



County of Santa Cruz

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

701 OCEAN STREET, SUITE 520

SANTA CRUZ, CA 95060

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AGENDA: August 4, 1998

BOARD OF SUPERVISORS
Government Center
701 Ocean Street
Santa Cruz, CA 95060

MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

Dear Members of the Board:

On your December 16, 1997 agenda (Attachment 1) and again on the March 17, 1998 agenda (Attachment 2) your Board received reports concerning a request by the County of Santa Clara Parks and Recreation Department (SCCPRD) that our County consider reinitiating a County boundary adjustment to facilitate expansion of SCCPRD's Mount Madonna Park.

We have now been notified (Attachment 3) by the Santa Cruz County Local Agency Formation Commission (LAFCO) that SCCPRD has filed application to adjust the County boundary as described in these previous reports.

The LAFCO notification makes reference to three parcels (as opposed to two, as indicated in our previous reports) because the parcel previously identified as the "State Parcel" is made up of two lots. All parcels of land proposed for transfer to Santa Clara County are now owned by the SCCPRD and no additional parcels are proposed to be transferred to Santa Clara County beyond that previously reported.

Following is a brief summary of issues remaining to be addressed in conjunction with the proposed boundary adjustment. Your Board previously indicated support for the boundary adjustment subject to successful resolution of the original outstanding issues. Two new concerns are also identified below.

LAND USE AND ACCESS ISSUES:

In response to the December 16, 1997 report, County Counsel presented an Open Space Easement (Attachment 4) to your Board, which was approved on January 27, 1998. That Easement addressed various land use concerns previously identified by your Board. It also addressed the issue of equal priority and access to Mount Madonna Park for Santa Cruz County Residents. The Easement to date has not been executed by the SCCPRD. Consistent with your Board's previous direction, by copy of this letter, we are notifying LAFCO of this requirement.

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**BOARD OF SUPERVISORS
MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT
PAGE 2**

AGENDA: AUGUST 4, 1998

SPECIAL DISTRICTS:

Also in response to the December 16, 1997 report, the Auditor-Controller provided a listing, (Attachment 5) of Special Districts and County Service Areas which require boundary adjustments simultaneously with the County Boundary. Consistent with your Board's previous direction, by copy of this letter, we are also notifying LAFCO of this requirement.

NEW ISSUES:

Finally, since our last report, two additional issues have been identified. First, our office has been contacted by Santa Cruz County property owners adjoining the Mount Madonna Park expansion area regarding various "good neighbor" concerns. Neighbors have indicated support for the park expansion, but wish to be certain that SCCPRD will be cooperative and responsive to assisting in controlling trespassing onto private property. Also there is concern about the need for mutual cooperation and tolerance between private property owners and the SCCPRD in issues relating to fencing, ranching and timber harvesting. We propose to alert LAFCO to this concern and propose to work with the SCCPRD and private property owners to address this issue.

The second new issue raised is that a portion of Mount Madonna Road, now maintained by Santa Cruz County, lies adjacent to the old park boundary and will be entirely within the new park boundary. It seems appropriate that this portion of Mount Madonna Road, adjacent to and within the expanded park boundary, also be annexed to Santa Clara County and subsequently maintained by that County as well.

SUMMARY:

In summary, by copy of this letter, we propose to notify LAFCO of your Board's previous actions in support of the Boundary adjustment subject to the following provisions, which include both those concerns previously raised by your Board, as well as the new issues identified above:

1. The SCCPRD shall approve and execute the Agreement and Open Space Easement contract drafted by County Counsel.
2. All Special District and County Service Area boundaries shall be adjusted. simultaneously and consistently with the County Boundaries.

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BOARD OF SUPERVISORS
MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT
PAGE 3

AGENDA AUGUST 4, 1998

- 3. The SCCPRD adequately addresses the concerns of neighboring property owners over issues related to possible trespassing, fencing and property damage.
- 4. The boundary adjustment shall include transfer of a the portion of Mount Madonna Road identified above, as well as the maintenance thereof.

CONCLUSION:

If your Board modifies these provisions or identifies any additional concerns in considering this matter, we will provide any such additional information to LAFCO.

As previously reported to your Board, once LAFCO completes its process, it will be necessary for your Board to schedule Public Hearings to adopt resolutions finalizing the boundary adjustment process. Until that time, no additional actions are currently required of your Board.

It is therefore **RECOMMENDED** that your Board accept and file this report and direct the County Administrative Officer to report back when it is time to begin scheduling hearings before your Board, or sooner if circumstances warrant.

Very truly yours,



SUSAN A. MAURIELLO
County Administrative Officer

SAM/PCR/js/s:mtmadona

Attachments

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

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

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County of Santa Cruz

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

701 OCEAN STREET, SUITE 520
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TDD: (408) 454.2123

December 9, 1997

Agenda: December 16, 1997

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

Subject: **Mount Madonna Park Expansion/County Boundary Adjustment**

Dear Members of the Board:

During the period from May 8, 1991 through December 14, 1993 your Board received a series of reports and took a number of actions on a proposal by the Santa Clara County Parks and Recreation District (SCCPRD) to expand Mount Madonna Park into two large parcels located within Santa Cruz County. These parcels are shown on the map attached as Exhibit "A". The parcel labeled "State" was donated to the SCCPRD by the State of California and the other parcel labeled "Arata" has been purchased by the SCCPRD. The other two parcels labeled "Barker" and "Garcia" were originally considered for annexation into Santa Clara County, but were deleted from the process at the request of the property owners and are proposed to remain within Santa Cruz County,

The boundary adjustment process was suspended in 1993 due to complications related to the reorganization (and ultimate consolidation) of the Salsipuedes and Freedom Fire Districts, which began about that time. With the reorganization now completed, SCCPRD has requested that the boundary adjustment process be reinitiated.

BACKGROUND AND ANALYSIS:

The first comprehensive report and analysis of the SCCPRD proposal and the issues it raised for Santa Cruz County were presented in a report to your Board on October 1, 1991, attached as Exhibit "B". Since the analysis provided in this original report is still complete and largely current, we are not duplicating it here; Instead, we are providing updates and new information where applicable. The section headings below correspond to those in the original 1991 report.

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

BACKGROUND: The previous background description is accurate except that the State parcel transfer to the SCCPRD and the Arata parcel purchase by the SCCPRD were both completed in late 1991.

In addition, pursuant to your Board's direction, an Open Space Easement was prepared by County Counsel to address land use concerns related to these parcels. This Open Space Easement, attached as Exhibit "C", was approved by your Board on January 28, 1992 with a direction that my office return to your Board once the agreement is approved by the SCCPRD. To date, the district has not executed the easement. Because of the time that has elapsed since the preparation of this easement, it is recommended that Parks and County Counsel be directed to review it for consistency with current policies and regulations, before resubmitting it to SCCPRD.

Finally, we continue to believe that it is in the best interest of County residents to identify a way to ensure that Santa Cruz County residents are guaranteed equal priority and access to the park by specifically providing that they can not be subjected to out of district fees by the SCCPRD at some future date, should the district ever adopt such fees. To accomplish this, we are recommending that County Counsel be directed to identify an appropriate means to this end.

SPECIAL DISTRICTS: A list of special districts identified in 1991 is attached as Exhibit "D". Since that time, there have been changes. For example, Salsipuedes Fire District has merged with Freedom Fire District to become the Pajaro Valley Fire Protection District and Zone 7 of the Flood Control and Water Conservation District has been formed. It will therefore be necessary to request the Auditor-Controller to provide an updated list of the special districts which include the subject parcels within their boundaries, to ensure that all affected special districts are included in the process.

As previously directed by your Board, our office continues to recommend that the County require that special district and County Service Area boundaries be adjusted simultaneously with County boundaries to avoid possible future confusion and/or adverse fiscal impact to the County. Due to the above mentioned changes in districts, as well as the amount of time that has elapsed, we are recommending that notices be sent to all special districts indicating the County's intent to reinstate the boundary adjustment process and requesting the districts cooperation in supporting concurrent adjustment of the special district boundaries.

TRAFFIC IMPACT: There are no changes to the original analysis.

TIMBER HARVEST IMPACT: There are no changes to the original analysis.

PROCESS: The process is discussed in more detail below.

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MOUNT MADONNA PARR EXPANSION/COUNTY BOUNDARY ADJUSTMENT

FINANCIAL IMPACTS: As discussed in the October 1, 1991 report, there are several types of financial impact to consider.

Staff costs to date are estimated at approximately \$9000. It is still anticipated that the final one time staff costs will total approximately \$25,000. As previously directed by your Board, staff has tracked the hours expended on this project. In view of the length of time that the process has been active, we recommend that my office be directed to invoice SCCPRD at this time for the staff costs to date and that we continue to track future costs though completion of the process for a final billing.

Property tax revenue in 1997/98 will be \$8663.04 for the Arata Parcel. The tax on the State parcel is currently being calculated by the Assessor's Office and will likely be in an amount similar to that applied to the Arata Parcel. This tax is payable to Santa Cruz County even though the SCCPRD is a public agency pursuant to Section 11 of the Revenue and Taxation Code. This section provides that public agencies must pay taxes on property owned outside of their district boundaries.

The analysis of Special District/County Service area revenue and timber harvest related losses provided in the October 1, 1991 report are still generally considered accurate.

PROCESS:

As indicated in the October 1, 1991 report to your Board, the boundary adjustment process itself is relatively straight forward, involving an initial public hearing and adoption of an appropriate resolution by Santa Clara County followed by a similar public hearing in Santa Cruz County within the prescribed 60 day period. To complete the process each County must adopt a similar Ordinance approving the boundary change within 30 days of closing the Santa Cruz County public hearing.

Additionally however, in order to modify the special district boundaries to conform to the new County boundaries as recommended, it is necessary for LAFCO to consider and approve such special district boundary adjustments. The LAFCO process can in theory occur either before or after the County boundary adjustment process. Whichever process occurs first would need to be approved contingent on successful and satisfactory completion of the latter process.

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In conformance with this boundary adjustment process, SCCPRD filed an application with the Santa Clara County Local Agency Formation Commission (LAFCO) in mid 1992 to adjust the special district boundaries to conform with the proposed new County boundaries. At your Boards direction, my office by letter dated October 28, 1992, requested the Santa Cruz County LAFCO

MOUNT MADONNA PARR EXPANSION/COUNTY BOUNDARY ADJUSTMENT

to take jurisdiction over the special district process to insure a greater degree of local control. Santa Cruz County LAFCO responded to your Board's request and took jurisdiction over the process in November 1992. SCCPRD was requested to file an application with Santa Cruz County LAFCO, but due to the aforementioned special district issues, no application has yet been filed.

In order to retain maximum discretion and control for your Board, my office recommends that your Board continue to follow a process whereby you request that LAFCO act first, reserving final actions for the two Boards. Under this approach, SCCPRD would need to file an application with Santa Cruz County LAFCO as the first step to reinitiate the boundary adjustment process.

CONCLUSION:

There are a number of issues and concerns identified in this report which need to be addressed as part of any boundary adjustment process. In particular, an Open Space Easement should be executed, Santa Cruz County residents must be guaranteed equal access to the park, County costs must be recouped and special district boundaries must be adjusted to conform with the new county boundaries. If these concerns are addressed, my office still believes that the increased recreational and open space benefits of the proposed boundary adjustment outweigh the negatives such as possible increased traffic and the relatively minor financial impacts.

It is therefor RECOMMENDED that your board take the following actions:

1. Accept and file this report and direct the County Administrative Office to continue coordinating with the SCCPRD on the proposed boundary adjustment and to report back on or before March 17, 1998;
2. Direct the County 'Administrative Office to write to the SCCPRD and to Santa Cruz County LAFCO indicating our County's support for reinitiating the County boundary adjustment process contingent on the simultaneous adjustment of the affected special district boundaries and successful resolution of the other issues raised in this report;
3. Direct Parks and County Counsel to review the Open Space Agreement for consistency with current Santa Cruz County policies and to report back to your Board on January 27, 1998 with any recommended changes;

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

- 4. Direct County Counsel to report back on January 27, 1998 with a proposed approach to guarantee that Santa Cruz County residents will always have equal access to Mount Madonna Park with Santa Clara County residents including insuring that "out of district fees" can not be assessed to Santa Cruz County residents using the park;
- 5. Direct the County Administrative Office to calculate and invoice the SCCPRD for staff costs incurred to date related to review and processing of this boundary adjustment by the various County departments and to request its assurance that future staff costs will be reimbursed upon completion of the process;
- 6. Request that the Auditor-Controller provide a listing of all special districts and County Service Areas which include the subject parcels within their boundaries to the County Administrative Office and direct the County Administrative Office to notify the districts of the proposed reinitiation of the concurrent County/special district boundary adjustment process..

Very truly yours,

SUSAN A. MAURIELLO
County Administrative Officer

PCR/pcr.h.madonna1

cc: Santa Clara County Parks and Recreation District

POSCS

County Counsel

Assessor

Auditor-Controller

Treasurer-Tax Collector

Sheriff

Public Works

California Department of Forestry

LAFCO

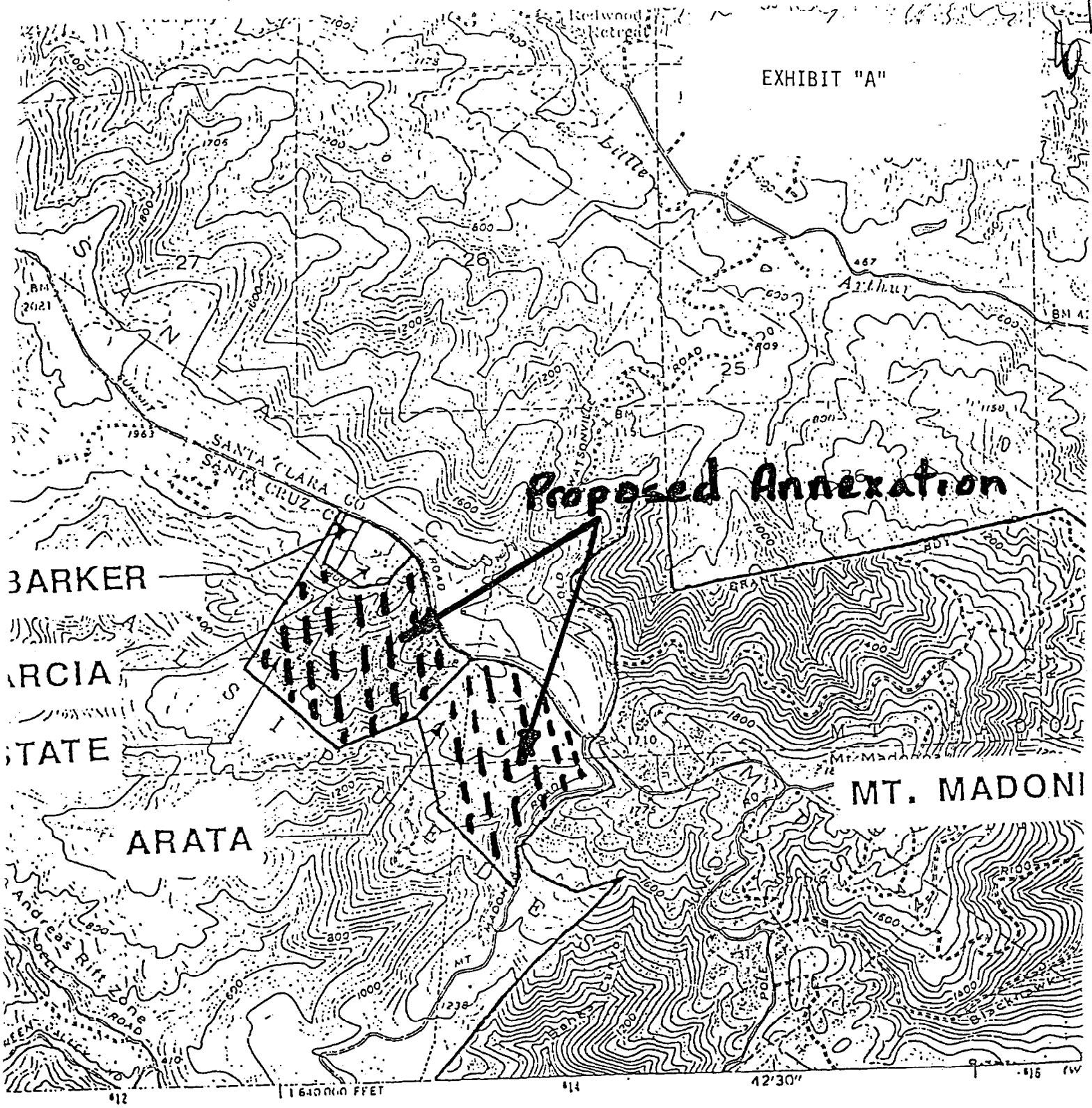
Mr. Carl Washburn

Ms. Cecelia Barker

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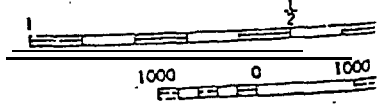
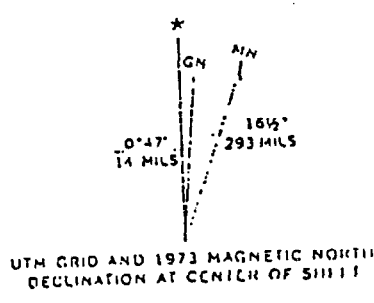
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EXHIBIT "A"



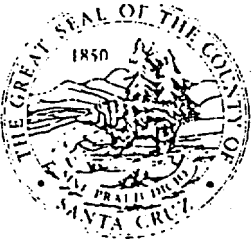
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County of Santa Cruz

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

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FAX (408) 425-3481

Agenda: 10-1-91

September 25, 1991

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 6, 1991 your Board received a status report on the proposed Mount Madonna Park Expansion/County Boundary Adjustment being sponsored by Santa Clara County. At that time your Board directed the County Administrative Office to return on this date with a further report.

