



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

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**ADOPTED MINUTES**

**LAFCO REGULAR MEETING AGENDA**

**Wednesday, October 2, 2024**

**Start Time - 9:00 a.m.**

**1. ROLL CALL**

**Chair John Hunt** 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. He asked the staff to conduct a roll call.

The following Commissioners were present:

- Commissioner Jim Anderson
- Commissioner Roger Anderson
- Commissioner Justin Cummings
- Commissioner Manu Koenig (*arrived at 9:04 a.m.*)
- Commissioner Rachél Lather (*arrived at 9:15 a.m.*)
- Commissioner Eduardo Montesino
- Commissioner Allan Timms
- Alternate Commissioner Ed Banks
- Alternate Commissioner John Hunt (*Chair*)

***Alternate Commissioner Ed Banks was a voting member until the arrival of Commissioner Rachél Lather (District Member).***

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** indicated 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 updated the Commission on the new judge assigned to the Big Basin Water Company (BBWC) case, announced the completion of the BBWC forensic audit by the nonprofit Moonshot Missions, and noted that a status update regarding BBWC is scheduled for the November regular meeting.

**Chair John Hunt** moved on to the next agenda item.

### **3. ADOPTION OF MINUTES**

**Chair John Hunt** requested public comments on the draft minutes. **Executive Officer Joe Serrano** noted no public comment on the item. **Chair John Hunt** closed public comments.

**Chair John Hunt** called for a motion. **Commissioner Allan Timms** motioned for approval of the September 4th Meeting Minutes and **Commissioner Jim Anderson** seconded the motion.

**Chair John Hunt** called for a voice vote on the approval of the draft minutes.

**MOTION:** Allan Timms

**SECOND:** Jim Anderson

**FOR:** Jim Anderson, Roger Anderson, Ed Banks, Justin Cummings, Manu Koenig, Eduardo Montesino, and Allan Timms.

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSES: 7-0**

### **4. ORAL COMMUNICATIONS**

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

**Virginia Chang Kiraly**, San Mateo LAFCO Commissioner, discussed her candidacy for the special district representation of the Coastal Region on the CALAFCO board of directors at the upcoming annual conference in October. **Executive Officer Joe Serrano** added that there will be two vacancies on the CALAFCO board involving the Coastal Region.

**Chair John Hunt** closed public comments and moved on to the next agenda item.

### **5. SPECIAL PRESENTATION**

#### **5a. County Parks – “Life After Dissolution”**

**Chair John Hunt** requested staff to provide a post-dissolution update on the Opal Cliffs Recreation District (OCRD).

**Executive Officer Joe Serrano** introduced **Jeff Gaffney**, Director of County Parks, and explained that the purpose of the presentation was to provide the Commission with an

update of the District since its dissolution in April 2022. Mr. Gaffney provided background information on the jurisdiction prior to dissolution and explained how the County Parks Department came to gradually provide services to the struggling entity. Eventually, the OCRD board determined that they were no longer capable of providing the services needed by the residents and the County stepped in to provide the area with the requested recreational and park services, while also working to address longstanding neighborhood safety concerns. In August 2021, the board submitted an application to LAFCO for dissolution and in February 2022, the Opal Cliffs area was added into the Santa Cruz County Parks system. Since the dissolution, the public park has experienced storm damage, the permitting process has been consolidated with the Coastal Commission, repairs have been made to damaged infrastructure, efforts to make the open space more inclusive have been successful, and county staff have been able to oversee the maintenance and ADA compliance of the park. The County is currently working with FEMA for reimbursements and expects future improvements to be made to the park. Finally, Mr. Gaffney mentioned that among the lessons learned, there should be a clear timeline and understanding of the proposed outcomes of the project, as well as ensuring outreach is more effective and efficient with the wider community.

**Chair John Hunt** requested public comments on the item. **Executive Officer Joe Serrano** indicated that there was no request to address the Commission on the item.

**Chair John Hunt** closed public comments and opened the floor for Commission discussion. **Commissioner Jim Anderson** shared about past experiences attending board meetings for the Opal Cliffs Recreation District and highlighted the role of LAFCO in the dissolution process.

**Commissioner Roger Anderson** asked a question about the ADA access to the county park. **Director Jeff Gaffney** explained that through a partnership with a local nonprofit, ADA park access has improved, but the County Parks Department continues to work to find ways to make the park more accessible for individuals with limited mobility.

**Commissioner Manu Koenig** inquired about the timeline to apply for funding to address infrastructure repair needs to improve public access. **Director Jeff Gaffney** explained that no funding sources have currently been identified, but the department is targeting and preparing for when funding becomes available. Mr. Koenig had a follow-up question about communicating with property owners about other stairways. Mr. Gaffney responded that as part of the coastal encouragement program, the County is working towards holistic solutions to the different issues regarding access points to the park.

