985. No boundary change, such as annexations or detachments, have occurred since the CSA’s inception. Staff is recommending that the Commission reaffirm the existing sphere with one condition: the County establish more transparency towards CSA 38’s operation, governance, administration, and finances. This information should be made available on the County Sheriff Department’s website or within a standalone webpage. LAFCO is recommending that this task be completed no later than January 30, 2025. If this task is not completed, the Commission may consider adopting a zero sphere. A “zero” sphere of influence (encompassing no territory) is adopted by LAFCO when the Commission has determined that the service functions of the affected agency are either: nonexistent, no longer needed, or should be reallocated to some other local government. In other words, a zero sphere designation is a precursor to dissolution. The Commission should receive a status update in February 2025 to determine if LAFCO’s recommendations were fulfilled and whether changes to the existing sphere boundary are warranted.

## **Recommended Actions**

Based on the analysis and findings in the 2024 Service and Sphere of Influence Review for County Service Area 38, the Executive Officer recommends that the Commission:

1. Find that pursuant to Section 15061(b)(3) of the State CEQA Guidelines, LAFCO determined that the sphere of influence review is not subject to the environmental impact evaluation process because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and the activity is not subject to CEQA;
2. Determine, pursuant to Government Code Section 56425, the Local Agency Formation Commission of Santa Cruz County is required to develop and determine a sphere of influence for County Service Area 38, and review and update, as necessary;
3. Determine, pursuant to Government Code Section 56430, the Local Agency Formation Commission of Santa Cruz County is required to conduct a service review before, or in conjunction with an action to establish or update a sphere of influence; and
4. Adopt a Resolution (LAFCO No. 2024-02) approving the 2024 Service and Sphere of Influence Review for County Service Area 38 with the following conditions:
  - a. Reaffirm sphere boundary for CSA 38 with the condition that the County establishes more transparency towards CSA 38's operation, governance, and finances. This information should be made publicly available on the County Sheriff Department's website or within a standalone webpage no later than January 30, 2025;
  - b. Review the status of CSA 38 on February 5, 2025 and consider any changes to the existing sphere boundary, if warranted; and
  - c. Direct the Executive Officer to distribute a copy of the adopted service and sphere review to CSA 38 representatives and any other interested or affected parties, including but not limited to the County Public Works Department, the County Administrative Office, and the four cities (Capitola, Santa Cruz, Scotts Valley, and Watsonville).

# DISTRICT OVERVIEW

## History

County Service Area 38 was formed on January 12, 1983 and its service area encompasses the entire county, excluding the four cities, as shown in the map on page 3. **Appendix A** provides a copy of the formation resolution. CSA 38's jurisdictional boundary has remained the same for the last 40 years without any boundary adjustments. The CSA was created to collect additional funds to provide police patrol outside the four cities. Based on LAFCO's analysis, the CSA does not have any designated staff, a standalone board, an official website, or specific bylaws or policies.

### Lack of Analysis

Service reviews are meant to analyze the governance, administration, and operation of the affected agency, specifically cities and special districts. County service areas are special districts and should be governed as any other governmental entity. However, there is no clear evidence how CSA 38 provides services, nor whether it has staff to operate the special district. Based on LAFCO's analysis, the CSA is only used to collect funds. Those funds are then used by the County Sheriff's Department to provide police patrol in unincorporated areas. LAFCO cannot complete a thorough analysis until there is further transparency regarding CSA 38's operations, governance, and administration.

## Population and Growth

Based on staff's analysis, the population of CSA 38 in 2020 is estimated to be 137,000. The Association of Bay Area Governments (ABAG) and the Association of Monterey Bay Area Governments (AMBAG) provide population projections for cities and counties in the Coastal Region. Based on the projections for the unincorporated county territory within CSA 38, LAFCO staff projects that the entire population of the CSA will be approximately 142,000 by 2040.