BACKGROUND

As indicated in the last report, at the request of the Administrative Officer, Santa Clara County agreed to hold a Public Workshop on the proposed Mount Madonna Park Expansion/County Boundary Adjustment to answer questions and concerns of area residents. In addition to published notices, notices of the meeting were mailed by Santa Clara County to area residents and the meeting ^{time was} coordinated with local home owner's associations, as well as the Santa Cruz 2nd and 4th District Supervisors. The workshop was held on August 15, 1991 at Mount Madonna Park and was well attended. Santa Cruz County staff from both the Administrative Office and Parks Department were in attendance.

A presentation was made by Santa Clara County explaining the proposed park expansion/county boundary adjustment. As proposed, the expansion would add approximately 266 acres to Mount Madonna Park. This acreage is made up of two parcels as shown on the attached map (Attachment 1), one owned by the State of California, the other by a private party. Expansion of the park is contingent on successful negotiation of a sale of the private parcel, as well as approval of a County boundary adjustment by Santa Cruz County. Negotiations are currently underway between Santa Clara County and the Arata's, owners of the private parcel. The State has already offered their parcel to Santa Clara County for a park expansion. Under the current proposal, two adjacent parcels owned by the

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

Barker's and Garcia's which were originally **proposed to** transfer to Santa Clara County would remain in Santa Cruz County, at the request of the property owners. Both the State and the Arata properties are unimproved, so the proposed boundary adjustment would result in no population transfer.

While all residents who spoke at the workshop indicated their support for the park expansion, several questions and concerns were raised relating to issues such as fire protection, the type of park development proposed, and the impact of the park expansion on timber harvesting. These issues in addition to those previously raised by your Board, in written correspondence previously transmitted to your Board and by County staff are discussed in more detail below.

Proposed Park Development

Santa Clara County has indicated that a plan is yet to be developed for the expansion area, however, it will likely mirror existing Mount Madonna Park development which includes camping, hiking trails, equestrian trails and related visitor accommodations. Funds for such a plan cannot be made available until the property is annexed to the Park District. However, before any development could occur, a park master plan would be developed for the expansion area.. This plan would be prepared with public input and would conform with Santa Clara County park development policies. (Current policies are included as Attachment 2.)

County staff have carried out a preliminary review of these policies and existing development at Mount Madonna. Park and **consider** them **generally** consistent with Santa Cruz County park development policies. As such, staff believes the proposed park expansion would be appropriate and would benefit Santa Cruz County residents. However, there is concern that policies are readily subject to change, and that a stronger guarantee needs to be provided to insure that future development not exceed **standards** acceptable to our County. Our office is therefore recommending that County Counsel be directed to work with Santa Clara County Counsel, POSCS and the Administrative Office to identify and develop the appropriate procedure and necessary documents to insure that future development of the proposed expansion area remains consistent with the policies of Santa Cruz County.

In addition, as part of this process we are recommending that County **Counsel include provisions** 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.

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT.

Special Districts

Various special districts and service areas will be affected if the proposed boundary adjustment is approved. These include the Salsipuedes Fire District, the Santa Cruz County Flood Control and Water Conservation District (FC&WCD), FC&WCD Zone 4, County Service Area (CSA) 9; and CSA 9C to name a few. Our office has requested that the Assessor prepare a list of all affected districts and service areas.

Different legal parameters and organizational requirements apply to multi-county districts and service areas than to those established within a single county. Largely to avoid the time and expense of such reorganizations, as well as to simplify future administration of these districts and CSA's, our office recommends that if the County boundary adjustment is approved, that all special districts be required to simultaneously readjust their boundaries. If this approach is used, there will be minor revenue reductions to the districts due to the elimination of one parcel. (The State parcel is already exempt from taxation and service charges.)

Police and Fire Protection

Under the proposed boundary adjustment there would be no population transfer, consequently there would be no direct change in police or fire protection service to area residents. The main need for these services would relate to the future park uses within the expansion area. In Santa Cruz County police service for this area is currently provided by the Sheriff's Department and fire protection is provided by Salsipuedes Fire District. Mount Madonna Park Rangers are responsible for providing these services within the park, and receive backup support from Santa Clara County Sheriffs for police matters and from Gilroy/Morgan Hill for fire protection.

As discussed above, the Administrative Office is recommending that if the boundary adjustment is approved, all Santa Cruz County special district boundaries be adjusted to conform with the new County boundary. Under this scenario, police and fire protection service within the proposed park expansion area would transfer to the Mount Madonna Park Rangers and Santa Clara County. We believe this transfer of responsibility would have no adverse impact on Santa Cruz County and could improve service due to the immediate availability of the Park Rangers. In addition, with the continuation of existing mutual aid agreements, back-up fire protection support is available to Santa Clara County from Salsipuedes Fire District. Finally, Santa Clara County indicated at the public workshop that it is their policy to build and

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

maintain fire breaks along all park boundaries, which will further reduce fire risk in the area.

Traffic Impact

Questions have been raised over potential traffic impacts of the proposed park expansion. Given the current lack of a master plan for this area, it is not possible to accurately predict traffic impacts. However, qualitatively it is important to note that the existing park comprises over 3,000 acres, hence the proposed expansion amounts to approximately a 9% expansion in the park area. Whether this would result in a similar traffic increase is unknown.

It is important to note that Santa Clara County will be subject to the environmental review requirements of the California Environmental Quality Act (CEQA) in developing the expansion area. Traffic impacts are an issue which would require review at that time.

Timber Harvest Impact

Timber harvest regulations as applied in Santa Cruz County do recognize the existence of park lands on adjacent parcels. This sometimes results in conditions on timber harvest permits which operationally alter harvests. In the past, these conditions have included provisions such as scheduling harvests during the park's "off season" and leaving certain trees standing to preserve the **viewshed** from the park. Property owners are routinely allowed to cut additional trees on other portions of their property (beyond what would normally be permitted) as compensation for any trees required to be left standing for **viewshed** reasons. Consequently, the dollar value of a harvest with or without and adjacent park should be essentially the same. As *your* Board is aware, the County has a long standing policy to support placing and maintaining properties in timber preserve zones, as well as encouraging responsible timber harvests on such parcels. As such, staff believes the potential impact *on* TPZ parcels adjacent to the proposed expansion area will be minimal if there is any impact at all.

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

It should be noted that the Arata property (123 acres) is currently zoned TPZ. Adjusting the County boundary will remove this amount of productive timberland from Santa Cruz County. While the Santa Clara County Parks and Recreation District may carry out some future harvesting for park development, disease control or fire control purposes, their policy is to preserve the trees rather than maintain harvests. Consequently, there will be a small but unavoidable reduction in timber related income to Santa Cruz County, in addition to a regional reduction in timber production. These financial impacts are discussed in more detail below.

Process

County Counsel has previously identified the general process for affecting the proposed boundary adjustment (see Attachment 3). Santa Clara County is proposed to act as the initiating County in this process. Under this scenario, Santa Cruz County would hold a public hearing to consider adoption of a resolution of consent to the boundary adjustment, after Santa Clara County as the initiating County holds their hearing. Before this process can begin, Santa Clara County needs to complete negotiations on the Arata property and negotiations need to be completed between our two counties to insure that the issues and concerns raised in this report are fully addressed and incorporated as part of the process.

Financial Impacts

There are four major financial impacts to pursuing the proposed boundary adjustment. First, is the staff cost associated with the boundary adjustment process. While Santa Clara County is taking the lead in the process and will prepare drafts of all necessary legal descriptions and documents, there will be time required to review and process these documents. Carrying out the recommendations of this report will also require additional effort. These one time costs are estimated at \$25,000, but consist of budgeted staff time which will require no additional appropriations by your Board.

A second cost is the loss of property tax revenue of approximately \$1,300 per year from the Arata property. As indicated earlier, the State parcel is exempt from property tax.

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MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

The third and fourth costs are harder to quantify. One is special **district/CSA** revenue and the other is tax revenue on timber harvest related activities. Since special district and CSA revenues generally provide funding for specific services, some of this reduced revenue will be offset by a reduction in required services. Since all districts and **CSA's** have not yet been identified, it is not possible to accurately quantify this amount, but it is unlikely to exceed \$1,000 per year. Similarly, the local tax revenue reductions from the loss of timber harvest activities are unlikely to exceed an average of \$3,000 per year. This is based on an estimated total annual value of approximately \$100,000 for logging, hauling, milling and related activities for a parcel of this size. While loss of this business productivity is significant, it represents less than 0.2% of Santa Cruz County TPZ land and less than 0.1% of Santa Cruz County timber land as a whole.

Conclusion

At this time, after analyzing the various potential impacts of the proposed boundary adjustment identified to date, our office is recommending proceeding with the boundary adjustment process contingent on the satisfactory resolution of the various recommendations contained in this report. Clearly, there are some unavoidable negative impacts to the proposal such as possible increased traffic and reduced tax revenues. Additional issues may arise during the public hearing process or during negotiations with Santa Clara County which will need to be considered at a later time. However, based on current information we believe the enhanced recreational opportunities which would be available to Santa Cruz County residents through the proposed park expansion outweigh the costs and impacts identified to date.

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

1. Direct the County Administrative Office to continue coordinating with the Santa Clara County Parks and Recreations District on the proposed boundary adjustment and to report back on or before December 2, 1991 to schedule a public hearing on the matter;
2. Direct County Counsel to work with Santa Clara County Counsel, POSCS and the Administrative Office to identify the most appropriate procedure and necessary **documents** to insure that future park development within the proposed expansion area will remain consistent with the policies of your Board, including guaranteeing equal access to the park for Santa Cruz County residents, with a report back on December 2, 1991;

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BOARD OF SUPERVISORS.'

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Agenda: 10-1-91

MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

- 3. Direct the County Administrative Office and County Counsel to contact affected special districts to solicit their input regarding concurrent boundary adjustments.
- 4. Direct County Counsel to review the final Boundary Adjustment Process and related documents to be prepared by Santa Clara County when they are available to insure that Special District and County Service Area boundaries will be adjusted simultaneously with the County Boundary Adjustment and will remain contiguous with the Santa Cruz County Boundary.

Very truly yours,

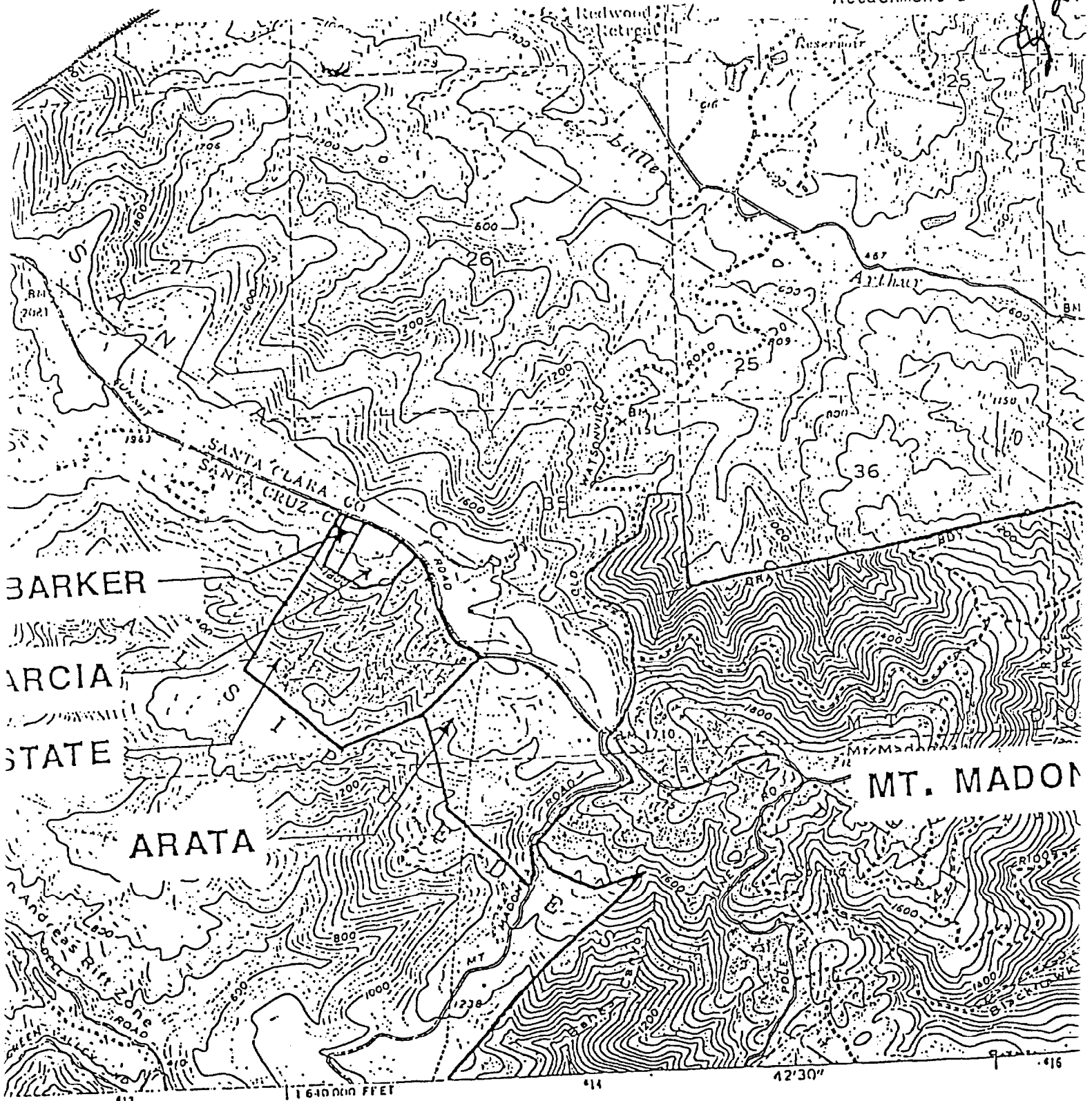
SUSAN A. MAURIELLO
County Administrative Officer

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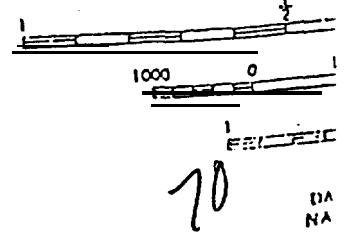
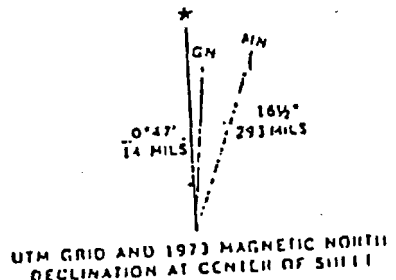
- cc: Santa Clara County Parks & Rec. District
- County Counsel
- POSCS
- Assessor
- Auditor-Controller
- Tax Collector
- Santa Cruz County Sheriff
- Salsipuedes Fire District
- Public Works
- California Department of Forestry
- Mr. Carl Washburn
- Ms. **Cecelia** Barker
- Local Agency Formation Commission

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SCENIC RESOURCES

The rural areas of Santa Clara County each have their own scenic attraction, and it is the intention of the General Plan policies to preserve and enhance the existing scenic values.