**Chair John Hunt** asked about the original justification for restricting access to the park. **Director Jeff Gaffney** mentioned that it had to do with safety concerns, including injuries, late night beach parties, and trespassing. Mr. Hunt asked about current safety concerns. Mr. Gaffney mentioned that Opal Cliffs has not experienced significant issues since they removed the gates.

**Executive Officer Joe Serrano** thanked Director Jeff Gaffney for his work and the work of his department. **Chair John Hunt** closed the special presentation and moved on to the next agenda item.

## 6. PUBLIC HEARINGS

**Chair John Hunt** noted that there was one public hearing item for Commission consideration today.

### 6a. “Midpeninsula Regional Open Space District Service & Sphere Review”

**Chair John Hunt** requested staff to provide a presentation on the draft service and sphere of influence review for the Midpeninsula Regional Open Space District.

**Executive Officer Joe Serrano** informed the Commission that the last service and sphere of influence review conducted for the District occurred in 2019. The District encompasses three counties and Santa Clara LAFCO is considered the principal LAFCO based on the assessed value per county. The District provides its services to all guests, has experienced annual deficits in the last five years but is financially sound, and it operates a transparent and robust website. Staff recommend reaffirming the sphere with the condition that a stakeholder group be formed to discuss potential annexation of the parcels located within Santa Cruz County.

**Chair John Hunt** requested public comments on the item. **Executive Officer Joe Serrano** indicated that there was one request to address the Commission on the item.

**Becky Steinbruner**, a member of the public, encouraged the District to annex the parcels located in Santa Cruz County and noted their support for an upcoming measure.

**Commissioner Manu Koenig** asked for clarification regarding the District's funding sources. **Executive Officer Joe Serrano** stated that the District receives property taxes as well as funding from a parcel tax. **Director Jeff Gaffney** commented on the disparity in funding that exists between the three counties. Mr. Koenig noted Measure Q would provide a comparable revenue source.

**Commissioner Allan Timms** inquired about expenses and deficits incurred by the District. **Executive Officer Joe Serrano** indicated that the deficit was a result of scheduled capital improvement projects that took place during each fiscal year.

**Chair John Hunt** called for a motion. **Commissioner Roger Anderson** motioned for approval of staff recommendation and **Commissioner Justin Cummings** seconded the motion.

**Chair John Hunt** called for a voice vote on the motion based on the staff recommendation: **(1) Find, pursuant to Section 15061(b)(3) of the State CEQA Guidelines, that LAFCO determined that the service and 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, that LAFCO is required to develop and determine a sphere of influence for the District, and review and update, as necessary; (3) Determine, pursuant to Government Code Section 56430, that LAFCO 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 LAFCO Resolution (No. 2024-16) approving the 2024 Service and Sphere of Influence**

Review for the Midpeninsula Regional Open Space District with the following conditions: a. Reaffirm the District's current sphere of influence within Santa Cruz County with the condition that a stakeholder group be formed with representatives from the District and the LAFCOs of Santa Clara and Santa Cruz to evaluate the proposed annexation of District-owned parcels within Santa Cruz County; and b. Direct the Executive Officer to distribute a copy of the adopted service and sphere review to Santa Clara LAFCO as the principal LAFCO and other interested or affected parties, including but not limited to the Land Trust of Santa Cruz County, and the Santa Clara/San Mateo LAFCOs.

**MOTION:** Roger Anderson

**SECOND:** Justin Cummings

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

**AGAINST:** None

**ABSTAIN:** None

**MOTION PASSES: 7-0**

## **7. OTHER BUSINESS**

### **7a. CSA 48 Reorganization Effort**

**Chair John Hunt** requested staff to provide an update on the proposed reorganization involving County Service Area 48 (County Fire).

**Executive Officer Joe Serrano** informed the Commission that since the last LAFCO meeting, the Board of Supervisors reviewed the fire master plan and moved forward with a recommendation to work with LAFCO and CalFire to analyze the concept of an independent fire district and development of a transition plan/feasibility study. LAFCO will continue to coordinate with the County and CalFire, and a final version of the plan is tentatively scheduled to be presented in April 2025.

**Chair John Hunt** requested public comments on the item. **Executive Officer Joe Serrano** noted two requests to address the Commission on the item.

**Virginia Chang Kiraly**, San Mateo LAFCO Commissioner, expressed appreciation for the work done by the County during the 2020 CZU fires and was in support of the reorganization efforts led by LAFCO and the County.

**Becky Steinbruner**, a member of the public, discussed her disappointment in the disbanding of the fire department advisory commission (FDAC) and asked for an after-action review of the CZU fire. Ms. Steinbruner also discussed the use of Proposition 172 sales tax funds, asked about the inventory of apparatus owned and their replacement schedules, and noted the benefits of improved governance.

