



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, January 10, 2024**

**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 9:06 a.m. and welcomed everyone in attendance. She asked staff to conduct the roll call.

The following Commissioners were present:

- Chair Yvette Brooks
- Commissioner Jim Anderson
- Commissioner Roger Anderson
- Commissioner Justin Cummings
- Commissioner Zach Friend
- Commissioner Rachél Lather
- Commissioner Allan Timms
- Alternate Commissioner Ed Banks
- Alternate Commissioner John Hunt
- Alternate Commissioner Manu Koenig

The following LAFCO staff members were present:

- Legal Counsel, Joshua Nelson
- Executive Officer, Joe Serrano

**2. EXECUTIVE OFFICER'S MESSAGE**

**2a. Virtual Meeting Process**

**Executive Officer Joe Serrano** had two announcements to make to the Commission. The first announcement is that the 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 also noted that this meeting was being held at the Watsonville City Chambers.

## **2b. Joint Request for Proposal – Auditing Services**

The second announcement was to inform the Commission on a collaborative effort between multiple LAFCOs for shared auditing services. A joint draft Request for Proposals (RFP) for shared auditing services is currently being developed in conjunction with the participating LAFCOs. The collaborative effort is expected to result in cost savings and further financial transparency for LAFCO.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Roger Anderson** inquired if other LAFCOs, such as Monterey LAFCO, had been invited to participate in this effort. **Executive Officer Joe Serrano** noted that all LAFCOs were invited to join and participate in this project, with only six other LAFCOs indicating interest in joining the collaborative effort.

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

## **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 Zach Friend** motioned for approval of the November 1st Meeting Minutes and **Commissioner Allan Timms** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the approval of the draft minutes.

**MOTION: Zach Friend**

**SECOND: Allan Timms**

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

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSES: 7-0**

## **4. ORAL COMMUNICATIONS**

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

**Becky Steinbruner**, a member of the public, informed the Commission that written correspondence was submitted requesting updated information regarding CalPERS and the Branciforte Fire Protection District (BFPD) reorganization. Additionally, Ms. Steinbruner informed the Commission of her intent to bring legal action against the Scotts Valley Fire Protection District regarding their election process.

**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. "RTC Parcel Annexation"

**Chair Yvette Brooks** requested staff to provide a presentation on the proposed single parcel annexation into the Davenport County Sanitation District.

**Executive Officer Joe Serrano** informed the Commission that the proposed district annexation was initiated by the landowner, the Regional Transportation Commission of Santa Cruz County (RTC), and its purpose is the provision of water and sewer service to a future rest stop area with restroom facilities. The proposal area is one parcel, approximately six acres in size, and the District has indicated that it is willing and capable of providing the requested services. The annexation, if approved, will include a sphere amendment to reflect the annexation area and provide consistency with the jurisdictional boundary. The recommended action fulfills requirements under LAFCO law and within the Commission's policies. Mr. Serrano further noted that an effort was made to include an adjacent parcel owned by the CEMEX corporation, which currently has an active extraterritorial service agreement, in the proposed annexation. After some discussion and consideration, representatives from CEMEX declined to pursue annexation as part of this application.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Rachél Lather** inquired whether RTC would be subject to County fees associated with connecting into the infrastructure and receiving the proposed services. **Executive Officer Joe Serrano** mentioned that the County had not identified any exemptions and is expected to pay all associated fees related to the project. Ms. Lather added that payment for these services benefits the community of Davenport and also expressed regret in CEMEX's decision against pursuing annexation.

**Commissioner John Hunt** inquired about public support for the proposed annexation from nearby commercial and residential neighbors. **Executive Officer Joe Serrano** noted that LAFCO had not heard concerns or received opposition to the proposed annexation. **Commissioner Justin Cummings** noted that residents in the Davenport community are in support of the proposed project as it will help alleviate issues related to rest stop accessibility for visitors and commuters in the area. Mr. Cummings also agreed with Commissioner Lather's comments regarding payment of annual service fees.