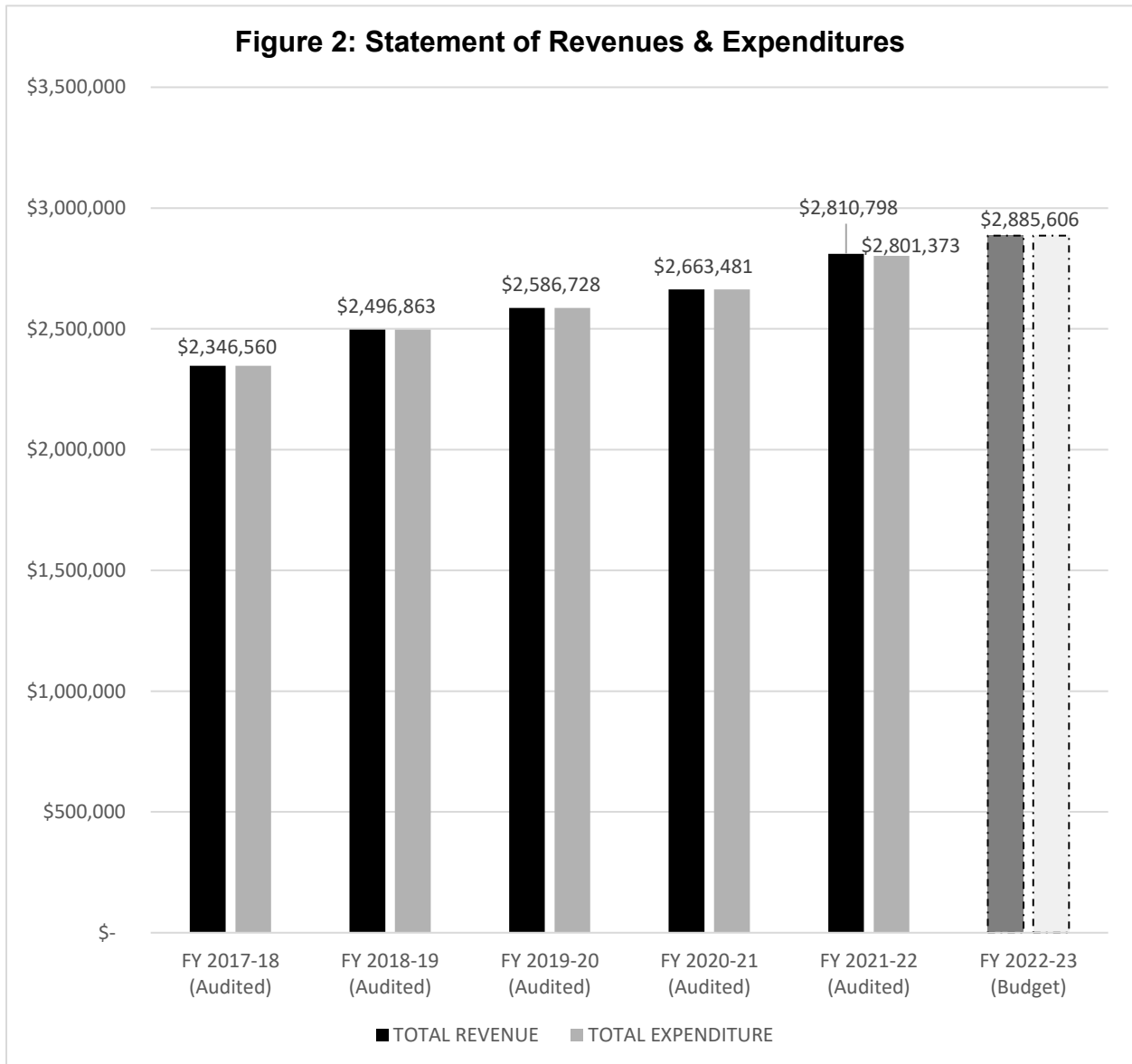
**Table A: Projected Population**

Area	2020	2025	2030	2035	2040	Average
County of Santa Cruz (entire county)	281,147	287,700	294,238	300,685	306,881	2.21%
City of Capitola	10,194	10,312	10,451	10,622	10,809	1.48%
City of Santa Cruz	68,381	72,091	75,571	79,027	82,266	4.73%
City of Scotts Valley	12,145	12,214	12,282	12,348	12,418	0.56%
City of Watsonville	<u>53,536</u>	<u>55,187</u>	<u>56,829</u>	<u>58,332</u>	<u>59,743</u>	<u>2.78%</u>
<b>CSA 38 (unincorporate area)</b>	<b>136,891</b>	<b>137,896</b>	<b>139,105</b>	<b>140,356</b>	<b>141,645</b>	<b>0.86%</b>

# FINANCES

This section will highlight the CSA’s financial performance during the most recent fiscal years. Fiscal Year 2021-22 is the latest audited financial statement available. LAFCO evaluated CSA 38’s financial health from 2017 to 2023. A comprehensive analysis of CSA 38’s financial performance during the past six years is shown in **Table D** on page 9.