Resource Conservation Zoning: The land use designations and zoning to be applied to areas outside of city urban service areas are designed to maintain the essential natural qualities of each area. (See Land Use Map.)

Baylands: Wet lands, salt marshes and fresh water marshes are to be preserved with no filling of the Bay and no urban structures.

Creeks and Streambanks: Streams and streambanks are a valuable natural resource, providing habitat and shelter for wildlife, aesthetic pleasure and community design. The 30 miles of substantially unchanged creeksides are to be protected and the remaining 300 miles restored and protected whenever possible.

Hillsides: The hill areas, nearest all urban areas, which are not already committed to residential uses are to be preserved at very low densities, and new homesites are to be clustered with most of the land permanently preserved as open space.

Ranch Lands: Over 300,000 acres of ranches are to be preserved as ranchland.

Agriculture: The agricultural lands of the South Valley are to be preserved and shall continue to provide a greenbelt around the south valley cities.

Parks: Much of the most scenic and significant open spaces are being acquired by the County Regional Parks program, the Mid-peninsula Regional Open Space District, and the State Parks system and will be preserved for future enjoyment. (See Recreation and Culture Chapter.)

Scenic Highways: The County has designated an extensive system of scenic roads and will protect the land near these roads from unsightly signs and incompatibly located structures. (See Recreation and Culture Chapter.)

Architectural and Site Approval: All major commercial facilities and planned unit developments are reviewed and conditioned to assure that they are aesthetically pleasing.

Billboards: The unincorporated area is divided between urban lands and rural lands. Inside of urban service areas billboards should be allowed only if acceptable to the city and after annexation to the city. In rural areas billboards are incompatible with the preservation of scenic qualities, and should not be

POLICIES

Attachment 2

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1. There shall be no new billboards approved on unincorporated lands, and on amortization schedule to remove the existing billboards should be established.

2. Signs allowable under the provisions of the zoning ordinance should be harmonious with the character of the area in which they are located and should be of the highest design standards.

3. No road or major facility requiring large scale clearance of vegetation, such as telecommunications equipment, should be located in areas where it would create visible scars on the landscape, and all cleared areas should be replanted to control erosion.

4.* Roads, building sites, and facilities shall not be allowed to create major or lasting visible scars on the landscape. Structures on ridgelines must be located, constructed or landscaped so that they do not create a major negative visual impact from the Valley floor. Land should be divided in such a way that building sites, if possible, are not located on ridgelines.

*As amended December 15, 1981.

5. Development in rural areas should be landscaped with fire resistant and/or native plants which are ecologically compatible with the area.

6. Natural riparian and streamside areas shall be left in their natural state providing percolation, wildlife habitat, aesthetic relief and recreational uses that are environmentally compatible.

IMPLEMENTATION

1. Amend ordinances on signs to carry out billboard policy. (Implementor: County)

2. Amend ordinances to carry out streamside protection policy. (Implementors: Cities, County)

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NATURAL ENVIRONMENT . . . D

Overview	D- 1
Scenic Resources	D- 2
Air Quality	D- 3
Water Resources	D- 6
Special Water Environments	D-12
Agriculture	D-17
Vegetation, Wildlife Habitat, and Mountain Soils	D-22
Heritage Resources	D-26
Mineral Resources	D-30

Adopted by the County of Santa Clara Board of Supervisors on November 18, 1980 as a portion of the County's General Plan.

County of Santa Clara Planning Department,
70 West Hedding Street, San Jose, CA 95110.
(408) 299-2521

<p>DESIRED COMMUNITY CONDITIONS</p> <ul style="list-style-type: none"> o Clean air and water o Natural environmental resources conserved for wise use o Natural diversity and beauty preserved
<p>COMMUNITY GOALS</p> <ol style="list-style-type: none"> 1. Natural environmental resources such as wildlife, vegetation, soils, air, water and minerals protected and managed for their functional and ecological value. 2. Areas of natural diversity and beauty such as mountains, hillsides, meadows, water areas, forests and baylands protected.

<p>POLICIES</p> <ol style="list-style-type: none"> 1. Open space lands shall be protected for their functional, ecological or scenic values and natural environmental resources shall be conserved for wise and efficient use. 2. The County shall become a leader in the protection of existing streamside riparian woodlands and grasslands and restoration of degraded streams and streambanks on lands they own and develop for any use. 3. Multiple uses of open space lands shall be encouraged consistent with the conservation of resources and the preservation of the natural environment. 4. Specific public and private development proposals shall be evaluated and conditioned to assure that they are environmentally sound. 5. Development activity shall not be allowed to degrade the natural environment and all reasonable steps shall be taken to mitigate potentially adverse effects. 6. Public and private efforts to acquire open space lands shall be supported for the protection of the natural environment.
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OVERVIEW

The environmental concerns addressed in this chapter of the General Plan are: scenic areas, air quality, water and special water environments, agriculture, vegetation, wildlife habitat, soils, and the heritage resources, including rare and endangered plants and animals, natural areas, heritage trees, archeologic and paleontologic sites, and historic sites.

The comprehensive approach taken begins with the policies on urban development contained in the chapters on Economic Well Being, Transportation, Housing, and the Constructed Environment. The orderly planning of the urban area by matching our growth to the constraints facing the County and cities is key to a healthy environment for the future. The **resource** conservation land **uses** designated for lands not planned for urban growth are intended to preserve the natural environment and to maintain a maximum of land in open space. Within the designated land uses, all major projects are to be reviewed for environmental impact and conditioned to safeguard the natural **resources**. In addition, the General Plan contains poli-

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RECREATION AND CULTURE

services or improvements necessary to provide for the safety and support of the public using the parks and to avoid negative impacts on the surrounding areas.

IMPLEMENTATION

1. Seek adoption of the County's Regional Parks Plan by the cities to facilitate inter-jurisdictional cooperation in implementing the Plan.

(Implementors: County, Cities)

2. Provide public transit service to major regional parks, and develop hiking, bicycling, and equestrian trails to provide access to regional parks from the urban area so that individuals need not depend upon private automobiles for access to recreation.

(Implementors: County, Cities, Midpeninsula Regional Open Space District (MROSD), State of California, Santa Clara Valley Water District)

3. Evaluate the feasibility and potential environmental impacts of regional parks and trails acquisition and development proposals.

(Implementors: County, Cities, Midpeninsula Regional Open Space District)

4. Establish a program to solicit support from individual citizens, other governmental agencies, community organizations, and businesses to aid in regional parks acquisition, development, and maintenance.

(Implementor: County)

i. Encourage the participation of local non-profit organizations in the management of County-owned heritage structures and sites.

(Implementor: County)

ii. Work with the City of San Jose to accomplish better definition of park designations for: Lake Cunningham, Coyote Creek Park Chain, Guadalupe River, Alamos Creek, Los Gatos Creek, Santa Teresa Hills.

(Implementors: County, City of San Jose)

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RECREATION AND CULTURE

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environment for trails and picnic areas. They are also, however, important wildlife habitat areas which are environmentally sensitive and can be easily damaged or disrupted.

Many of the streamside park chain proposals shown in the County's General Plan should receive detailed study prior to implementation. In areas with extensive residential development or in environmentally sensitive areas it may be desirable to route segments of parks and trails away from creeks to avoid conflicts, or to leave the streamside area in private ownership, subject to appropriate land use controls.

Parks and Other Open Space Lands Owned by Other Agencies

In addition to the County Parks Department, various other public agencies have acquired regionally significant parks and open space lands within Santa Clara County. The Midpeninsula Regional Open Space District, which was created by local voters in 1972, has acquired more than 8,000 acres of open space lands within the county, primarily within the Santa Cruz Mountains between Los Gatos and Palo Alto. The California Department of Parks and Recreation recently expanded Henry Coe State Park, a semi-wilderness park east of Morgan Hill.

In addition, other major open space lands are owned by the Santa Clara Valley Water District (reservoir lands, San Felipe water distribution system), the U.S. Fish and Wildlife Service (San Francisco Bay National Wildlife Refuge), the San Francisco Water Department Hetch-Hetchy System and Colaveras Reservoir and much of its surrounding watershed), the U. S. Navy and National Aeronautics and Space Administration (Ames-Moffett Field), U. S. Bureau of Land Management, U. S. Bureau of Reclamation, (San Felipe Project) and the University of California (lands around Lick Observatory). Public access to these refuge, watershed and observatory lands is very limited. There is recent federal legislation promoting joint use of federal facilities when possible, which could improve use of some public lands for recreation.

POLICIES

1. The provision of public regional parks and recreational facilities of countywide significance both in urban and rural areas shall be the responsibility of county government.
2. The provision of neighborhood, community, and citywide parks and recreational facilities should be the responsibility of the cities and other appropriate agencies.

County, State and Federal government, school districts and special districts, and should take advantage of opportunities for linkages between adjacent publicly owned parks and open space lands.

4. The parks and recreation system should be designed and implemented to help attain open space and natural environment goals and policies:

5. Sufficient land should be acquired and held in the public domain to satisfy the recreation needs of current and future residents and to implement the trailside concept along our scenic roads.

6. An assured, predictable source of annual funding shall continue to be provided for regional park acquisition, development, and maintenance.

7. Provision should be made for compatible recreational use of water resource facilities, utility corridors and reclaimed solid waste disposal sites, where feasible.

8. Opportunities for access to regional parks via public transit, bicycling, hiking, and equestrian trails should be provided.

9. The private sector should be encouraged to provide outdoor recreational opportunities. In rural areas, private recreational uses shall be of low intensity.

10. Heritage resources shall be acknowledged, preserved and commemorated, to the extent feasible in the unincorporated areas and on County owned land.

11. Historic trails shall be located, marked and restored for use where possible.

12. County government shall encourage and cooperate with cities, special districts, other appropriate agencies and organizations, and private landowners in acknowledging and preserving the county's cultural heritage, and historical and archeological structures, sites and landmarks.

13. Activities affecting heritage resources within regional parks shall be coordinated with appropriate commissions, agencies, and organizations.

14. The effective use of existing resources and the development of potential resources shall be promoted to meet the cultural and recreational needs of the County. The County and cities should act to preserve land serving a unique community purpose which would be lost through urbanization. (i.e., lands supporting riding and boarding stables.)

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RECREATION AND CULTURE H

the General	H- 1
Regional Parks	H- 1
Trails and Pathways	H- 5
Scenic Highways	H-7

Plan of Regional Parks, Trails, and Scenic Highways
(Published as a separate foldout map)

the Santa Clara Board of Supervisors on November 18, 1980 as a portion of the County's General Plan.

County Of Santa Clara Planning Department,
70 West Hedding Street, San Jose, CA 95110.
(408)299-2521

DESIRED COMMUNITY CONDITIONS

- o A variety of settings, both formal and informal providing a range of choice for the use of leisure time and cultural expression
- o Preservation of the County's cultural, historical, archeological, and natural heritage.

COMMUNITY GOALS*

1. An integrated system of accessible local and urban and wilderness regional parks, scenic roads and trails, and recreation facilities and services which possess a variety of environmental characteristics.
2. A coordinated system of facilities and activities to meet the cultural needs of the population.
3. The historical, archeological and cultural heritage of the county acknowledged, reserved and commemorated.

*As amended December 15, 1981.

ROLE OF THE GENERAL PLAN

The "Recreation and Culture" section of the County's General Plan provides a guide for the acquisition and development of regional parks and trails and the protection of the landscape along scenic highways.

It also provides policies to guide the preservation of artifacts and other resources which are part of the County's historic heritage. Other policies related to the protection of heritage resources are contained in the "Natural Environment" section.

Another area of County involvement in recreation and culture is the provision of library services, which has not been specifically addressed in this General Plan.

REGIONAL PARKS

county residents. As Santa Clara County's urban area has expanded and its population has grown to more than one million people, the need to provide areas for existing and future County residents to get away from the pressures of the urban area to more natural settings where they can relax and enjoy closer contact with nature has increased greatly.

Santa Clara County has been blessed with a great diversity of natural resources and scenic beauty, ranging from the salt marshes of the baylands, to the rolling, oak-studded foothills, to the majestic redwood groves of the Santa Cruz Mountains, to the numerous flowing streams. These varied open space areas are part of a priceless legacy, an environmental heritage which must be preserved for the use and enjoyment of both present and future generations.

Many of the county's natural areas are being protected and made available to residents through public acquisition as park sites. Since it was created in 1956, the Santa Clara County Parks and Recreation Department has established 27 separate regional parks, through purchase or long term lease, encompassing a total of more than 33,000 acres. These regional parks provide county residents with outstanding opportunities to pursue their recreational interests in a wide variety of settings which include some of the county's finest natural areas.

Development of the Regional Park System

The County's regional park system has expanded considerably during the last decade. Much of the growth in the County's regional park system has occurred since 1972, when county voters overwhelmingly approved "Measure C," an amendment to the County's charter which required that a specified amount of funding be appropriated each year for a ten-year period to finance regional park land acquisition and development.

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RECREATION AND CULTURE

cost of driving to more distant recreation areas increases, these parks and future additions to the regional park system will play an increasingly important role in meeting the needs of county residents for close-to-home recreation areas.

The goals of the County's regional park system during the past decade have been:

1. To utilize the county's finest natural resources in meeting park and open space needs.
2. To provide a balance of types of regional parks with a balanced geographical distribution.
3. To provide an integrated park system with maximum continuity and a clear relationship of elements using scenic roads and trails as important linkages.
4. To use parks to give structure and livability to the urban community.

During the next ten years, the County's regional park system will continue to expand and improve. It will also face some serious challenges, however. One of these challenges will be that of trying to maintain existing service levels during a period of escalating costs and limited governmental revenues. Passage of Proposition 13 created problems for the County's park system, as it did for most other parks, recreation, and open space programs throughout the state.

Obtaining sufficient funds to assure adequate park maintenance has been particularly difficult and is likely to become more so as park maintenance programs compete with other government programs for limited public funds. To help cope with this problem, Santa Clara County Charter "Measure A" was submitted to and approved by county voters in 1978. Measure A authorizes the Board of Supervisors to allocate up to 30% of each year's Measure C monies for County park maintenance. Previously, Measure C funds could only be used for park acquisition and development, and park maintenance funds were provided entirely out of the County's General Fund. Measure A also extended the park acquisition and development program authorized by Measure C from 1982 to 1987.

Further efforts are likely to be needed if the County's fine regional park system is to be maintained adequately in the years ahead. One idea which merits serious consideration involves making greater use of citizen volunteers to help with park clean-up activities. Individual citizens, community organizations, and local businesses should be encouraged to "adopt a park" and take part in periodic planting, park improvement projects, or



participate in such events or could donate some of their Proposition 13 property tax savings to help maintain the County's parks.

Realization of many of the regional park proposals will require the cooperation of numerous agencies. The individual recreation and public facilities programs of the fifteen cities and the Santa Clara Valley Water District have important contributions to make.

A number of examples already exist in Santa Clara County where such interjurisdictional cooperation has occurred and significant beneficial results have been achieved. Several outstanding examples have been the Coyote Creek Park Chain (County, City of San Jose, Santa Clara Valley Water District, State of California), the Los Cotos Creekside Park projects (Campbell, Los Gatos, County, Santa Clara Valley Water District), and Rancho San Antonio (County, Midpeninsula Regional Open Space District).

In some instances, regional park proposals in the County's General Plan which will require city cooperation to implement have not been adopted as part of the cities' general plans. Consequently, opportunities for implementing these proposals at little or no public expense are being lost as the cities are permitting development to proceed in locations where it will preclude future implementation of these regional park and/or trail proposals.