**Executive Officer Joe Serrano** introduced **Grace Blakeslee**, an RTC representative, who explained that the proposed North Coast Rail Trail project is a seven in a half mile trail connecting Wilder Ranch to Davenport with significant public support. Ms. Blakeslee noted that RTC is expected to go out to bid soon and will be subject to the fees associated with water and sewer services.

**Chair Yvette Brooks** requested public comments on the item. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission. **Becky Steinbruner**, a member of the public, inquired why CEMEX had opposed formal annexation if they are already receiving and paying for services. **Executive Officer Joe**

**Serrano** shared that after careful consideration from their legal department, CEMEX determined that there was no added benefit in pursuing annexation.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Jim Anderson** motioned for approval of staff recommendation and **Commissioner Roger Anderson** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on the staff's recommendation: **Adopt the draft resolution (No. 2024-01) approving the single parcel annexation into the Davenport County Sanitation District.**

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

**MOTION PASSES: 7-0**

#### **6b. Service & Sphere Review for County Service Area 38**

**Chair Yvette Brooks** requested staff to provide a presentation on the draft service and sphere review for County Service Area 38 (Sheriff's Patrol).

**Executive Officer Joe Serrano** informed the Commission that CSA 38 provides extended police protection services to the unincorporated areas of Santa Cruz County. Mr. Serrano noted the challenges in finding readily available information regarding the operations of the CSA. The lack of information on its history, purpose, financial health, and other important matters is a concern to LAFCO staff. Mr. Serrano then explained that after communication and coordination with the County, it was agreed steps would be taken in the next 12 months to better inform the public on CSA 38, either through a standalone website or by updating existing County webpages. If after 12 months the County and Sheriff's Department have failed to meet their obligations, LAFCO may consider dissolution of the CSA as an option.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Jim Anderson** asked about accessing financial information for CSA 38. **Executive Officer Joe Serrano** explained that from the limited information he was able to retrieve, it was determined that 99% of the revenues collected by CSA 38 come from property taxes, and that expenditures traditionally mirror revenues.

**Commissioner Justin Cummings** asked to better understand the impact of dissolving CSA 38. **Executive Officer Joe Serrano** explained that CSA 38 is a funding mechanism, but if it were to be dissolved, funds would be transferred to a successor agency (the County) and the level of services provided to residents would not be affected.

**Commissioner Rachél Lather** inquired about the rate changes made by CSA 38. **Executive Officer Joe Serrano** explained that rates charged by the CSA have remained the same since its inception.

**Commissioner Roger Anderson** asked what percentage of the Sheriff's total budget was represented by CSA 38. **Executive Officer Joe Serrano** responded that CSA 38 represented less than one percent of the department's total budget. Mr. Anderson followed up with a question regarding the overall transparency of the Sheriff's Department website. Although Mr. Serrano noted that the website for the Sheriff's Department was robust and transparent, it still lacked information specific to CSA 38. Mr. Anderson also asked about past service and sphere reviews completed for CSA 38. Mr. Serrano explained that the last service and sphere review completed provided a limited assessment on the operations and management of the CSA.

**Commissioner Zach Friend** expressed support for the recommended actions and was content to hear that the County would take additional steps to further inform the public about CSA 38.

**Chair Yvette Brooks** requested public comments on the item. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission. **Becky Steinbruner**, a member of the public, remarked that as a taxpayer she was concerned over the perceived lack of transparency and accountability for CSA 38. **Melodye Serino**, Deputy County Administrative Officer, explained to the Commission how CSA 38 functions as a funding mechanism to fund patrol services in the unincorporated areas of the county.