At the end of Fiscal Year 2021-22, total revenue collected was approximately \$2.81 million, representing a 6% increase from the previous year (\$2.66 million in FY 20-21). Total expenses for FY 2021-22 were approximately \$2.80 million, which increased from the previous year by 5% (\$2.66 million in FY 20-21). CSA 38 has ended virtually even each fiscal year, with the exception of FY 2021-22, as shown in **Figure 2**. This is primarily due to the fact that the CSA does not provide any services, nor does it have any designated staff. The CSA’s main function is to collect funds and transfer it to the County’s Sheriff Department.





## Revenues

The CSA's primary source of revenue is from Property Taxes. In FY 2021-22, Property Taxes totaled approximately \$2.9 million which represents 99% of the CSA's entire revenue stream. **Table B** provides a breakout of the entire revenue stream during the most recent fiscal year (FY 2021-22).

**Table B: FY 2021-22 Revenue Source**

Source	Amount (\$)	Percentage (%)
Property Taxes	\$2,870,678	99.48%
Intergovernmental Revenues	\$13,888	0.48%
Fines, Forfeitures & Assessments	\$540	0.02%
Interest	<u>\$500</u>	<u>0.02%</u>
<b>Total Revenue</b>	<b>\$2,885,606</b>	<b>100.00%</b>

## Expenditures

CSA 38's total expenditures can be categorized into two budgetary groups: Accounting & Auditing Fees and Sheriff Services. **Table C** shows that in FY 2021-22, Sheriff Services represented approximately 99% of the CSA's entire expenses.

**Table 4: FY 2021-22 Expenditure Summary**

Source	Amount (\$)	Percentage (%)
Sheriff Services	\$2,885,106	99.98%
Accounting & Auditing Fees	<u>\$500</u>	<u>0.02%</u>
<b>Total Expenditure</b>	<b>\$2,885,606</b>	<b>100.00%</b>

## Fund Balance / Net Position

As of June 30, 2023, the total net position balance is estimated to have ended with a balance of \$14,000. The following table highlights the net position balance from 2017 to 2023. As shown in the table below, CSA 38's fund balance began accumulating funds in 2021. The current balance represents only less than half of a percent of the total budget of the last fiscal year (FY 22-23).

**Table 5: Fund Balance**

	FY 17-18 (Audited)	FY 18-19 (Audited)	FY 19-20 (Audited)	FY 20-21 (Audited)	FY 21-22 (Audited)	FY 22-23 (Budget)
<b>Ending Balance</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,425</b>	<b>\$13,919</b>
Change from Previous Year (\$)	-	-	-	-	\$9,425	\$4,494
Change from Previous Year (%)		-	-	-	-	48%

**Table D: Total Revenues & Expenditures**

<b>COUNTY SERVICE AREA 38 (SHERIFF PATROL)</b>						
	<b>FY 2017-18 (Audited)</b>	<b>FY 2018-19 (Audited)</b>	<b>FY 2019-20 (Audited)</b>	<b>FY 2020-21 (Audited)</b>	<b>FY 2021-22 (Audited)</b>	<b>FY 2022-23 (Budget)</b>
<b>REVENUE</b>						
Property Taxes	\$ 2,328,763	\$ 2,468,122	\$ 2,555,067	\$ 2,643,818	\$ 2,794,434	\$ 2,870,678
Fines, Forfeitures & Assessments	\$ 3,540	\$ 370	\$ 677	\$ 788	\$ 369	\$ 540
Interest	\$ 14,257	\$ 14,236	\$ 16,914	\$ 4,988	\$ 1,989	\$ 500
Intergovernmental Revenues	\$ -	\$ 14,135	\$ 14,070	\$ 13,887	\$ 14,006	\$ 13,888
<b>TOTAL REVENUE</b>	<b>\$ 2,346,560</b>	<b>\$ 2,496,863</b>	<b>\$2,586,728</b>	<b>\$2,663,481</b>	<b>\$2,810,798</b>	<b>\$2,885,606</b>
<b>EXPENDITURE</b>						
<u>Services &amp; Supplies</u>						
Accounting & Auditing Fees	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500	\$ 500
Sheriff Services	\$ 2,346,062	\$ 2,496,362	\$ 2,586,228	\$ 2,662,982	\$ 2,800,873	\$ 2,885,106
<b>TOTAL EXPENDITURE</b>	<b>\$ 2,346,562</b>	<b>\$ 2,496,862</b>	<b>\$2,586,728</b>	<b>\$2,663,482</b>	<b>\$2,801,373</b>	<b>\$2,885,606</b>
<b>Surplus/(Deficit)</b>	<b>\$ (2)</b>	<b>\$ 1</b>	<b>\$ -</b>	<b>\$ (1)</b>	<b>\$ 9,425</b>	<b>\$ -</b>
<b>NET POSITION</b>						
<b>Ending Balance</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 9,425</b>	<b>\$ 13,919</b>
Change (\$)		\$ -	\$ -	\$ -	\$ 9,425	\$ 4,494
Change (%)		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	48%