Streamside Parks

A continuing challenge to the County's park system is that of planning, developing, and managing regional park sites so that their natural and heritage resources are protected, and their potential adverse impacts on adjacent and nearby privately owned lands are minimized. Planning and developing streamside areas for recreation uses is a particularly challenging task. Streamside

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POLICY ON COMMERCIAL DEVELOPMENT ON PARKLANDS

Introduction

This policy incorporates relevant portions of previous statements that were adopted by the County Board of Supervisors and/or the Parks and Recreation Commission. Specifically, portions of the following are incorporated into the policy:

- Policy Guidelines for Objectives for the County's Parks and Recreation Program (1972);
- Policies Governing Concession Operation in County Parks (1965);
- Criteria for Evaluating Activities and Facilities to be Developed in County Parks (1965).

In addition to portions of the previous policies, the current policy incorporates information received from surveys conducted of park users and other jurisdictions in 1986 and 1987 as well as the results of a review of current issues and needs by a subcommittee of the Santa Clara County Parks and Recreation Commission.

Statement of Policy

This policy on commercial development for Santa Clara County regional parks has been established to promote programs and activities that will enhance the public's use and enjoyment of the parks. All activities of a commercial nature will be consistent with the environmental, aesthetic, economic, and social uses of the parks.

Consideration for the development of any commercial activity on County parkland will be consistent with the following guidelines:

GUIDELINES

Those commercial activities considered for development on County parklands must be consistent with the following Guidelines.

Park Philosophy

1. Only commercial development that will contribute to the recreation-related enjoyment of the park will be considered for inclusion on parklands. This development should be such as to attract residents from throughout the County.
2. The purpose of the County's regional park system is to provide recreational uses of natural resources in a wide variety of settings. Parks within the system should not be

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3. The only concession operations which will be allowed in a park area will be those that will provide a service that is either essential or is an enhancement to the enjoyment of the park. If these services are to be provided by a concessionaire, they shall be specified within a written management agreement.
4. The facility or activity must support a generally recognized and accepted park and recreation function. Those which encourage use by the general public will receive first consideration for development within the park system.
5. Recreational facilities developed within County parks should be affordable to the general public.
6. The facility should be such to attract individuals from throughout the County by meeting their recreation needs.

Safety and Insurance

7. Unmonitored or unsupervised activities which may present hazards of physical injury and activities which may cause fire or damage to park or other properties shall not be accommodated.
8. Facilities or activities which expose the county to unusual liability risk as determined by County Counsel and the County's Insurance Section shall not be permitted in a County park.
9. A concession operator shall be required to carry Workers Compensation, public liability, general liability, and property damage insurance, naming the County as an additional insured, in an amount specified by the County.

Administrative Considerations

10. Facilities or activities which create unusual or excessive maintenance problems shall be carefully evaluated before being considered for inclusion within a park.
11. Facilities which require special attention by County personnel shall be examined for financial Feasibility.
12. All developments recommended by the Director of the Parks and Recreation Department are subject to review by the Parks and Recreation Commission and approval by the County Board of Supervisors.

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Operation of Facilities

13. All sales of merchandise (e.g., fishing supplies, food, boat supplies and golf equipment) may be managed and operated by a concessionaire or by the County of Santa Clara.
14. All rental of equipment (e.g., boats, motors, golf gear) may be managed and operated by a concessionaire or by the County of Santa Clara.
15. Fees for service or rentals, and prices charged for merchandise, will be subject to review and approval by the Director of the Parks and Recreation Department. These fees and prices should be consistent with those being charged in similar circumstances in the San Francisco Bay Area.
16. The cost to a concession operator for the privileges provided to him by a management agreement with the County shall take into account the capital investment of the County and the revenue expected to be produced by the operation.
17. AZ1 structures associated with a concession are subject to review and approval by the County of Santa Clara Parks and Recreation Department.
18. All management agreements shall be specific in the assignment of maintenance responsibilities, both major and minor, to the operator and to the County. Utility charges to the concessionaire shall be spelled out in the management agreement.

Financial Accountability

19. Concession operator's financial records will be subject to review and/or audit as required by the County. Reports will be provided as indicated in the management agreement.

Environmental Considerations

20. All development within County parks must be compatible with the natural character of the area. User capacities should be recognized in the planning for development.
21. Development and related activities must be compatible with the surrounding park area and neighborhood in terms of traffic, noise, dust, smoke or other nuisance.
22. All environmental requirements will be met relative to every development. This will include compliance with the California Environmental Quality Act, any local requirements, and the securing of all necessary licenses and permits.

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23. All developments must be compatible with the General Plan of the County of Santa Clara and with those of neighboring jurisdictions.

June 1987

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offices and departments of the county to be made, at least annually, by a certified public accountant. An audit as possible at the end of each fiscal year a final audit and report shall be completed and submitted to the board of supervisors. Copies shall be placed on file in the office of the board of supervisors and be available for public inspection.

Section 604.

- (a) The board of supervisors shall establish a county park fund in the county treasury. Each fiscal year through and including the 1992-93 fiscal year, the board of supervisors shall transfer from the general fund to the county park fund an amount of money which shall not be less than an amount estimated by the auditor-controller to equal the amount that would be raised for that year by a tax of one and one-half cents (\$0.015) per one hundred dollars (\$100.00) of assessed valuation of all real and personal property situated within the County of Santa Clara. In addition, the board of supervisors shall transfer into such fund all fees and revenues generated by the operation of county parks and all other monies received from the United States Government, State of California, or any other public agency or any person for county park-purposes. Any interest earned on the investment of money in the county park fund shall be credited to the fund.
- (b) The board of supervisors shall appropriate the money in the county park fund for the acquisition, development, or acquisition and development of real property for county park purposes and for the maintenance and operation of county parks. At least twenty (20) percent of the funds transferred from the general fund shall be used for the acquisition of real property for county park purposes. The remaining funds shall be appropriated for the development, maintenance, and operation of county parks.
- (c) The county shall not acquire real property for any park purpose until the board of supervisors has determined that the acquisition is in conformity with the adopted county parks and recreation element of the general plan,

- (d) This section shall be operative commencing with the 1987-88 fiscal year and shall be repealed at the end of the 1992-93 fiscal year; provided, however, any unobligated monies remaining in the fund on June 30, 1993, shall be used only for the purposes set forth in subsection (b) of this section.
- (e) The total annual appropriations limitation imposed on the county by article XIII B of the California Constitution shall be increased by the county during the operative period of this section in an amount authorized by section 1 of said article XIII B and in an amount which reflects the monies transferred from the county general fund into the county park fund during each fiscal year.
- (f) The intent of this section is to ensure that a minimum amount of money will be placed into the county park fund for acquisition, development, operation, and maintenance purposes. Nothing in this section shall be construed as a limitation on the amount of money the board of supervisors may transfer into the county park fund for county park purposes or otherwise appropriate for county park purposes. (Ord. No. NS.8.11, § 3, 8-9-88)

Editor's note-Tha amendment to § 604 by Ord. No. NS-8.11, adopted Aug. 9, 1988, was approved by the voters at an election held Nov. 8, 1988. The section had previously been amended by the voters on Nov. 7, 1978, and Nov. 4, 1986.

ARTICLE VII. PERSONNEL SYSTEM

Section 700. The personnel system of the county shall be based on merit and equal opportunity.

Appointments and promotions in the administrative service of the county shall be made in conformance with merit system rules and all applicable law, including that pertaining to the effectuation of equal employment opportunities and affirmative action programs.

No person employed or seeking employment with the county shall be unlawfully discriminated against because of age, color, creed, national origin, political opinions, race, religion, sex, or union activity.

SUMMIT ROAD ANNEXATION PROPOSAL
INFORMATION SUMMARY

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Proposal: Santa Cruz County consider annexation by Santa Clara County of State and Arata parcels for expansion of Mt. Madonna Park.

Reason for proposal:

- * State Parks has proposed that Santa Clara County Parks operate their 143-acre parcel on Summit Road donated by George Garcia to protect land that had been in his family for many years.
- * The Santa Clara County Park Charter requires that property purchased with charter funds be designated as park land in the General Plan, which in turn, indicates that the property be in Santa Clara County.
- * Santa Clara County ordinances and policies could be administered uniformly if the parcels were in Santa Clara County.
- * Services such as law enforcement and fire protection would be administered equally with the rest of Mt. Madonna Park.

Santa Clara County Contributions:

- * Boundary survey
- * Drafting of resolutions
- * Cooperation in adjusting service area boundaries with LAFCO's
- * Purchase of Arata property
- * Park development, operation and maintenance appropriate to preserve unique character of parcels

Mt. Madonna Park:

- * 3056 acres
- * 20 miles of hiking trails
- * 15 miles of equestrian trails
- * 1 mile nature trail
- * 117 family picnic sites
- * 2 group picnic sites (capacity 100)
- * 117 family camp sites
- * 5 youth group camp sites
- * Amphitheater
- * Ranger station & visitor center
- * Archery range
- * Fishing at Sprig Lake
- * White fallow deer enclosure
- * Equestrian staging area
- * Field staff of 6 permanent and 12 seasonal to operate and maintain
- * \$648,000/year approximate cost to operate and maintain

Governance:

- * Regional Parks, Trails and Scenic Highways Element of the General Plan
- * Park Charter
- * Ordinances - Fees, 14-day campsite limit, protection of plants, fireworks, fire prevention
- * Commercial development policy

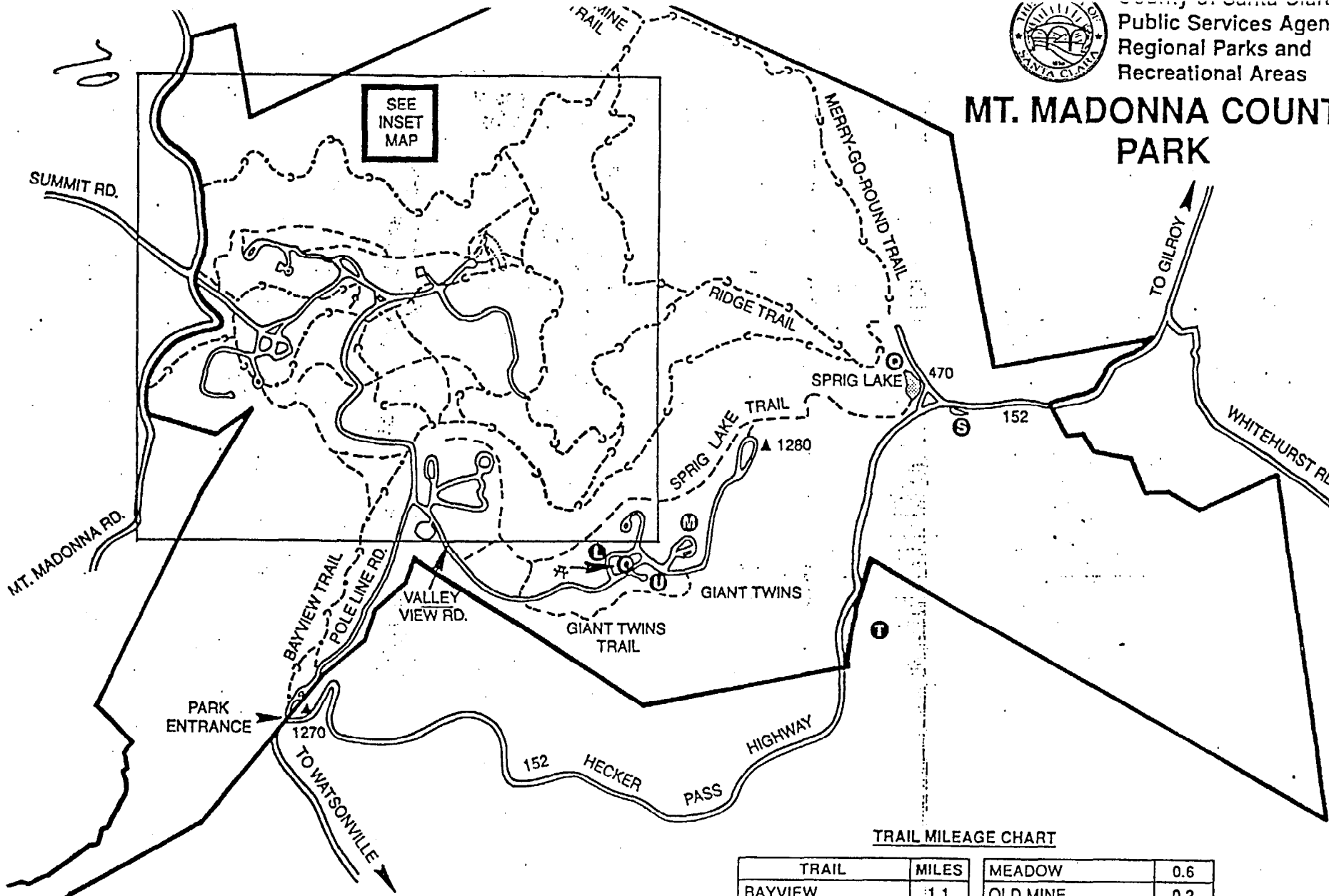
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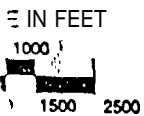
County of Santa Clara
Public Services Agency
Regional Parks and
Recreational Areas

MT. MADONNA COUNTY PARK



TRAIL MILEAGE CHART

TRAIL	MILES	MEADOW	
BAYVIEW	1.1	OLD MINE	0.2
BLACKHAWK	1.6	REDWOOD	0.9
BLUE SPRINGS	1.3	RIDGE	1.8
CONTOUR	0.3	ROCK SPRINGS	0.4
GIANT TWINS	0.7	SPRIG LAKE	1.8
IRON SPRINGS	0.2	TANOAK	0.9
LOOP	2.1	TIE CAMP	0.9
MERRY-GO-ROUND	1.9	CONNECTOR TRAILS	1.3

