



county of Santa Cruz

SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

701 OCEAN STREET, SUITE 520
SANTA CRUZ, CA 95060
(408) 454-2100 FAX: (408) 454-3420
TDD: (408) 454-2123

November 4, 1998

AGENDA: November 10, 1998

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

MOUNT MADONNA PARK EXPANSION/ COUNTY BOUNDARY ADJUSTMENT

Dear Members of the Board:

On August 4, 1997 (Attachment I) your Board received a report concerning the request by the County of Santa Clara Parks and Recreation Department (SCCPRD) that our County approve a County boundary adjustment to facilitate expansion of the SCCPRD's Mount Madonna Park. In response, your Board authorized the Administrative Office to proceed with developing the information and documents to accomplish the boundary adjustment, as well as, to notify the Local Agency Formation Commission of the County's support for the boundary adjustment subject to satisfactory resolution of various issues and conditions as outlined in the August 4, 1998 report and attachments. As part of the final actions required to effect the boundary adjustment, on October 6, 1998 your Board scheduled today's public hearing.

Presented below is a review of the status of the issues and conditions identified in the August 4th and previous reports, as well as recommendations for completing the boundary adjustment process.

LAFCO Action

LAFCO approved the boundary adjustment and related special district detachments on October 7, 1998 (Attachment 2). The LAFCO approval was subject to five conditions. The first condition was that your Board and the Santa Clara County Board of Supervisors complete the boundary adjustment process. The actions required by your Board to effect the boundary adjustment are detailed at the conclusion of this report. Santa Clara County is holding a similar hearing to approve the boundary adjustment on its November 10, 1998 agenda for approval.

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The second condition requires that Santa Clara County provide a legal map, description and fees to meet State Board of Equalization requirements. The map and description have been submitted and checked by Santa Cruz County Public Works Department for accuracy. They are incorporated in the attached ordinance (Attachment III).

Conditions c, d and e require payment of various fees, as well as provision of indemnification documents by Santa Clara County in favor of LAFCO. These conditions will be satisfied prior to filing of final documents by LAFCO, with the State Board of Equalization.

Proposed Park Development

Your Board has previously conceptually approved an Agreement and Open Space Easement contract to require that any development within the expanded park boundary be consistent with Santa Cruz County park development policies. In addition, the agreement provides that Santa Cruz County residents be guaranteed access to the park as if they were Santa Clara County residents. In particular, that no "out of county" fees or exclusions could apply to Santa Cruz County residents.

Santa Clara County has approved the agreement (Attachment IV) and it is now ready for final approval by your Board.

Special Districts

As indicated above, LAFCO has approved the detachment of the parcels to be transferred to Santa Clara County from all special districts. Adoption of the attached resolution (Attachment V) by your Board will complete approval of the detachments.

Traffic Impact

There are no changes to the original analysis.

Timber Harvest Impact

There are no changes to the original analysis.

Process

The remaining process is described in detail at the conclusion of this report,

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT**Financial Impacts**

As discussed in the December 16, 1998 report, staff costs associated with the County boundary adjustment process are being itemized and will be billed to Santa Clara County upon completion of the process. LAFCO staff and other costs are billed directly as discussed earlier in this report.

Property taxes totaling approximately \$20,000 per year for all public taxing agencies will be transferred to Santa Clara as a result of this boundary adjustment. Your Board approved a "zero property tax exchange" on September 22, 1998 to implement the tax transfer.

Good Neighbor Concerns

The Administrative Office has discussed the concerns of park neighbors with SCCPRD staff. In particular, issues related to potential trespassing by park visitors onto private property and the ability of neighboring ranchers to retrieve any stray livestock from the park were discussed. SCCPRD has indicated they will work with the neighbors in siting of trails and other park facilities near property lines to minimize the potential for trespassing. They also indicated that they will work with neighbors as necessary, if problems develop, to take additional steps to stop trespassing. SCCPRD acknowledged that it might be necessary from time to time for ranchers to retrieve livestock and this was not considered a concern; however, they did indicate that it was important for ranchers to keep their fences in good repair.

Mount Madonna Road

The attached ordinance and boundary descriptions provide for transfer of the portions of Mount Madonna Road adjacent to expanded park boundary to be transferred to Santa Clara County.

Conclusion

As discussed above, the Administrative Office believes that the various issues, conditions and concerns raised relative to the Mount Madonna Park Expansion/County Boundary Adjustment have now been addressed. To finalize the boundary adjustment, it is necessary for your Board to adopt a resolution detaching the SCCPRD parcels from the various special districts. In addition, it is necessary for your Board to adopt an ordinance changing the County boundary. Santa Clara County will adopt a similar ordinance. It is then necessary for the Administrative Office to provide these documents and related

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materials to LAFCO staff, who will in turn forward them to the State Board of Equalization to complete the process.

It is therefore RECOMMENDED that your Board take the following actions:

1. Adopt the attached Resolution (Attachment V) authorizing the various special district detachments
2. Adopt the attached Ordinance to Change the County Boundary Between Santa Clara and Santa Cruz (Attachment III);
3. Approve the Agreement and Open Space Easement with Santa Clara County (Attachment IV) and authorize the Chairperson to sign the agreement; and
4. Direct the County Administrative Office to transmit these documents and related information to Santa Cruz County LAFCO for processing and transmittal to the State Board of Equalization.

Very truly yours,

Susan A. Mauriello

SUSAN A. MAURIELLO
County Administrative Officer

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- cc: Santa Clara County Parks & Recreation District
 County Counsel
 Treasurer-Tax Collector
 California Department of Forestry
 Public Works
 Mr. Carl Washburn
 Mr. Frank Estrada

- POSCS
 Assessor
 Auditor-Controller
 Sheriff-Coroner
 LAFCO
 Ms. Cecelia Barker

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