# SPHERE OF INFLUENCE

## **Cortese-Knox-Hertzberg Act**

City and special district spheres of influence define the probable physical boundaries and service area of a local agency, as determined by the Commission (Government Code Section 56076). The law requires that spheres be updated at least once every five years either concurrently or subsequently in preparation of Municipal Service Reviews. Spheres are determined and amended solely at the discretion of the Commission. In determining the sphere of influence for each local agency, the Commission is required by Government Code Section 56425(e) to consider certain factors, including:

- The present and planned uses in the area, including agricultural and open-space lands;
- The present and probable need for public facilities and services in the area;
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide;
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency; and
- For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.

## **Current Sphere Boundary**

CSA 38's original sphere was adopted on November 20, 1985. Since then, the sphere has remained coterminous with CSA 38's jurisdictional boundary, as shown in **Figure 3** on page 11.

## **Proposed Zero Sphere Designation & Subsequent Dissolution**

LAFCO staff is recommending that the Commission reaffirm the existing sphere with one condition: the County establish more transparency towards CSA 38's operation, governance, administration, and finances. This information should be made available on the County Sheriff Department's website or within a standalone webpage. LAFCO is recommending that this task be completed no later than January 30, 2025. If this task is not completed, the Commission should consider adopting a zero sphere. A "zero" sphere of influence (encompassing no territory) is adopted by LAFCO when the Commission has determined that the service functions of the affected agency are either: nonexistent, no longer needed, or should be reallocated to some other local government. **Figure 4**, on page 12, shows the proposed sphere map for CSA 38.