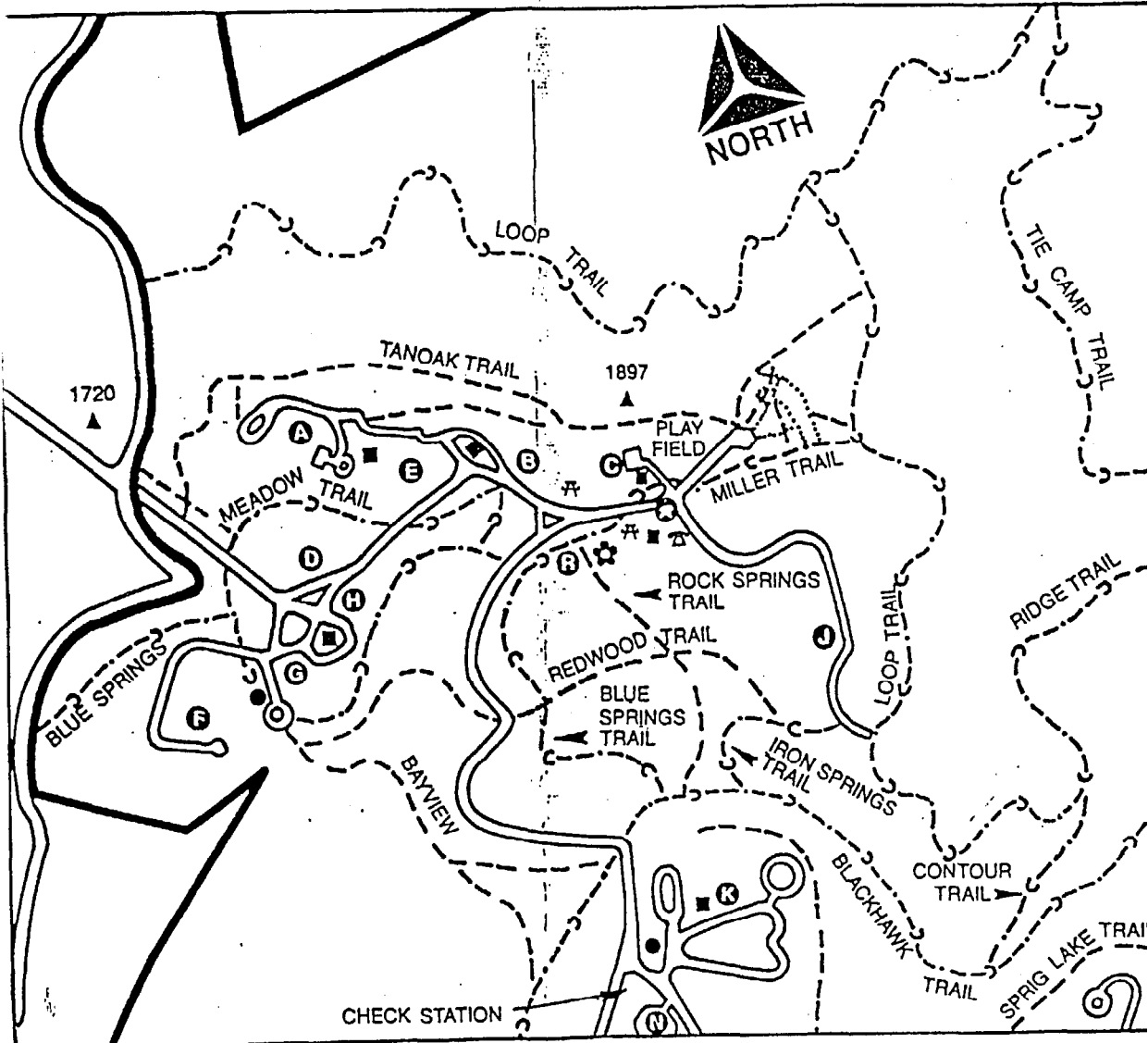


Facilities Accessible
Visitor's Center
Valley View #2 restrooms

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MT. MADONNA COUNTY PARK



LEGEND

- ★ VISITOR CENTER/PARK OFFICE
- A TANOAK CAMPGROUND
- B DEER PEN PICNIC AREA
- C HILLTOP GROUP AREA
- D WEST DEER PEN GROUP AREA
- E DEER PEN
- F BAYVIEW YOUTH AREA:
 - ARROWHEAD
 - BUCKHORN
 - CHEROKEE
 - INDIAN ROCK
- G INSPIRATION POINT PICNIC AREA
- H REDWOOD GROVE GROUP AREA
- I SOUTH DEER PEN PICNIC AREA
- J ARCHERY RANGE
- K VALLEY VIEW CAMPGROUND NO.1
- L VALLEY VIEW CAMPGROUND NO.2
- M VALLEY VIEW CAMPGROUND NO.3
- N HUCKLEBERRY GROUP CAMPGROUND
- O AZALEA KNOLL GROUP AREA
- Q SPRIG LAKE PICNIC AREA
- R MANZANITA GROUP CAMPGROUND
- S BODFISH PICNIC AREA
- T MAGIC SPRINGS PICNIC AREA
- U LONE MAPLE PICNIC AREA
- ☆ AMPHITHEATER
- RESTROOM
- HORSE AND HIKING TRAIL
- - - HIKING TRAIL ONLY
- NATURE TRAIL
- HORSE STAGING AREA
- ▲ ELEVATION IN FEET
- ☎ TELEPHONE (COIN)
- ⌘ NEW COVERED PICNIC AREAS
- PARK BOUNDARY

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MADONNA COUNTY PARK

Madonna County Park, Santa Clara County's largest park, is 3,093 acres of redwood forest. It is located on Highway 152, ten miles from Gilroy at the summit of Hecker Pass.

Beautiful park has a small lake at the lower end of 500 feet. Children ages 5-12 may swim in the lake seasonally.

Extensive twenty mile trail system, approximately 15 miles of which is open to equestrian riders rises to an elevation of almost 2,000 feet.

Picnicking and camping are on a "first-come, first-serve" basis. (Fees are collected.) There are 117 large and well screened campsites and over 100 individual picnic sites. Group picnic areas, group picnicking areas, and wedding facilities are available on a reservation basis.

Archery range, the Miller history and genealogy trail, seasonal Saturday night slide shows, amphitheater, and white fallow deer are among the other popular attractions at this county park.

Signs are posted at entrance.

PARK POLICIES

Your cooperation is requested in the important task of helping maintain the beauty and orderliness of the park by observing the following general rules:

1. The park is open at 8:00 a.m. and is closed to non-campers at dusk.
2. For the visitors safety, motorists must observe posted speed limits. Vehicles are allowed only on established roadways and parking areas.
3. Dogs and other pets are prohibited except in designated areas and are to be kept on a 6 (or less) leash at all times. Dogs must be kept in tent, camper, etc. during hours of darkness.
4. Garbage and litter must be placed in the receptacles as provided.
5. No fires are permitted on the ground.
6. Firearms, air guns or bows and arrows are prohibited, except for use on ranges established for target practice.
7. Help keep the park clean and preserve its natural beauty.
8. No wood gathering is permitted.
9. No bicycles are allowed on trails.
10. Additional information regarding this park and its regulations may be secured from the Park staff (408) 842-2341, or by calling Park Administration at (408) 358-3741. To make group reservations, call (408) 358-3751. Hours are 8-5 Monday-Friday.

MT. MADONNA COUNTY PARK



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County of Santa Clara
 Public Services Agency
 Regional Parks and
 Recreational Areas

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COUNTY OF SANTA CRUZ
Inter-Office Correspondence

MAY 24 1991

DATE: May 23, 1991
TO: Susan Mauriello, County Administrative Officer
FROM: Kathleen K. Akao, Assistant County Counsel *Kathleen K Akao*
SUBJECT: Minor Boundary Adjustment Related to Expansion of Mt. Madonna Park

Pursuant to the Board's request, the following is a summary of the procedural steps necessary for a minor boundary adjustment to affect the proposed expansion of Santa Clara County's Park into property now within Santa Cruz County.

Under Government Code Section 23200, et seq., a minor boundary adjustment may take place if the resulting change does not (1) relocate the boundary line more than five miles from its original location; (2) would not result in a reduction of more than five percent of the area of any of the affected counties; and (3) would not result in reduction by more than five percent of the population of any of the affected counties (Government Code 5 23202).

Resolutions

If all the foregoing criteria are met, the Board of Supervisors of either of the affected counties may initiate and adopt a resolution of the proposed boundary change setting forth a description of the new boundary line, and stating whether it meets the criteria set forth under Section 23202 previously cited (Government Code § 23203). Once the Board of Supervisors of the initiating county adopts its resolution, it must file it with the other affected county. Within 30 days of receiving a resolution, or adopting a resolution, the county by resolution sets a public hearing not less than 30 days, nor more than 60 days from the date of the adoption of the resolution setting the hearing. The resolution shall state that any person desiring to protest the proposed boundary change may file a written protest with the Board of Supervisors. Any such written protest by a resident voter must contain the address of the voter, and a description sufficient to identify the property owned (Government Code § 23206).

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May 23, 1991
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Notice

Published notice of the hearing must be given at least 15 days before the date set for the hearing, and notice must be published in newspapers of general circulation within each county. Notice shall be mailed to the Board of Supervisors of the other affected county and to each special district, and school district which includes the affected property within its boundaries, and to the Local Agency Formation Commission of each county and anyone requesting special notice (Government Code § 23207). The Boards may choose at their option to conduct the hearing jointly. (Government Code § 23208)

Public Hearing

At the public hearing the Board shall receive any oral or written protests, or hear any testimony from interested persons. The hearing may be continued from time to time, not to exceed 45 days from the original date set for the hearing. (Government Code § 23208)

Ordinance

Within 30 days after the conclusion of the hearing each affected county Board of Supervisors shall adopt substantially similar ordinances approving the proposed boundary change. The ordinance shall set forth that the boundary change meets each of the conditions set forth under Section 23202 of the Government Code, the terms and conditions to which the boundary change is subject to, including a division of any county debt or property, and shall specify the effective date of the boundary change. The ordinance shall be adopted by a majority vote of each of the Board of Supervisors (Government Code § 23210).

Services

All services shall continue to the territory within each of the affected counties until the effective date of the boundary change. Each of the affected counties must file before January 1st of the following year a statement with the State Board of Equalization, and the County Assessor's Office setting forth a legal description of the boundary as changed together with a map indicating the boundary change (Government Code § 23212).

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Taxes

All taxes levied before the effective date of the boundary change shall be collected by the officers of the county in which the territory is situated. Each county is required to deliver to the other affected county copies of all assessments relating to the collection of the current state and local taxes in the affected area (Government Code § 23213, 23215).

The County Superintendent of Schools shall also furnish a certified copy of the last school census of the school districts in the affected territory and shall transfer any money which may be due to the school districts in the affected county. Similarly, any road district monies which may be due the affected county as a result of the boundary change shall be transferred by the Auditor (Government Code § 23216, 23217).

KKA:pf:3241y

cc: Benton Angove
Peter Cota-Robles ✓
Tax Collector
Assessor
Auditor/Controller

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GOVERNMENT CODE

near Sta 135 of T. W. Wright's survey of East southeasterly along the northeastern side of East 30 Survey Station 248, the section corner common M. bears South 21°20' East 363 links distant from highway adopted in Vicwer's Report # 122: thence road in a southerly direction to a point 30.00 feet control road. thence continuing southeasterly on an existing fire control road approximately 4 miles called Summit Road. Right of Way Map Job No. of Santa Cruz County under File No. E 405- Summit Road southeasterly to Mount Madonna of Summit Road across Mount Madonna (the single woman) to the County of Santa Clara by 79 at Page 139 Official Records of Santa Cruz, Madonna Park; thence in a counter clockwise Thomas to County of Santa Clara, as aforesaid, the mountain; thence southerly along the summit road now known as State Highway 32-A; thence 150 feet, more or less, to the northern side of a Lane; thence easterly and southerly along the thwestern boundary of lands conveyed by Ralph recorded October 5, 1945 in Volume 506 at Page theasterly along the northwestern boundary of c northeastern boundary of that certain strip of ng Title, Case No. 36741 and recorded May 20. nta Cruz County; thence continuing southerly ind, 5.00 chains in width, to the most southern he mountain; thence continuing southerly along ds of Fletcher, Chase, Mannovich, Kelly and Jary of that certain 600 acres, plus or minus. e deed from Joseph P. Chamberlain and Nan C. deed dated November 8, 1956 and recorded in County; thence easterly along said last named Rancho; thence northerly along said rancho Section 34, T-1 I-S, R-3-E, M.D.B & M.; thence corner of Section 35, T-1 I-S, R-3-Q thence corner of said Section 35 on the township line hip line to the north quarter corner of Section quarter corner at the center of said Section 1; ner of the aforesaid Section 1 on the range line line between R-J-E and R-4-E to the Pajaro sterly along said river, on the northern line of cc miles westerly into the ocean, forming the ce nautical miles distant from the shore to the

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§ 23175. Conclusiveness of survey
Cal Jur Jd Municipalities § 70.

§ 23177. Validation of common boundary used for tax purpose
Cal Jur Jd Municipalities § 70.

ARTICLE 4

Minor Boundary Changes

[Added by Stats 1985 ch 702 § 2.1

Former Article 4, similar to present Article 4, consisting of §§ 23200-23225, was repealed by Stats 1985 ch 702 § 1.

- § 23200. Legislative declarations
- § 23201. Definitions
- § 23202. Boundary changes which may not be made pursuant to article
- § 23203. Adoption of resolution by board of supervisors; Contents
- § 23204. Piling of resolution with other affected county
- § 23205. Boundary change by petition; Signatures; Filing with affected counties
- § 23206. Time of hearing; Protests
- § 23207. Notice of hearing
- § 23208. Conduct of hearing
- § 23207. When abandonment of proposed boundary change required
- § 23210. Resolution approving boundary change; Approval of voters
- § 23211. Continuation of services to affected area
- § 23212. Notice of boundary change to tax agencies
- § 23213. Entitlement to tax revenues
- § 23214. Completion of proceedings necessary to assess taxes
- § 23215. Delivery of current tax assessments and collection proceedings
- § 23216. Delivery of last school census; Transfer of funds
- § 23217. Transfer of road district moneys
- § 23218. Effect of boundary change on other districts
- § 23219. Effect of boundary change on cases pending in district courts of appeal
- § 23220. Effect of boundary change on cases pending in other courts
Cal Jur Jd Municipalities §§ 72, 73, 78.

§ 23200. Legislative declarations

The Legislature finds and declares that the existing boundaries of some counties no longer meet the needs of their residents and landowners. The Legislature further finds and declares that the statutory procedures for altering county boundaries which existed before the enactment of this article were cumbersome and discouraged county boards of supervisors from adjusting their mutual boundaries. In enacting this article, it is the intent of the Legislature to permit county boards of supervisors to approve changes to the boundaries of their counties. This article shall be deemed a uniform procedure for county boundary change as required by Section 1 of Article XI of the California Constitution.

Added Stats 1985 ch 702 § 1.

Former Section: Former § 23200, relating to authority to alter boundaries, was repealed by Stats 1985 ch 702 § 1.

§ 23201. Definitions

As used in this article:

- (a) "Affected county" means any county which contains or would contain territory which is the subject of a boundary change.
- (b) "Affected territory" means any unincorporated area which is proposed to be transferred from one county to another.
- (c) "Conducting county" means any county whose board of supervisors adopts a resolution pursuant to Section 23206.
- (d) "Inhabited territory" means territory within which there reside 12 or more registered voters at the time a resolution is adopted pursuant to Section 23201 or a petition is filed pursuant to Section 23205.
- (e) "Initiating county" means any county whose board of supervisors adopts a resolution pursuant to Section 23203.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23201, similar to present § 23202, was repealed by Stats 1985 ch 702 § 1.

§ 23202. Boundary changes which may not be made pursuant to article

A boundary line between counties shall not be changed, pursuant to this article, if the change would result in any of the following:

- (a) The line to be moved a distance of more than 5 miles from its original location.
- (b) A reduction by more than 5 percent in the area of any affected county.
- (c) A reduction by more than 5 percent of the population of any affected county, as determined by the State Department of Finance's most recent estimate of population.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23201.

1, Alameda, and San Joaquin, on the summit own on the survey and map of Wallace and or that range, being the eastern line of Santa thwest corner of Stanislaus, as established by theasterly, on the line as established by that rs; thence down the San Joaquin seven miles; it established by the survey of A. J. Stakes, nistlaus, and marking the common corner of hwestery, in a direct line, and crossing the rd map of George E. Drew, May, 1860, on on the line of that survey, to its intersection is marked by a monument establishing the ec line, to the Stanislaus River; thence down southwesterly on the line as surveyed and cginning.

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GOVERNMENT CODE

§ 23203. Adoption of resolution by board of supervisors; Contents

The board of supervisors of any affected county may propose to change the boundary line between the county and another county by adopting a resolution which shall:

- (a) State that the proposal is made pursuant to this article and request that proceedings be taken.
- (b) State the reasons for the proposal.
- (c) Set forth a description of the proposed new boundary line.
- (d) State whether or not the proposed new boundary line will be more than 5 miles from its original location.
- (e) State whether or not the proposed new boundary line will reduce the area of any affected county by more than 5 percent.
- (f) State whether or not the proposed new boundary line will reduce the population of any affected county by more than 5 percent.
- (g) State whether or not the proposal affects inhabited territory.
- (h) Set forth any proposed terms and conditions to which the proposed boundary change shall be subject, including, but not limited to, the division of any county indebtedness or property.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23203, similar to present § 23203, was repealed by Suu 1985 ch 702 § 1.

§ 23204. Filing of resolution with other affected county

The board of supervisors of the initiating county shall file its resolution with the board of supervisors of the other affected county.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23204, similar to present § 23203, was repealed by Stats 1985 ch 702 § 1.

§§ 23204.1-23204.4. [Repealed by Stats 1985 ch 702 § 1.]

§ 23205. Boundary change by petition; Signatures; Filing with affected counties

(a) A proposal to change the boundary line of two counties may be initiated by petition which shall contain all the matters required to be contained in a resolution adopted pursuant to Section 23203. The petition shall also designate a chief petitioner.

(b) A petition shall be signed by not less than 25 percent of the resident-voters within the affected territory or by not less than 25 percent of the property owners within the affected territory who also own not less than 25 percent of the assessed value of land and improvements within the affected territory.

(c) A petition may consist of a single instrument or separate counterparts. Each signer of a petition shall add the date of signing to his or her signature. A signature by a resident-voter shall be accompanied by the address of the voter. A signature by a property owner shall be accompanied by a description sufficient to identify the property owned.