**Chair John Hunt** closed public comments and requested comments or clarifying questions from the Commission. **Commissioner Manu Koenig** inquired about the role of the new advisory group in the transition. **Executive Officer Joe Serrano** mentioned that the reorganization is a collaborative effort, and LAFCO expects to work with the new

advisory group. **Michael Beaton**, Director of General Services for the County of Santa Cruz, mentioned that the new group will be multifaceted and presented to the Board of Supervisors for approval. The objectives and goals for the group are still being developed. As part of the Board direction, the group will analyze potential annexations and consider potential actions for smaller districts. Mr. Koenig had a follow-up question on the Amador contract with CalFire. Mr. Serrano noted that this question is one being considered as part of the analysis. **Jed Wilson**, CalFire Chief, added that schedule and staffing changes are expected to occur to reduce work shifts hours in a tiered approach, affecting the Amador plan. The purpose of the changes is to provide fire protection services in a more efficient manner, which will require adjusting the base and peak periods.

**Commissioner Roger Anderson** had a question regarding the next steps. **Executive Officer Joe Serrano** explained that a report should be ready by April 2025 and if the County agrees with its findings, the County will then need to initiate the reorganization process, which can take up a year to complete.

**Chair John Hunt** called for a motion. **Commissioner Jim Anderson** motioned for approval of staff recommendation and **Commissioner Manu Koenig** seconded the motion.

**Chair John Hunt** called for a voice vote on the motion based on the staff recommendation: **Direct staff to continue coordinating with the County of Santa Cruz and CalFire to develop a reorganization plan for CSA 48.**

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

**MOTION PASSES: 7-0**

#### **7b. City of Watsonville Notice of Preparation – LAFCO Comment Letter**

**Chair John Hunt** requested staff to provide a presentation regarding submitting a letter to the City of Watsonville to address their upcoming 2050 General Plan Environmental Impact Report.

**Executive Officer Joe Serrano** informed the Commission that the City of Watsonville is working on an update to their general plan and distributed a notice of preparation to local agencies requesting comments or feedback. LAFCO staff drafted a comment letter and requested the City to include their existing extraterritorial service agreements and reminded them of LAFCO's role in any potential annexation of areas outside the city limits. Staff is recommending to approve and submit the letter to the City prior to its October deadline.

**Chair John Hunt** requested public comments on the item. **Executive Officer Joe Serrano** noted a request to address the Commission on the item.

**Becky Steinbruner**, a member of the public, discussed the importance of the LAFCO process in any future annexation and spoke on discouraging development near the municipal airport.

**Chair John Hunt** closed public comments and opened the floor for Commission discussion. **Commissioner Justin Cummings** motioned for approval of staff recommendation and **Commissioner Allan Timms** seconded the motion.

**Chair John Hunt** called for a voice vote on the motion based on the staff recommendation: **Direct staff to submit a comment letter to the City of Watsonville prior to their October 14, 2024.**

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

**MOTION PASSES: 7-0**

## **8. WRITTEN CORRESPONDENCE**

**Chair John Hunt** inquired whether there was any written correspondence submitted to LAFCO. **Executive Officer Joe Serrano** indicated that no written correspondence had been submitted.

**Chair John Hunt** moved to the next item since no Commission action was required.

## **9. PRESS ARTICLES**

**Chair John Hunt** 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 John Hunt** moved to the next item since no Commission action was required.

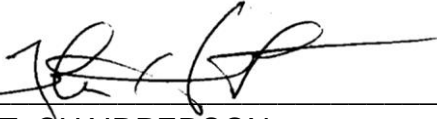
## **10. COMMISSIONERS' BUSINESS**

**Chair John Hunt** inquired whether any Commissioner would like to share any information. **Executive Officer Joe Serrano** indicated that there were no requests to share any information but expressed appreciation to the Commissioners that joined the special CALAFCO meeting on Monday, September 30, 2024. **Commissioner Jim Anderson** noted that it was a spirited conversation and provided an update on the meeting. **Commissioner Roger Anderson** added background information regarding the special meeting and shared his thoughts on the proposed changes to the CALAFCO legislative committee.

**Chair John Hunt** moved to the next item since no Commission action was required.

## 11. ADJOURNMENT

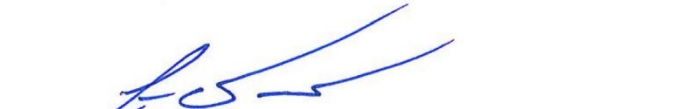
**Chair John Hunt** adjourned the Regular Commission Meeting at 10:01 a.m. to the next regular LAFCO meeting scheduled for Wednesday, November 6, 2024 at 9:00 a.m.



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JOHN HUNT, CHAIRPERSON

Attest:



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JOE A. SERRANO, EXECUTIVE OFFICER