**Figure 3: Current Sphere Boundary**

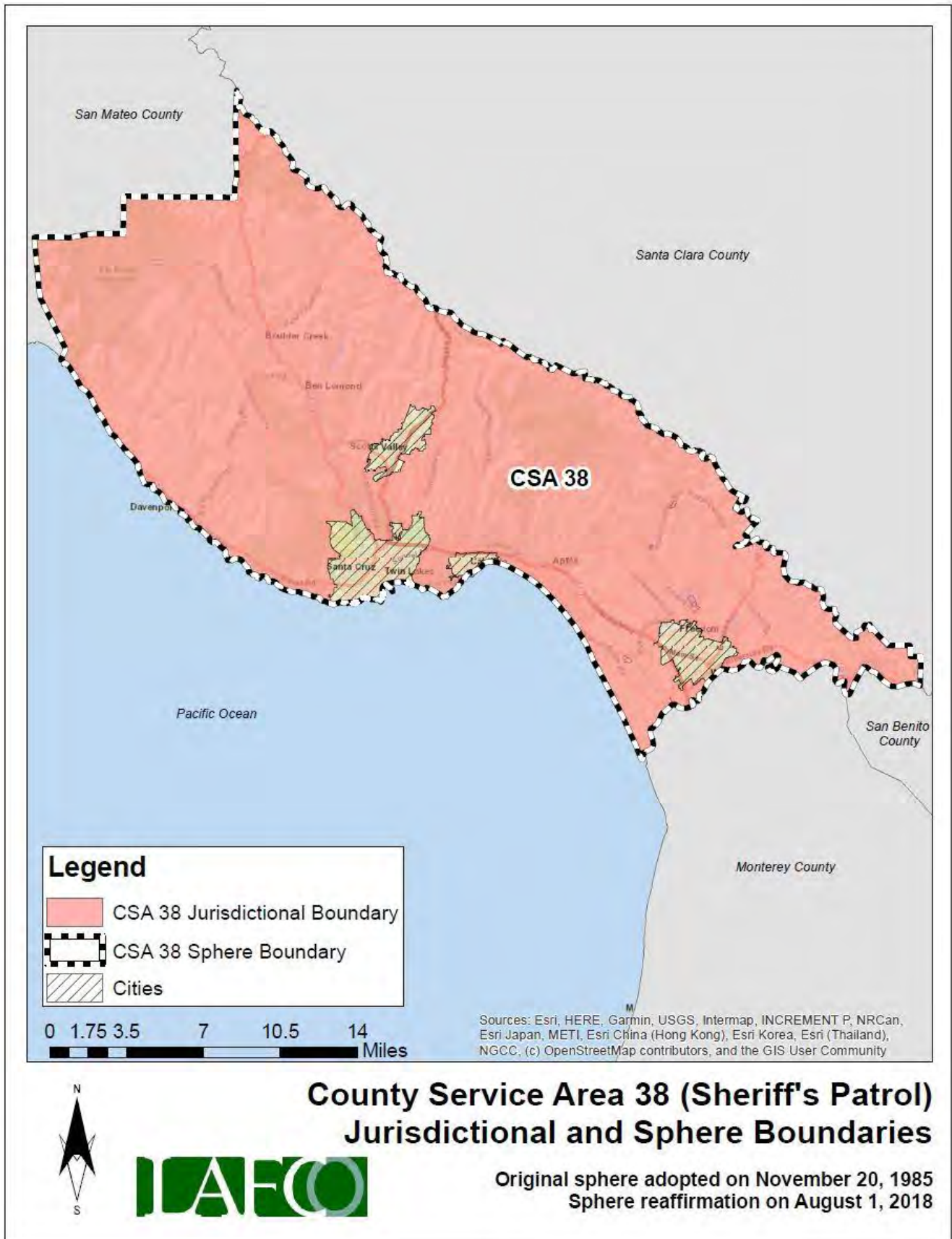
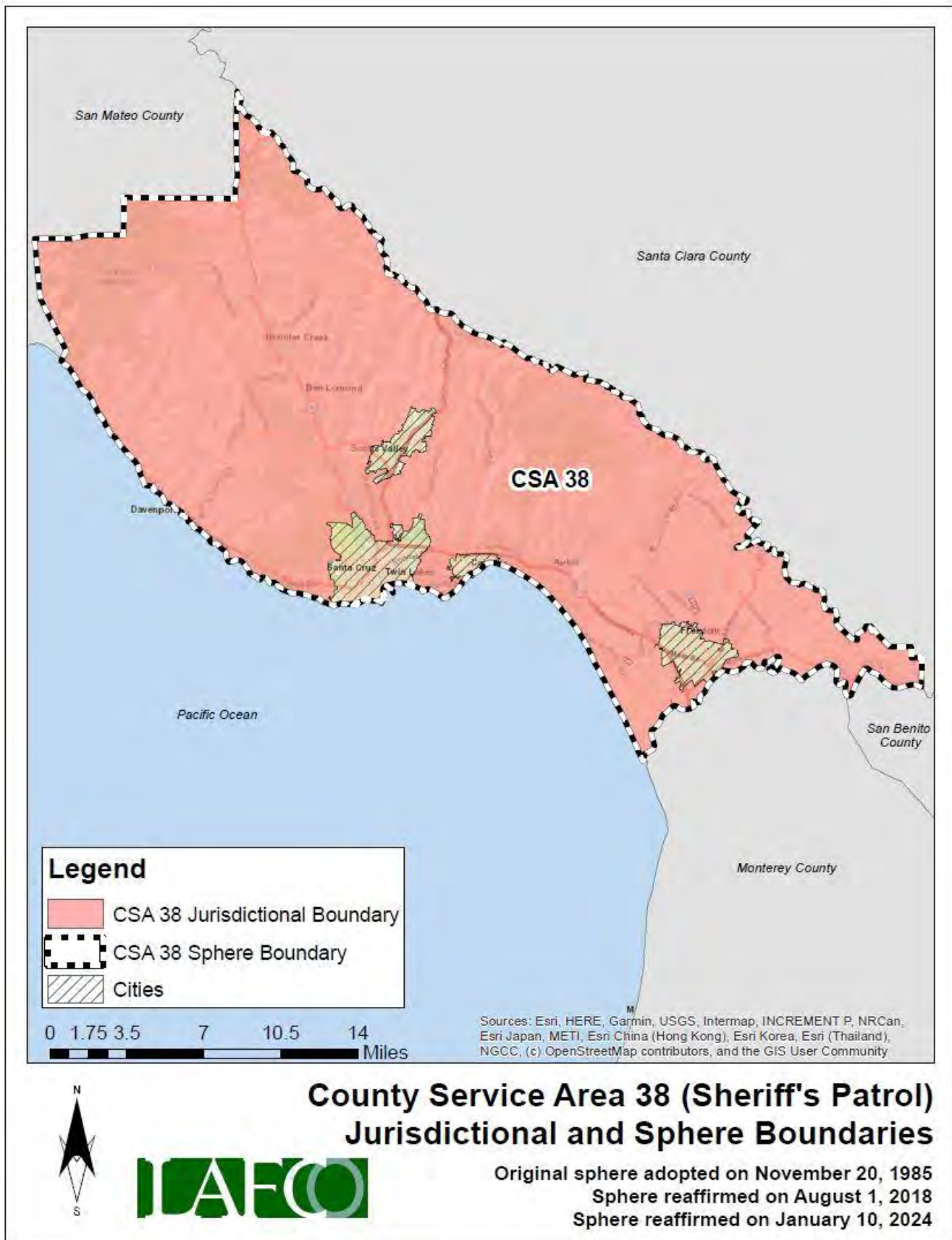