(d) A petition shall be filed with the board of supervisors of any affected county. No petition shall be accepted for filing unless the signatures have been secured within 90 days of the date on which the first signature was affixed.

(e) Within 90 days of the receipt of a petition, the clerk of the board of supervisors shall determine whether the petition is signed by the required number of signatures. If the petition does not contain the required number of signatures, the clerk of the board of supervisors shall return the petition to the chief petitioner. If the petition contains the required number of signatures, the board of supervisors shall conduct proceedings pursuant to this article.

Added Stats 1985 ch 702 § 2.

Prior Law: Former §§ 23201-23211.

Former Section: Former § 23205, similar to the present section, was repealed by Stats 1985 ch 702 § 1.

§ 25206. Time of hearing; Protests

Within 90 days of receiving a resolution adopted pursuant to Section 23203 or of determining that a petition filed pursuant to Section 23205 has been signed by the required number of signatures, the board of supervisors shall adopt a resolution which shall:

(a) Set a time, date, and place of hearing on the proposal which shall be not less than 30 days nor more than 60 days from the date of adoption of the resolution setting the hearing.

(b) State that any person may appear and be heard at the hearing. Any person desiring to protest against the proposal may file a written protest with the board of supervisors. Any written protest by a resident-voter shall contain the address of the voter. Any written protest by a property owner shall contain a description sufficient to identify the property owned.

Added Stats 1985 ch 702 § 2.

Prior Law: Former § 23212.

Former Section: Former § 23206, similar to present § 23205, was repealed by Stats 1985 ch 702 § 1.

§ 23207. Notice of hearing

The board of supervisors of the conducting county shall give notice of the hearing by each of the following:

(a) Notice shall be published pursuant to Section 6061 in one or more newspapers of general circulation within the affected territory and within each affected county. Publication shall commence at least 15 days before the date set for the hearing.

(b) Notice shall be mailed to the board of supervisors of each affected county.

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formation commission of each affected county, and to each person who has filed a written request for special notice.

Added Stats 1985 ch 702 § 2.

Prior Law: Former § 23213.

Former Section: Former § 23207, similar to present § 23205, was repealed by Stats 1985 ch 702 § 1.

§ 23208. Conduct of hearing

The hearing on the proposed boundary change shall be held by the board of supervisors of the conducting county on the date and at the time specified in the resolution adopted pursuant to Section 21206. The board of supervisors of the conducting county may hold the hearing jointly with the board of supervisors of the other affected county. At the hearing, the board of supervisors shall hear testimony from interested persons and receive any oral or written protests. Any person who filed a written protest may withdraw it at any time before the conclusion of the hearing. The hearing may be continued from time to time, not to exceed 45 days from the date specified in the resolution.

Added Stats 1985 ch 702 § 2.

Prior Law: Former § 23214.

Former Section: Former § 23208, similar to present § 23205, was repealed by Stats 1985 ch 702 § 1.

§ 23209. When abandonment of proposed boundary change required

At the conclusion of the hearing, the board of supervisors of the conducting county shall adopt a resolution abandoning the proposed boundary change if:

(a) In the case of inhabited territory, more than 50 percent of the resident-voters in the affected territory have filed and not withdrawn written protests before the conclusion of the hearing.

(b) In the case of uninhabited territory, more than 50 percent of the property owners who own more than 50 percent of the value of the land and improvements in the affected territory have filed and not withdrawn written protests before the conclusion of the hearing.

(c) In the case of either inhabited or uninhabited territory, the board of supervisors of either affected county has filed and not withdrawn a written protest before the conclusion of the hearing.

Added Stats 1985 ch 702 § 2.

Prior Law: Former § 23215.

Former Section: Former § 23209, similar to present § 23205 was repealed by Stats 1985 ch 702 § 1.

§ 23210. Resolution approving boundary change; Approval of voters

(a) Not later than 90 days after the conclusion of the hearing, if a proposed boundary change has not been abandoned pursuant to Section 23209, the board of supervisors of each affected county shall adopt substantially similar ordinance approving the proposed boundary change.

(b) The ordinances shall declare that the proposal meets each of the conditions of Section 23202. The ordinances shall specify any terms and conditions to which the boundary change is subject, including, but not limited to, a division of any county debt or property. In addition, the ordinance shall state the effective date of the boundary change. The ordinances shall be adopted by majority vote of each board of supervisors.

(c) If, in the case of inhabited territory, more than 25 percent, but not more than 50 percent, of the resident-voters in the affected territory have filed and have not withdrawn written protests before the conclusion of the hearing, the board of supervisors of each affected county shall provide that their ordinances are subject to confirmation by the voters in the affected territory. The election shall be conducted in accordance with the procedures of the Elections Code relating to county referendum elections regarding the qualifications of voters, the manner of voting, the form of the ballot, the duties of precinct and election officers, the canvassing of returns, and all other particulars.

(d) After the canvass of the returns of any election on the proposed boundary change conducted pursuant to subdivision (c), the board of supervisors of the conducting county shall declare by resolution the total number of votes cast in the election and the number of votes cast for and against the proposed boundary change. If a majority of the votes were cast against the proposed boundary change, then the ordinance adopted pursuant to subdivision (a) shall not take effect. If a majority of the votes were cast in favor of the proposed boundary change, then the ordinances shall take effect, as provided.

Added Stats 1985 ch 702 § 2.

Prior Law: Former §§ 23216-23218.

Former Section: Former § 23210, similar to present § 23205, was repealed by Stats 1985 ch 702 § 1.

§ 23211. Continuation of services to affected area

Each county shall continue to provide services to the territory within its own boundaries until the effective date of the boundary change as specified in the ordinance adopted pursuant to Section 23210.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23211, similar to present § 23205, was repealed by Stats 1985 ch 702 § 1.

§ 23212. Notice of boundary change to tax agencies

When a county boundary is changed pursuant to this article, the boards of supervisors of the affected counties shall file before the following January 1, with the State Board of Equalization and with the assessors of the affected counties, a statement setting forth the legal description of the boundary, as changed, together with a map or plat indicating the boundary. The change of the boundary shall not be effective for purposes of assessment or taxation unless the statement, together with the map or plat is filed with the assessors and the State Board of Equalization on or before January 1 of the year in which the assessments or taxes are to be levied.

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Former Section: Former 5 23212, similar to present 5 23206, was repealed by Stats 1985 ch 702 § 1.

§ 23213. Entitlement to tax revenues

All taxes levied before the effective date of the boundary change shall be collected by the officers of and belong to the county in which the affected territory was situated before the boundary change, unless the ordinances adopted pursuant to Section 23210 provide otherwise.

Added Stats 1985 ch 702 § 1.

Prior Law: Former 5 23214.

Former Section: Former 5 23213, similar to present § 23207, was repealed by Stats 1985 ch 702 § 1.

§ 23214. Completion of proceedings necessary to assess taxes

After the effective date of the boundary change, the officers of the affected counties shall complete all proceedings necessary for the assessment or collection of state and local taxes for the current year with respect to the affected territory. Subject to Section 23213, all actions taken by the officers of the affected county before the effective date of the boundary change shall be deemed performed by the officers of the county in which the affected territory is situated after the effective date of the boundary change, for the benefit of that county.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23214, similar to present § 23208, was repealed by Stats 1985 ch 702 § 1.

§ 23215. Delivery of current tax assessments and collection proceedings

The officers of an affected county shall immediately execute and deliver to the board of supervisors of the other affected county copies of all assessments or other proceedings relative to the assessment and collection of the current state and local taxes in the affected territory. The copies shall be filed with the respective officers of the affected counties who would have their custody if the proceedings had been originally had in that county and shall be deemed originals. All proceedings recited in the copies shall be deemed original proceedings in the other affected county and shall have the same effect as if the proceedings had been had at the proper time and in the proper manner by the respective officials of that county.

Added Stats 1985 ch 702 § 2.

Prior Law: Former 5 23219.

Former Section: Former § 23215, similar to present 5 23209, was repealed by Stats 1985 ch 702 § 1.

§ 23216. Delivery of last school census; Transfer of funds

The county superintendent of schools of an affected county shall furnish the superintendent of the other affected county with a certified copy of the last school census of the school districts in the affected territory. A county superintendent of schools shall transfer to the superintendent of the other affected county any money that is or may be due to the school districts in the affected territory.

Added Stats 1985 ch 702 § 2.

Former Section: Former § 23216, similar to present § 23210, was repealed by Stats 1985 ch 702 § 1.

§ 23217. Transfer of road district moneys

The auditor of an affected county shall transfer to the auditor of the other affected county any money that is or may be due to the other affected county from road districts in the affected territory. The money shall be properly credited in each county.

Added Stats 1985 ch 702 § 2.

Former Section: Former 5 23217, similar to present 5 23210, was repealed by Stats 1985 ch 702 § 1.

§ 23218. Effect of boundary change on other districts

No school district and no special district, including a special district which is governed by a board of supervisors or whose governing body is the same as the board of supervisors, shall have its territory divided or have its organization changed in any other way as the result of a county boundary change except by proceedings taken pursuant to law subsequent to the boundary change.

Added Stats 1985 ch 702 § 2.

Prior Law: Former § 23215.

Former Section: Former § 23218, similar to present § 23210 was repealed by Stats 1985 ch 702 § 1.

§ 23219. Effect of boundary change on cases pending in district courts of appeal

If the affected counties are located in different district court of appeals districts, the district court of appeals district which includes the affected territory shall retain jurisdiction in all cases pending in a session of that court.

Added Stats 1985 ch 702 § 2.

Former Section: Former 5 23219, similar to present 5 23215, was repealed by Stats 1985 ch 702 § 1.

§ 23220. Effect of boundary change on cases pending in other courts

On and after the effective date of the boundary change, the superior court and the municipal or justice courts in each affected county shall retain jurisdiction in all cases pending in a session of those courts.

Added Stats 1985 ch 702 § 2.

Former Section: Former 5 23220, relating to certification of proportion of excess of indebtedness over properly value, was repealed by Stats 1985 ch 702 § 1.

§§ 23221, 23222. [Repealed by Stats 1985 ch 702 § 1.]

Note—The repealed sections related to transfer of territory between counties.

55 23223-23225. [Repealed by Stats 1985 ch 702 § 1.]

See §§ 23212, 23213, 23218.

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OPEN SPACE EASEMENT CONTRACT

THIS OPEN EASEMENT CONTRACT, executed this _____ day of _____, 19____ by and between SANTA CLARA COUNTY, as GRANTOR, and the COUNTY OF SANTA CRUZ, as GRANTEE,

Witnesseth:

WHEREAS, Grantor is the owner in fee of the real property hereinafter described, situated in Santa Cruz County, California; and

WHEREAS, Grantor and Grantee desire to preserve and conserve for the public benefit the natural scenic beauty and existing openness of said property for use as park lands; and

WHEREAS, Grantor is willing to grant to Grantee an open space easement, as hereinafter expressed, in said property, and thereby protect its present scenic beauty and existing openness by the restricted use and development of said property by the Grantor and his successors in interest or assigns through the imposition of the conditions hereinafter expressed; and

NOW, THEREFORE, for and in consideration of the premises, the Grantor, does hereby grant and convey unto the County of Santa Cruz an estate, interest and open space easement in said real property of Grantor of the nature and character and to the extent hereinafter expressed, which estate, interest and easement will result from the restrictions hereby imposed upon the use of said property by Grantor, and to that end and for the purpose of accomplishing the intent of the parties hereto, Grantor covenants on behalf of himself, his heirs, successors and assigns with the said Grantee, its successors and assigns to do and refrain from doing severally and collectively upon the Grantor's said property the various acts hereinafter mentioned. The restrictions hereby imposed upon the use of said property of the Grantor and the acts which Grantor shall refrain from doing upon said property in connection therewith are, and shall be, as follows:

1. Said property shall be used and designated only for park lands use by Grantor.
2. No billboards of any kind or nature shall be located on said property.
3. All signs shall be harmonious with the character of the area and shall be of the highest design standards.
4. No road or major facility requiring large scale clearance of vegetation, such as telecommunications equipment, shall be located in areas where it would create visible scars on the landscape, and all cleared areas shall be replanted to control erosion.

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5. Roads, building sites, and facilities shall not be allowed to create major or lasting visible scars on the landscape. Structures on the property must be located, constructed or landscaped so that they do not create a major negative visual impact from the valley floor. If the land is either developed or divided, such development or division shall be carried out so that building sites are not located on ridgelines.

6. Development shall be landscaped with fire resistant and/or native plants which are ecologically compatible with the area.

7. Natural riparian and streamside areas shall be left in their natural state providing percolation; wildlife habitat, aesthetic relief and recreational uses that are environmentally compatible.

8. Open space lands shall be protected for their functional, ecological, or scenic values, and natural environmental resources shall be conserved for wise and efficient use.

9. Development activity shall not be allowed to degrade the natural environment and all reasonable steps shall be taken to mitigate potentially adverse effects.

10. Only commercial development that will contribute to and that is directly related to the recreation-related enjoyment of the area shall be considered.

11. All development must be compatible with the Santa Cruz County and Santa Clara County General Plans.

Excepting and reserving to the Grantor:

- (a) The right to maintain all existing roads, bridges, trails and structures upon said land.
- (b) The use and occupancy of said land as park lands not inconsistent with the conditions and restrictions herein imposed.

The property of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situate in the County of Santa Cruz, state of California, and is particularly described in Exhibit "A" attached hereto and incorporated herein by reference. The restrictions contained herein shall continue upon such property if County boundary lines are changed so that the property is located in Santa Clara County. .

Grantee shall not make any payment to Grantor for the conveyance of the open space easement described above, it being recognized and agreed between the parties that the consideration for this conveyance is the substantial public benefit to be derived therefrom by restricting development. in conformance to the

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use of the property as park lands, and the advantage which will accrue to Grantor in the Grantee's approval of the subsequent annexation of said property to the Grantor for use as park lands.

The conveyance by Grantor to Grantee of an open space easement in the property described above is made in perpetuity.

The open space easement conveyed by this instrument shall run with the land described herein and shall be binding upon the heirs, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

APPROVED AS TO FORM:

Grantor
COUNTY OF SANTA CLARA

BY _____

APPROVED AS TO FORM:

Grantee
COUNTY OF SANTA CRUZ

Dwight L. Herr
DWIGHT L. HERR
County Counsel

BY _____
Chairperson
Santa Cruz County
Board of Supervisors

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COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA



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AT THE BOARD OF SUPERVISORS MEETING
On the Date of January 28, 1992

REGULAR AGENDA Item No. 107.1

Directed the County Administrative Office to continue coordinating with the Santa Clara County Parks and Recreation District on the proposed Mount Madonna Park expansion/County boundary adjustment, with a report back on or before April 21, 1992; and approved Open Space Easement Contract, as amended, in concept, directing the County Administrative Officer to bring it back for final approval after it has been approved and executed by Santa Clara County...

Upon the motion of Supervisor Patton, duly seconded by Supervisor Keeley, the Board, by unanimous vote, directed the County Administrative Office to continue coordinating with the Santa Clara County Parks and Recreation District on the proposed Mount Madonna Park expansion/County boundary adjustment, with a report back on or before April 21, 1992;

And approved Open Space Easement Contract, as amended, in concept, directing the County Administrative Officer to bring it back for final approval after it has been approved and executed by Santa Clara County, amending Page 2 of the contract as follows:

-In Paragraph 5, third line, changed "ridgelines" to "the property" and amended the last sentence to read: "If the land is either developed or divided, such development or division shall be carried out so that building sites are not located on ridgelines."

Upon the motion of Supervisor Patton, duly seconded by Supervisor Levy, the Board, by unanimous vote, further amended the contract as follows:

-In Paragraph 6, changed "should" to "shall";

-In Paragraph 10, added after "contribute to" the following: "and that is directly related to";

-In the second paragraph from the bottom, added to the end a new sentence to read: "The restrictions contained herein shall continue upon such property if County boundary lines are changed so that the property is located in Santa Clara County."

County of Santa Cruz-ss.

Susan A. Mauriello, Ex-officio Clerk of the Board of Supervisors of the County of Santa Cruz, State of California, do hereby certify that the foregoing is a true and correct copy of the order made and recorded in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Super-visors.