**Chair Yvette Brooks** closed public comments and called for a motion. **Commissioner Zach Friend** motioned for approval of staff recommendation and **Commissioner Roger Anderson** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff 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. 2024-02) approving the 2024 Service & Sphere Review for CSA 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).**

**MOTION: Zach Friend**

**SECOND: Roger Anderson**

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

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSES: 7-0**

## 6. OTHER BUSINESS

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

### 6a. Appoint New Chair and Vice-Chair

**Chair Yvette Brooks** requested staff to provide a presentation on the process to appoint a Chair and Vice-Chair for the 2024 calendar year.

**Executive Officer Joe Serrano** explained that in accordance with the Commission's Meeting Rules Policy, the Commission appoints a new Chair and Vice-Chair in January of each year. Mr. Serrano noted that the new officers' terms will begin on February 7, 2024. Mr. Serrano also indicated that there is no rule of succession or rotation, however, the acting Vice-Chair has historically been elected as the new Chair. Staff is recommending that the Commission discuss and appoint a new Chair and Vice-Chair.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Zach Friend** expressed his appreciation to Chair Yvette Brooks for her leadership during the past year and nominated **Commissioner John Hunt** as LAFCO Chair and **Commissioner Manu Koenig** as LAFCO Vice-Chair for the 2024 calendar year. **Commissioner Justin Cummings** seconded the motion.

**Executive Officer Joe Serrano** made a note regarding the voting and non-voting status for the nominated Commissioners. **Legal Counsel Joshua Nelson** informed the Commission that alternate members may be appointed as a Chair or Vice-Chair but may not be eligible to vote unless the regular member is absent. **Commissioner Zach Friend** mentioned that Commissioner Manu Koenig is expected to be appointed as a LAFCO regular member in an upcoming meeting for the Board of Supervisors.

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

**Chair Yvette Brooks** called for a voice vote on the motion: **Appoint Commissioners John Hunt and Manu Koenig as LAFCO's new Chair and Vice-Chair, respectively.**

**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 PASSES: 7-0**

### 6b. Appoint New Personnel Committee

**Chair Yvette Brooks** requested staff to provide a presentation on the selection process for LAFCO's Personnel Committee.

**Executive Officer Joe Serrano** explained that the role of the Personnel Committee is to address administrative matters, including staff performance evaluations. Mr. Serrano noted that the Commission typically appoints at least two Commissioners to be on the Personnel Committee in accordance with LAFCO's Personnel Committee Policy. Staff is recommending that the Commission assign at least two Commissioners to be part of LAFCO's Personnel Committee for a two-year term, ending in December 2025.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Zach Friend** nominated Commissioners Roger Anderson, Rachél Lather, and Allan Timms to the Personnel Committee. **Commissioner Justin Cummings** seconded the motion.

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

**Chair Yvette Brooks** called for a voice vote on the motion: **Appoint Commissioners Roger Anderson, Rachél Lather, and Allan Timms to the LAFCO's Personnel Committee for a two-year term ending in December 2025.**

**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 PASSES: 7-0**

### **6c. Upcoming LAFCO Seat Vacancies**

**Chair Yvette Brooks** requested staff to provide an update on the upcoming vacancies involving various seats on LAFCO.

**Executive Officer Joe Serrano** explained to the Commission that the terms for Commissioners Roger Anderson and John Hunt, as the Public Member and Alternate Public Member respectively, would conclude in May. Under state law, LAFCO must advertise the upcoming vacancies, and if approved, a notice will be published requesting applications for the open public seats on LAFCO. To apply, candidates must be residents of Santa Cruz County and not be employed by the County, a city, or special district. The new public members will be seated at the May 2024 meeting. Finally, Mr. Serrano provided an update on the City Selection Committee rotation schedule.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Jim Anderson** clarified that the selection of the regular and alternate public members is determined by the Commission.

**Chair Yvette Brooks** requested public comments on the item. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission. **Becky Steinbruner**, a member of the public, commented on the City Selection Committee and asked what would happen to Commissioner Manu Koenig's seat on LAFCO if he were

not reelected to the Board of Supervisors. **Executive Officer Joe Serrano** explained that in that situation, LAFCO would coordinate with the Board of Supervisors to determine a replacement.