Figure 4: Proposed Sphere Boundary (Reaffirm Sphere)



## DISTRICT SUMMARY

<b>CSA 38 (Sheriff Patrol)</b>	
<b>Formation</b>	California Government Code, Section 25210 et seq. (County Service Area Law)
<b>Board of Trustees</b>	County Board of Supervisors; five members; elected at-large to a four-year term
<b>Contact Person</b>	Jim Hart, County Sheriff
<b>Employees</b>	N/A
<b>Facilities</b>	N/A
<b>District Area</b>	Entire county, excluding the four incorporated cities
<b>Sphere of Influence</b>	The sphere boundary is coterminous with the CSA's jurisdictional limits and the County of Santa Cruz.
<b>FY 2021-22 Audit</b>	Total Revenue = \$2,810,798 Total Expenditure = \$2,801,373 Net Position (Ending Balance) = \$9,425
<b>Contact Information</b>	Mailing Address: 5200 Soquel Avenue Santa Cruz, CA 95062 Phone Number: 831-454-7600 Email Address: <a href="mailto:Jim.Hart@santacruzcounty.us">Jim.Hart@santacruzcounty.us</a> Website: <a href="https://www.scsheriff.com/">https://www.scsheriff.com/</a>
<b>Public Meetings</b>	Unknown
<b>Mission Statement</b>	N/A

## SERVICE AND SPHERE REVIEW DETERMINATIONS

The following service and sphere review determinations fulfill the requirements outlined in the Cortese-Knox-Hertzberg Act.

### Service Provision Determinations

Government Code Section 56430 requires LAFCO to conduct a municipal service review before, or in conjunction with, an action to establish or update a sphere boundary. Written statements of determination must be prepared with respect to each of the following:

**1. Growth and population projections for the affected area.**

CSA 38 encompasses the entire county, excluding the four cities. It is estimated that approximately 137,000 residents currently live within the CSA's jurisdiction. LAFCO staff projects that the CSA's population may reach 142,000 by 2040.

**2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.**

CSA 38 is not subject to SB 244 because it does not provide water, sewer, or fire service.

**3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.**

CSA 38 is a funding mechanism for the County Sheriff's Department and does not have any present or planned capacity of direct services.

**4. Financial ability of agencies to provide services.**

CSA 38's primary source of revenue is from property taxes. CSA 38's fund balance ended with approximately \$9,000 in FY 2021-22. The current balance represents less than half of a percent of the total budget for the current fiscal year.