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C O U N T Y O F S A N T A C R U Z
STATE OF CALIFORNIA



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AT THE BOARD OF SUPERVISORS MEETING
On the Date of January 28, 1992

REGULAR AGENDA Item No. 107.1

cc: . . .

CAO
County Counsel
Auditor
POPCS

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State of California, County of Santa Cruz-ss.

I, Susan A. Mauriello, Ex-officio **Clerk of the Board of Supervisors of the County of Santa Cruz, State of California**, do hereby certify **that the foregoing is a true and correct copy of the order** made and entered **in the Minutes of said Board of Supervisors. In witness thereof I have hereunto set my hand and affixed the seal of said Board of Supervisors, on January 30, 1992.**

COUNTY OF SANTA CRUZ
Inter-Office correspondence

DATE: October 10, 1991
TO: County Administrative Office attn: Susan A. Mauriello
FROM: Auditor-Controller - Gary A. Knutson *GAK*
SUBJECT: MT. MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

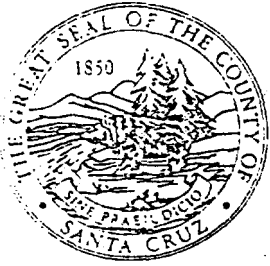
Bob Petersen forwarded your request for a listing of all Special Districts and County Service Areas which include APN's 109-081-04 and 106-281-10 within their boundaries. They are as follows:

APN 109-081-04 is within the boundaries of:

1. Pajaro Storm Drain Maintenance
2. Pajaro Valley Public Cemetery District
3. Salsipuedes Fire Protection District
4. Santa Cruz County Resource Conservation District
5. County Service Area #9
6. county Service Area #9 Zone C
7. County Service Area #9D Zone 3
8. County Service Area 838
3. County Service hrsa #11
10. Santa Cruz Flood & Water Zone 4
11. Santa Cruz Flood & Water
12. Septic Tank Maintenance CSA #12

APN 106-281-10 is within the boundaries of the following, but it should be noted that this parcel is off the roll because it is a public parcel. Detaching it to Santa Clara County would have no monetary effect,

1. Pajaro Storm Drain Maintenance District
 2. Pajaro Valley Public Cemetery District
 3. Santa Cruz County Resource Conservation District
 4. County Service Area #48
 5. County Service Area #9
 6. County Service Area #9C
 7. County Service Area #9D Zone 3
 8. County Service Area #38
 9. county Service Area #11
 10. Santa Cruz Flood & Water Zone 4
 11. Santa Cruz Flood & Water
 12. Septic Tank Maintenance CSA #12
- 70
- AB*



County of Santa Cruz

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

701 OCEAN STREET, SUITE 520
SANTA CRUZ, CA 95060
(406) 454-2100 FAX: (408) 454.3420
TDD: (408) 454-2123

March 11, 1998

Agenda: March 17, 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 December 16, 1997 your Board received a report from this office concerning a request by the County of Santa Clara Parks and Recreation Department (SCCPRD) that our County consider reinitiating a County boundary adjustment process to facilitate expansion of SCCPRD's Mount Madonna Park. In response to that report, your Board took a number of actions including directing this office to write to the SCCPRD expressing our County's support for reinitiating the process and to provide a status report on this date.

As directed, we have written to the SCCPRD informing them of your Board's actions. As indicated in the **last report**, the next step in pursuing the boundary adjustment process is for SCCPRD to file an application with the Santa Cruz County Local Agency Formation Commission (LAFCO). SCCPRD staff have indicated that they are currently preparing the application package and anticipate submitting it in the near future. As also indicated in our last report, once the application is submitted, it will initiate a series of Public Hearings before LAFCO and ultimately before the Santa Clara County Board of Supervisors, as well as your Board, to formally consider the proposed boundary adjustment and related issues.

There are no actions required of your Board at this time. The County Administrative Office is continuing to coordinate with the SCCPRD, as well as concerned area residents to see that the issues raised by our County to date will be addressed.

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BOARD OF SUPERVISORS

-2-

AGENDA: MARCH 17, 1998

MOUNT MADONNA PARK EXPANSION/COUNTY BOUNDARY ADJUSTMENT

It is therefore recommended that your Board accept and file this report and direct the County Administrative Office to report back when it is time to begin scheduling of hearings before your Board, or sooner if circumstance warrant.

Very truly yours,



SUSAN A. MAURIELLO
County Administrative Officer

SAM:PCR/s:/madonna3

- cc: Santa Clara County Parks and Recreation District
- Pat McCormick, LAFCO
- POSCS**
- County Counsel
- Assessor
- Auditor-Controller
- Treasurer-Tax Collector
- Sheriff
- Public Works
- California Department of Forestry
- Carl Washburn
- Cecilia Barker

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Santa Cruz Local Agency
Formation Commission
701 Ocean St., Room 318-D
Santa Cruz, California 95060
Phone (408)454-2055 Fax 454-2058

Date: July 10, 1998
To: Public Agencies
From: LAFCO Executive Officer% m: Cca --
Subject: Detachments from Districts near Mt. Madonna
LAFCO No. 856

JUL 14 1998

The Santa Clara County Parks and Recreation Department has applied to detach three parcels on Mt. Madonna from all Santa Cruz County districts. These parcels are proposed to be added to Mt. Madonna (Santa Clara) County Park and to be transferred from the jurisdiction of the County of Santa Cruz to the County of Santa Clara by means of a county boundary line adjustment.

Please forward any questions or comments to me so that I receive them no later than August 6, 1998.

Attachments: Map
Proposed Changes

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Santa Cruz Local Agency
Formation Commission
701 Ocean St., Room 318-D
Santa Cruz, California 95060
Phone (408)454-2055 Fax 454-2058

**LAFCO NOTIFICATION OF PROPOSED JURISDICTION CHANGE
AS REQUIRED BY SECTION 99 (B) OF THE
REVENUE AND TAXATION CODE AND
GOVERNMENT CODE SECTION 56828**

DATE: July 10, 1998

DISTRIBUTION:

- County of Santa Cruz
- CAO: Dinah Phillips
- ASSESSOR: Jessie Midgett
- AUDITOR: Kathleen Hammons

OTHER AGENCIES:

See attached list.

ATTACHMENTS:

MAP ILLUSTRATING
PROPOSED CHANGE (ATTACHED)

OTHER: _____

SHORT TITLE AND NUMBER:

Santa Clara Parks & Recreation
Boundary Adjustment between
Santa Clara County & Santa
Cruz County - LAFCO No. 856

PROPOSED ACTION

See attached list.

AFFECTED LOCAL AGENCIES:

REASON FOR THE PROPOSED CHANGE

The parcels included in the proposed change are owned by Santa Clara County. They are a part of Mt. Madonna County Park. The boundary adjustment will define responsibilities for special districts needed to serve the expanded park.

APPLICANT'S NAME AND ADDRESS:

Please forward any comments from your agency so that LAFCO receives them no later than: August 6, 1998

Assessors Parcel Numbers

See attached list.

<u>ASSESSOR USE ONLY</u>	
<u>Tax Code Area</u>	<u>Full Cash Value</u>

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Distribution List

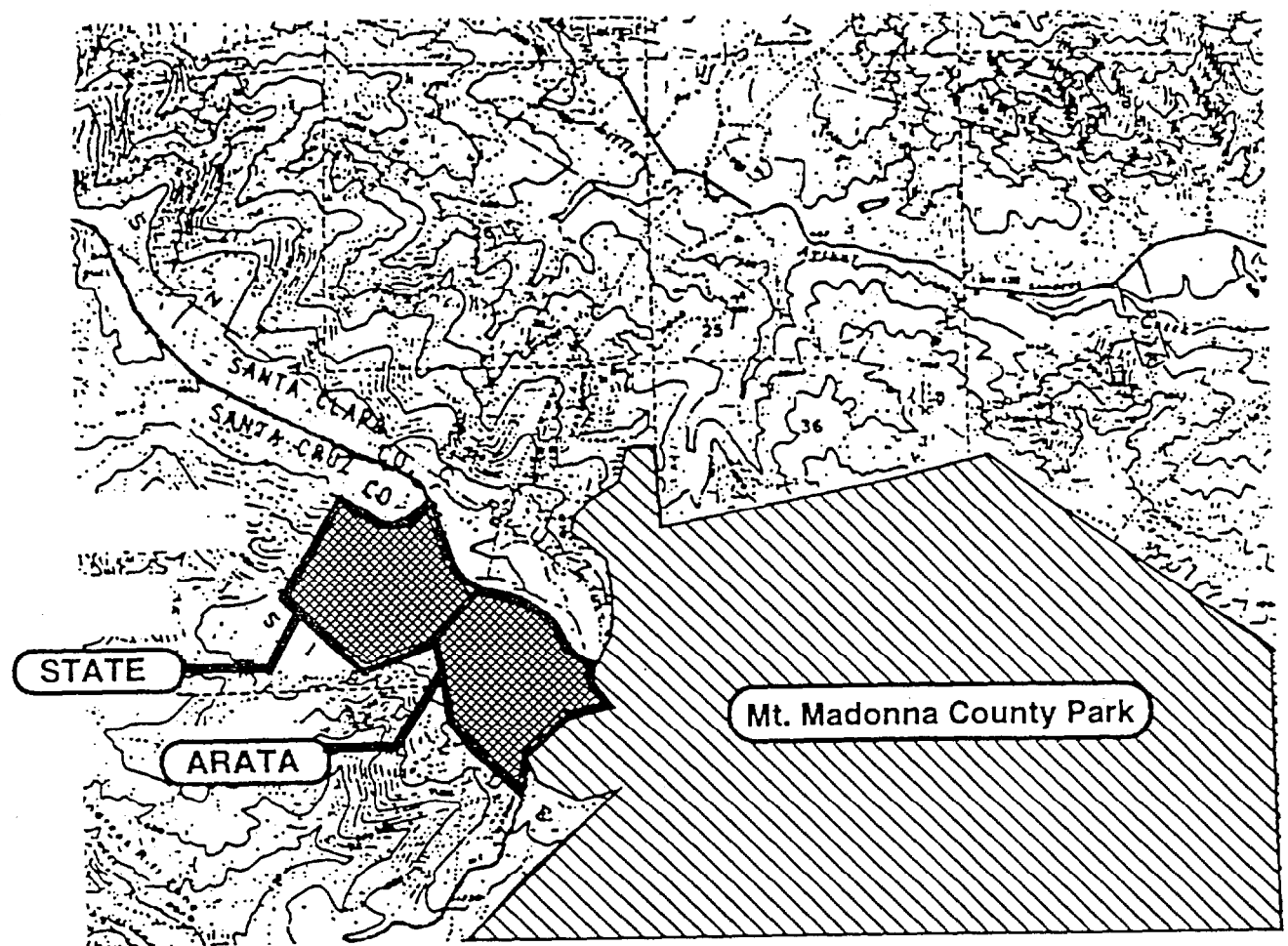
- Cabrillo College**
- California State Department of Parks**
- County of Santa Clara, Environmental Resources Agency**
- Parks and Recreation Department**
- Pajaro Valley Unified School District**
- Santa Clara LAFCO**
- Santa Cruz County:**
 - CAO
 - Assessor
 - Auditor
 - Board of Supervisors
 - County Council
 - Elections
 - Environmental Health
 - POSCS
 - Public Works
 - Sheriff
 - Flood Control- Zone 4
 - Pajaro Valley Drain Maintenance District
- Santa Cruz County Special Districts:**
 - Fire Districts**
 - Aptos/La Selva Fire Protection District**
 - Aromas Tri-County Fire Protection District**
 - Ben Lomond Fire Protection District**
 - Boulder Creek Fire Protection District**
 - Branciforte Fire Protection District**
 - Central Fire Protection District**
 - Felton Fire Protection District**
 - Pajaro Valley Fire Protection District**
 - Scotts Valley Fire Protection District**
 - Zayante Fire Protection District**
 - Water Districts**
 - Central Water District**
 - Lompico County Water District**
 - San Lorenzo Valley Water District**
 - Scotts Valley Water District**
 - Soquel Creek Water District**
 - Recreation and Park Districts**
 - Alba Recreation and Park District**
 - Boulder Creek Recreation and Park District**
 - La Selva Recreation and Park District**
 - Opal Cliffs Recreation and Park District**
 - Miscellaneous Districts**
 - Pajaro Valley Cemetery District**
 - Pajaro Valley Water Management Agency**
 - Reclamation District No. 2049 (College Lake)**
 - Salsipuedes Sanitary District**
 - Santa Cruz County Resource Conservation District**
 - Santa Cruz Port District**
- Santa Cruz Metropolitan Transit District**
- Santa Cruz Resource Conservation District**

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Action		Agency
Parcel 106-5 1 1-3 & 4 (formerly 106-281-10 & 106-281-23 & 24)		
Deannex	from	County Refuse CSA 9C
Deannex	from	9D3 Road Repair
Deannex	from	County Highway Lighting CSA 9
Deannex	from	Pajaro Valley Fire Protection District
Deannex	from	Septic Tank Maintenance CSA 12
Deannex	from	SC Co. Flood Control & Water Cons. Dist. Zone 7
Deannex	from	Nonstandard Septic Inspections
Deannex	from	Mosquito Abatement/Vector Control
Deannex	from	Parks & Recreation CSA 11
Parcel 109-081-4		
Deannex	from	County Refuse CSA 9C
Deannex	from	9D3 Road Repair
Deannex	from	County Highway Lighting CSA 9
Deannex	from	Pajaro Valley Fire Protection District
Deannex	from	Septic Tank Maintenance CSA 12
Deannex	from	SC Co. Flood Control & Water Cons. Dist. Zone 7
Deannex	from	Nonstandard Septic Inspections
Deannex	from	Mosquito Abatement/Vector Control
Deannex	from	Parks & Recreation CSA 11
Parcel 106-511-3 & 4 (formerly 106-281-10 & 106-281-U & 24)		
Annex	to	South Santa Clara County Fire Protection District
Annex	to	Santa Clara Valley Water District
Annex	to	County Service Area-1(County Library Service Area)
Annex	to	Loma Prieta Resource Conservation District
Parcel 109-01-4		
Annex	to	South Santa Clara County Fire Protection District
Annex	to	Santa Clara Valley Water District
Annex	to	County Service Area-1(County Library Service Area)
Annex	to	Loma Prieta Resource Conservation District

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Mount Madonna County Park Expansion/ County Boundary Adjustment



OFFICE OF THE
COUNTY COUNSEL



COUNTY OF SANTA CRUZ

GOVERNMENT CENTER
(408)454-2040
FAX(408)454-2115

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DWIGHT L. HERR
COUNTY COUNSEL

DEBORAH STEEN
SAMUEL TORRES, JR.
CHIEF ASSISTANTS

HARRY A. OBERHELMAN III

MARIE COSTA
JANE M. SCOTT
RAHN GARCIA
TAMYRA RICE
PAMELA FYFE
ELLEN LEWIS
KIM BASKETT
LEE GULLNER
DANA McRAE

ASSISTANTS

January 14, 1998

Agenda: January 27, 1998

Board of Supervisors
County of Santa Cruz
701 Ocean Street, Room 500
Santa Cruz, California 95060

RE: Mount Madonna Park Expansion/County Boundary Adjustment

Dear Members of the Board:

On December 16, 1997, your Board directed this office and the Parks, Open Space, and Cultural Services Department (POSCS) to review the previously drafted Open Space Easement document for consistency with Santa Cruz County policies and report back on this agenda with any recommended changes. In addition, County Counsel was directed to report back on a proposed approach to guarantee that Santa Cruz County residents will always have equal access to Mount Madonna Park with Santa Clara County residents and not be charged any out-of-district fees for using the park.

This office has reviewed the Open Space document with POSCS and it appears to be consistent with current County policies. County Counsel has **revised the** document to include a paragraph on page 3 containing provisions that as long as the subject property is used for park purposes Santa Cruz County residents shall be granted access to **the** Mount Madonna Park and the property on the same terms as residents of the Santa Clara County Parks and Recreation District, and that no "out-of-county" or "out-of-district" fees or exclusions shall apply to Santa Cruz County residents.