**Chair Yvette Brooks** closed public comments. **Commissioner Zach Friend** motioned to support staff recommendation and **Commissioner Rachél Lather** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion based on staff recommendation: **Direct the Executive Officer to begin the selection process and advertise the upcoming public seat openings in accordance with Government Code Section 36325(d).**

**MOTION: Zach Friend**

**SECOND: Rachél Lather**

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

**AGAINST: None**

**ABSTAIN: None**

**MOTION PASSES: 7-0**

#### **6d. LAFCO Meeting Location – February 7, 2024 Hearing**

**Chair Yvette Brooks** requested staff to provide an update on the location for the next regularly scheduled Commission meeting in February 2024.

**Executive Officer Joe Serrano** informed the Commission that for the remainder of the year, LAFCO's regular meetings are scheduled to be held in the Board of Supervisors chambers, except for the upcoming meeting in February. Staff recommended that the Commission hold the February 7th meeting at the Watsonville City Chambers once again.

**Chair Yvette Brooks** requested comments or clarifying questions from the Commission. **Commissioner Justin Cummings** expressed his support in holding the next LAFCO meeting at the City of Watsonville. **Commissioner Manu Koenig** noted that the added commute helps build connection with and empathy for the residents of south county. **Commissioner John Hunt** also noted the positive impact of visiting south county and seeing activities such as the construction for the College Lake Water Supply Project pipeline in action. **Commissioner Allan Timms** mentioned that having rotating locations would benefit LAFCO by making it more accessible to the wider public. **Commissioner Jim Anderson** asked if there were fees associated with use of the chambers at the City of Watsonville. Mr. Joe Serrano acknowledged that the City of Watsonville does charge a small fee for use of their facility, while the County does not charge a fee for use of their facilities. **Commissioner Roger Anderson** asked staff to consider individual agenda items when selecting a location for future meetings outside the Board of Supervisors' chambers.

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



**Commissioner Justin Cummings** motioned to support staff recommendation and **Commissioner Jim Anderson** seconded the motion.

**Chair Yvette Brooks** called for a voice vote on the motion to: **Select Watsonville’s City Council Chambers for the next LAFCO meeting on February 7, 2024 at 9:00 a.m.**

**MOTION:** Justin Cummings

**SECOND:** Jim Anderson

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

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSES: 7-0**

## **7. WRITTEN CORRESPONDENCE**

**Chair Yvette Brooks** inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** informed the Commission that the Commission received two correspondences from Becky Steinbruner, a member of the public. An email requested additional information on the recently completed BFPD reorganization. Mr. Serrano noted that in the certificate of completion, located on the LAFCO website, important information on the reorganization including CalPERS reports can be found. The second correspondence was a letter sent by Ms. Steinbruner to SVFPD regarding potential litigation to compel the District to transition to district-based elections.

**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. **Commissioner Allan Timms** expressed his appreciation to Commissioner Yvette Brooks for serving as LAFCO Chair in 2023.

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

## 10. CLOSED SESSION


**Chair Yvette Brooks** indicated that a closed session will be held to cover the performance evaluation of LAFCO staff. **Executive Officer Joe Serrano** noted that LAFCO's legal counsel will host the closed session in a separate remote meeting room and requested that the Commission reconvene to the regular LAFCO meeting once the closed session concluded.

## 11. ANNOUNCEMENTS FROM CLOSED SESSION

**Legal Counsel Joshua Nelson** noted that there was no reportable action.

## 12. ADJOURNMENT

**Chair Yvette Brooks** adjourned the Regular Commission Meeting at 10:40 a.m. to the next regular LAFCO meeting scheduled for Wednesday, February 7, 2024 at 9:00 a.m.



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JOHN HUNT, CHAIRPERSON

Attest:



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JOE A. SERRANO, EXECUTIVE OFFICER