**5. Status of, and opportunities for, shared facilities.**

CSA 38 is a funding mechanism and does not have the ability to share staff or facilities.

**6. Accountability for community service needs, including governmental structure and operational efficiencies.**

LAFCO encourages the County to provide more information about CSA 38. More transparency will clearly explain CSA 38's purpose and role in the county.

**7. Any other matter related to effective or efficient service delivery, as required by commission policy.**

No additional local LAFCO policies are specifically relevant to this service review.

## **Sphere of Influence Determinations**

Government Code Section 56425 requires LAFCO to periodically review and update spheres of influence in concert with conducting municipal service reviews. Spheres are used as regional planning tools to discourage urban sprawl and encourage orderly growth. Written statements of determination must be prepared with respect to each of the following:

**1. The present and planned land uses in the area, including agricultural and open-space lands.**

The present and planned land uses are based on the general plan from the County, which range from urban to rural uses. The general plan anticipates growth centered on existing urban areas and the maintenance of agricultural production, rural residential uses, and environmental protection in rural areas.

**2. The present and probable need for public facilities and services in the area.**

CSA 38 does not have a designated office, staff, or an official website.

**3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

CSA 38 is a funding mechanism for the County Sheriff's Department and does not have any present or planned capacity of direct services.

**4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**

LAFCO encourages the County to provide more information about CSA 38. More transparency will clearly explain CSA 38's purpose and role in the county. This is important for the communities and members of the public within CSA 38's jurisdictional and sphere boundaries.

**5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**

The CSA does not provide services related to sewers, municipal and industrial water, or structural fire protection. Therefore, this determination is not applicable.

## **APPENDICES**

### **Appendix A: 1983 Formation Resolution**



## RESOLUTION NO. 603

On the motion of Commissioner Johnston  
duly seconded by Commissioner Patton  
the following resolution is adopted:

RESOLUTION OF THE  
SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION  
MAKING DETERMINATIONS AND AUTHORIZING PROCEEDINGS  
FOR FORMATION OF A COUNTY SERVICE AREA  
DESIGNATED AS EXTENDED POLICE PROTECTION NO. 603

The Santa Cruz Local Agency Formation Commission DOES HEREBY RESOLVE,  
DETERMINE, AND ORDER as follows:

1. An application for the proposed formation of a county service area was heretofore filed with the Executive Officer of this Commission pursuant to the Knox-Nisbet Act (Government Code Section 54773 et seq.); said territory is assigned the short term designation of "Extended Police Protection No. 603."
2. The Executive Officer of the Commission has examined said application; has given notice of public hearing by this Commission upon said application in the form and manner provided by law; and has reviewed said application, has prepared a report, including his recommendations thereon, and has presented the same before this Commission for consideration.
3. The public hearing by this Commission was held on January 12, 1983, being the time and date and at the place specified in said notice of public hearing, and at such hearing this Commission heard and received all oral and written protests, objections, and evidence which were made, presented, or filed.
4. Said territory is inhabited and consists of all of Santa Cruz County excluding the lands lying within the boundaries of the incorporated cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville.
5. The approval of this formation is conditioned upon the following terms and conditions: (1) The services to be performed by the county service area shall be limited to extended police protection. (2) The proponents shall provide a legal description, map, and fee required by the State Board of Equalization for processing the formation statements.
6. The Commission hereby determines pursuant to Section 54790.3(b)(3) of the Government Code that the property tax revenue used to provide police patrol and investigative services to the unincorporated area of the County in fiscal year 1982-83 is \$731,395.
7. In accordance with the Executive Officer's determination, this proposal is exempt from further compliance with the California Environmental Quality Act under the Class 20 categorical exemption.

8. The Commission hereby approves this proposal and authorizes the Board of Supervisors to conduct formation proceedings in compliance with this resolution and all applicable state laws.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Santa Cruz this twelvth day of January 1983, by the following vote:

AYES: COMMISSIONERS JOHNSTON, NIELSEN, LEVY, PATTON, ROUTH

NOES: COMMISSIONERS NONE

ABSENT: COMMISSIONERS NONE



MICHAEL R. ROUTH, CHAIRMAN  
Santa Cruz Local Agency  
Formation Commission

ATTEST:



PATRICK M. McCORMICK  
Executive Officer