IT IS THEREFORE RECOMMENDED that your Board approve the

Board of Supervisor

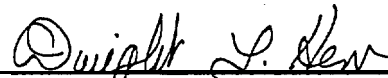
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Page 2

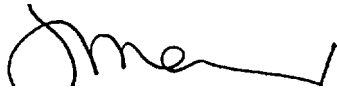
revised Agreement and Open Space Contract with the Santa Clara County Parks and Recreation District, authorize the Chair to sign it on behalf of the County, and direct the County Administrative Officer to coordinate its execution by the District and the County as part of the proposed boundary adjustment.

Very truly yours,

DWIGHT L. HERR, COUNTY COUNSEL



R - ENDED :



SUSAN A. MAURIELLO
County Administrative Officer

cc: Barry Samuel, POSCS Director; Alvin James, Planning Director

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AGREEMENT AND OPEN SPACE EASEMENT CONTRACT

THIS AGREEMENT AND OPEN EASEMENT CONTRACT, is executed this _____ day of _____ 1998, by and between SANTA CLARA COUNTY PARKS AND RECREATION DISTRICT, as GRANTOR, and the COUNTY OF SANTA CRUZ, as GRANTEE,

WITNESSETH:

WHEREAS, GRANTOR is the owner in fee of the real property hereinafter described, situated in Santa Cruz County, California;

WHEREAS, GRANTOR and GRANTEE desire to preserve and conserve for the public benefit the natural scenic beauty and existing openness of said property **for use** as park lands; and

WHEREAS, GRANTOR is willing to grant to GRANTEE an open space easement as hereinafter expressed, in said property, and thereby protect its present scenic beauty and existing openness by the restricted use and development of said property by the GRANTOR and its successors in interest or assigns through the imposition of the conditions hereinafter expressed; and

NOW, THEREFORE, for and in consideration of the premises, the GRANTOR, does hereby grant and convey unto the County of Santa Cruz an estate, interest and open space easement in said real property of GRANTOR of the nature and character and to the extent hereinafter expressed, which estate, interest and easement will result from the restrictions hereby imposed upon the use of said property by GRANTOR, and to that end and for the purpose of accomplishing the intent of the parties **hereto**, GRANTOR covenants on behalf of itself, its heirs, successors and assigns with the said GRANTEE, its successors and assigns to do and refrain from the various acts hereinafter mentioned. The restrictions hereby imposed upon the use of said property of the GRANTOR and the acts which GRANTOR shall refrain from doing upon said property in connection therewith are, and shall **be, as** follows:

1. Said property shall be used and designated only for park lands use by GRANTOR.
2. No billboards of any kind or nature shall be located on said property.
3. All signs shall be harmonious with the character of the area and shall be of the highest design standards.
4. No road or major facility requiring large scale clearance of vegetation, such as telecommunications equipment, shall be located in areas where it would create visible scars on the landscape, and all cleared areas shall be replanted to control erosion.

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5. Roads, building sites, and facilities shall not be allowed to create major or lasting visible scars on the landscape. Structures on the property must be located, constructed or landscaped so that they do not create a major negative visual impact from the valley floor. If the land is either developed or divided, such development or division shall **be carried** out so that building sites are not located on ridgelines.

6. Development shall be landscaped with fire resistant and/or native plants which are ecologically compatible with the area.

7. Natural riparian and streamside areas shall be left in their natural state providing percolation; wildlife habitat, aesthetic relief and recreational uses that are environmentally compatible.

8. Open space lands shall be protected for their functional ecological, or scenic values, and natural environmental **resources shall** be conserved for wise and efficient use.

9. Development activity shall not be allowed to degrade the natural environment and all reasonable steps shall be taken to mitigate potentially adverse effects.

10. Only commercial development that will contribute to and that is directly related to the recreation-related enjoyment of the area shall be considered.

11. All development must be compatible with the Santa Cruz County and Santa Clara County General Plans.

Excepting and **reserving to** the GRANTOR:

- (a) The right to maintain all existing roads, bridges, trails and structures upon said land.
- (b) The use and occupancy of said land as park lands not inconsistent with the conditions and restrictions herein imposed.

The property of the GRANTOR hereinabove referred to and to which the provisions of this instrument apply is situate in the County of Santa Cruz, State of California, and is particularly described in Exhibit "A" attached hereto and incorporated herein by reference. The restrictions contained herein shall continue upon such property if County boundary lines are changed so that the property is located in Santa Clara County.

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-GRANTEE shall not make any payment to GRANTOR for the conveyance of the open space easement described above, it being

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recognized' and agreed between the parties that the consideration for this conveyance is the spbstantial public benefit to be derived therefrom by restricting development in conformance to the use of the property as park lands, and the advantage which will accrue to GRANTOR in the GRANTEE's approval of the subsequent annexation of said property to the GRANTOR for use as park lands.

The conveyance by GRANTOR to GRANTEE of an open space easement in the property described above is made in perpetuity.

The open space easement conveyed by this instrument shall run with the land described herein and shall be binding upon the heirs, successors, and assigns of the parties hereto.

IT IS FURTHER AGREED by the parties that as long as this property is used for park purposes, Santa Cruz County residents shall be granted access to the Mount Madonna Park and to this property and given the right to use any facilities on such lands on the same terms as residents of the GRANTOR, and no "out-of-county" or "out-of-district" fees or exclusions shall apply to Santa Cruz County residents.

IT WITNESS WHEREOF, the parties' hereto have executed this instrument the day and year first above written.

APPROVED AS TO FORM:

GRANTOR
SANTA CLARA COUNTY PARKS AND
RECREATION DISTRICT

BY _____

APPROVED AS TO FORM:

GRANTEE
COUNTY OF SANTA CRUZ



DWIGHT L. HERR
County Counsel

BY _____

Chair
Santa Cruz County
Board of Supervisors

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PARKS, OPEN SPACE AND
CULTURAL SERVICES



COUNTY OF SANTA CRUZ


BARRY C. SAMUEL
DIRECTOR

(408) 462-8300
FAX (408) 462-8330
TOO (408) 454-1453

9000 SOQUEL AVE., SUITE 101 SANTA CRUZ, CALIFORNIA 95062

Memorandum

To: Susan Mauriello
County Administrative Officer

From: Barry C. Samuel 
Director

Re: Open Space Easement - Mount Madonna Park Expansion/County Boundary Adjustment

Date: December 30, 1997

I have reviewed the **proposed** Open Space Easement between the County of Santa Clara and the County of Santa Cruz which will preserve and conserve for the public benefit the natural scenic beauty and existing openness of the property for use as park lands.

The easement is consistent with current polices and regulations and is ready to be submitted to the Santa Clara County Parks and Recreation District for their approval.

no

COUNTY OF SANTA CRUZ

Auditor-Controller's Office

Inter-Office Correspondence

To: Susan A. Mauriello, County Administrative Officer
 From: *Gary A. Knutson*
 Gary A. Knutson, Auditor-Controller
 Date: January 5, 1998
 Subject: Mount Madonna Park Expansion/County Boundary Adjustment - List of Special Levies

As requested by the County of Santa Cruz Board of Supervisors on December 16, 1997 the following is a list of all special districts and County Service Areas for the Mount Madonna Park Expansion/County Boundary Adjustment parcels:

TAX CODE AREA	SPECIAL LEVY NUMBER	TAX FUND	SPECIAL LEVY NAME
PARCEL 106 281 10 FORMERLY GARCIA			
69-070	100811	81131	CSA #9 ZN C
69-070	100832	81134	CSA #9D3
69-070	101804	85878	SEP TNK MNT CSA 12
69-070	101805	86540	MOSQUITO CSA #53
69-070	108874	81128	CO HWY CSA #9
69-070	400820	87704	CSA NO 11 POSCS
69-070	400858	82250	CSA #38
69-070	400859	81120	CSA #48 COUNTY FIRE
69-070	SOS 802	88844	FLOOD CNTRL ZN #7
69-070	508886	88836	SCCOFC&WC Z N 4
69-070	80882 1	11055	PUBLIC NUISANCE ABATE
PARCEL 109 081 04 FORMERLY ARATA			
69-14.5	100811	81131	CSA #9 ZN C
69-145	100832	81134	CSA #9D3
69-145	101804	88878	SEP TNK MNT CSA 12
69-145	101805	86540	MOSQUITO CSA #53
69-145	108874	81128	CO HWY CSA #9
69-145	400805	96619	PAJARO VALLEY FPD
69-145	400820	87704	CSA NO 11 POSCS
69-145	400858	82250	CSA #38
69-145	505802	88844	FLOOD CNTRL ZN #7
69-145	508886	88836	SCCOFC&WC ZN4
69-145	80882 1	11055	PUBLIC NUISANCE ABATE

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Santa Cruz Local Agency
Formation Commission
701 Ocean St., Room 318-D
Santa Cruz, California 95060
Phone (408)454-2055 Fax 454-2058

October 7, 1998

**Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060**

**SUBJECT: SANTA CLARA COUNTY PARKS AND RECREATION DETACHMENTS
LAFCO NO. 856**

Dear Members of the Board:

I have attached a certified copy of Resolution No. 856 of the Santa Cruz Local Agency Formation Commission approving reorganization of territory designated as Santa Clara County Parks and Recreation Detachments No. 856.

This reorganization would detach APN's 106-511-03, 106-511-04, and 109-081-04 from the, following districts in Santa Cruz County:

**Pajaro Storm Drain Maintenance District
Pajaro Valley Cemetery District
Pajaro Valley Fire Protection District
Santa Cruz County Resource Conservation District
Santa Cruz County Flood Control and Water Conservation District
including Zones 4 and 7
County Service Area 9 (public works)
including Zones C and D3
County Service Area 11 (parks and recreation)
County Service Area 12 (septic maintenance)
County Service Area 38 (extended police)
County Service Area 53 (mosquito abatement and vector control);'**

The approval of this reorganization is conditioned upon the following terms and conditions:

- a) **This reorganization shall only be effective if the Counties of Santa Clara and Santa Cruz complete a county boundary adjustment for the subject territory. The effective date of this reorganization will be the same date as the effective date for the county boundary adjustment.**
- b) **The County of Santa Clara shall provide a legal map, description, and fees to meet the State Board of Equalization requirements.**
- c) **The County of Santa Clara shall be responsible to pay any fees required to comply with Fish and Game Code Section 711.4 (Fish**

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and Game fees required when notices of environmental decisions are filed).

- d) The County of Santa Clara shall pay any remaining fees as set in this Commission's Schedule of Fees and Deposits.
- e) Prior to issuance of a certificate of completion for this reorganization, the proponent shall deliver an executed indemnification agreement which is in a form that is acceptable to the Commission and suitable for recordation.

The Commission authorizes the Santa Cruz County Board of Supervisors to conduct reorganization proceedings in compliance with Resolution No. 856 and State law. Notice and hearing requirements are hereby waived pursuant to Government Code Section 56837.

The proceedings may be completed by returning the following documents to the Local Agency Formation Commission for certification and recordation:

1. Fourteen copies of the legal map marked Exhibit "A" and fourteen copies of the legal description marked Exhibit "B".
2. A check made out to the State Board of Equalization (the current fee schedule specifies a processing fee of \$750; the fee will be \$2000 for any filing received by the SBE after December 1, 1998).
3. The Indemnification Agreement signed by Santa Clara County.

Very truly yours,



Patrick M McCormick
Executive Officer

Attachment: Map
Indemnification Agreement

cc: County of Santa Clara, Attention: Donna Logan
Pajaro Storm Drain Maintenance District
Pajaro Valley Cemetery District
Pajaro Valley Fire Protection District
Santa Cruz County Resource Conservation District
Santa Cruz County Flood Control and Water Conservation District
including Zones 4 and 7
County Service Area 9 (public works)
including Zones C and D3
County Service Area 11 (parks and recreation)
County Service Area 12 (septic maintenance)
County Service Area 38 (extended police)
County Service Area 53 (mosquito abatement and vector control)

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**SANTA CRUZ LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 856**

**On the motion of Commissioner Anderson
duly seconded by Commissioner Hurst
the following resolution is adopted:**

**MAKING DETERMINATIONS AND AUTHORIZING PROCEEDINGS TO REORGANIZE TERRITORY
DESIGNATED AS SANTA CLARA COUNTY PARKS AND RECREATION DETACHMENTS NO. 856
FROM VARIOUS DISTRICTS**

**The Santa Cruz Local Agency Formation Commission does hereby RESOLVE, DETER-
MINE, AND ORDER as follows:**

1. **A landowner petition proposing a reorganization' of certain territory has been heretofore filed with the Executive Officer of this Commission pursuant to the Cortese-Knox Local Government Reorganization Act of 1985 (Government Code Section 56000 et seq.); said reorganization consists of detachments from :**

**Pajaro Storm Drain Maintenance District
Pajaro Valley Cemetery District
Pajaro Valley Fire Protection District
Santa Cruz County. Resource Conservation District
Santa Cruz County Flood Control and Water Conservation District
including Zones 4 and 7
County Service Area 9 (public works)
including Zones C and D3
County Service Area 11 (parks and recreation)
County Service Area 12 (septic maintenance)
County Service Area 38 (extended police)
County Service Area 53 (mosquito abatement and vector control);**

and the proposal is assigned the short term designation of "Santa Clara County Parks and Recreation Detachments No. 856".

2. **The Executive Officer of this Commission has examined said petition and executed his certificate certifying that said petition is sufficient; and has reviewed said petition and has prepared a report, including his recommendations thereon, and has presented the same before this Commission for consideration.**
3. **The public hearing was held by the Commission on October 7, 1998 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 consists of approximately 270 acres and is found to be uninhabited for purposes of detachment law.**

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- 5. **The boundaries of the area proposed for reorganization are approved as amended to include the adjacent road right-of-way as shown on Exhibit A.**
- 6. **The approval of this reorganization is conditioned upon the following terms and conditions:**
 - a) **This reorganization shall only be effective if the Counties of Santa Clara and Santa Cruz complete a county boundary adjustment for the subject territory. The effective date of this reorganization will be the same date as the effective date for the county boundary adjustment.**
 - b) **The County of Santa Clara proponent shall provide a legal map, description, and fees to meet the State Board of Equalization requirements.**
 - c) **The County of Santa Clara proponent shall be responsible to pay any fees required to comply with Fish and Game Code Section 711.4 (Fish and Game fees required when notices of environmental decisions are filed).**
 - d) **The County of Santa Clara proponent shall pay any remaining fees as set in this Commission's Schedule of Fees and Deposits.**
 - e) **Prior to issuance of a certificate of completion for this reorganization, the proponent shall deliver an executed indemnification agreement which is in a form that is acceptable to the Commission and suitable for recordation.**
- 7. **The Commission has considered the Negative Declaration dated September 8, 1998 together with the comments received during the public review process, and approves the Negative Declaration. The Commission finds that authorizing district detachments will not have a significant effect on the environment.**
- 8. **Pursuant to a Board of Supervisors Resolution No. 387-98 adopted on September 22, 1998, there will be no transfer of property tax revenues.**
- 9. **This reorganization is consistent with the spheres of influence of the affected districts which provide services in Santa Cruz County but not in Santa Clara County.**
- 10. **The reasons for authorizing this reorganization are explained in the Executive Officer's Report on LAFCO No. 856 and in the "Analysis of a Proposal to LAFCO" prepared by the staff for LAFCO No. 856.**
- 11. **This Commission hereby approves this proposal and authorizes the Santa Cruz County Board of Supervisors to conduct reorganization proceedings in compliance with this resolution and state law; notice and hearing requirements are hereby waived pursuant to Government Code Section 56837.**

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PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Santa Cruz this 7th day of October, 1998, by the following vote:

AYES: Commissioners Garcia, Bolden, Beautz, Hurst, Anderson, Van Houten, and Chairperson Wormhoudt
NOES: None
ABSENT: None

Mardi Wormhoudt
MARDI WORMHOUDT
CHAIR

Attest:

Patrick M. McCormick
Patrick M. McCormick
Executive Officer

Approved as to form

Jane M. Scott
Jane M. Scott
LAFCO Counsel

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STATE OF CALIFORNIA }
COUNTY OF SANTA CRUZ } SS
I, the duly appointed Secretary-Clerk of the Local Agency Formation Commission, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by said Commission on October 7, 1998
IN WITNESS WHEREOF I have thereto affixed my signature this 7th day of October 1998
Susan Grossmann
Secretary-Clerk, Santa Cruz Local Agency Formation Commission

SANTA CRUZ LAFCO RESOLUTION NO. 856

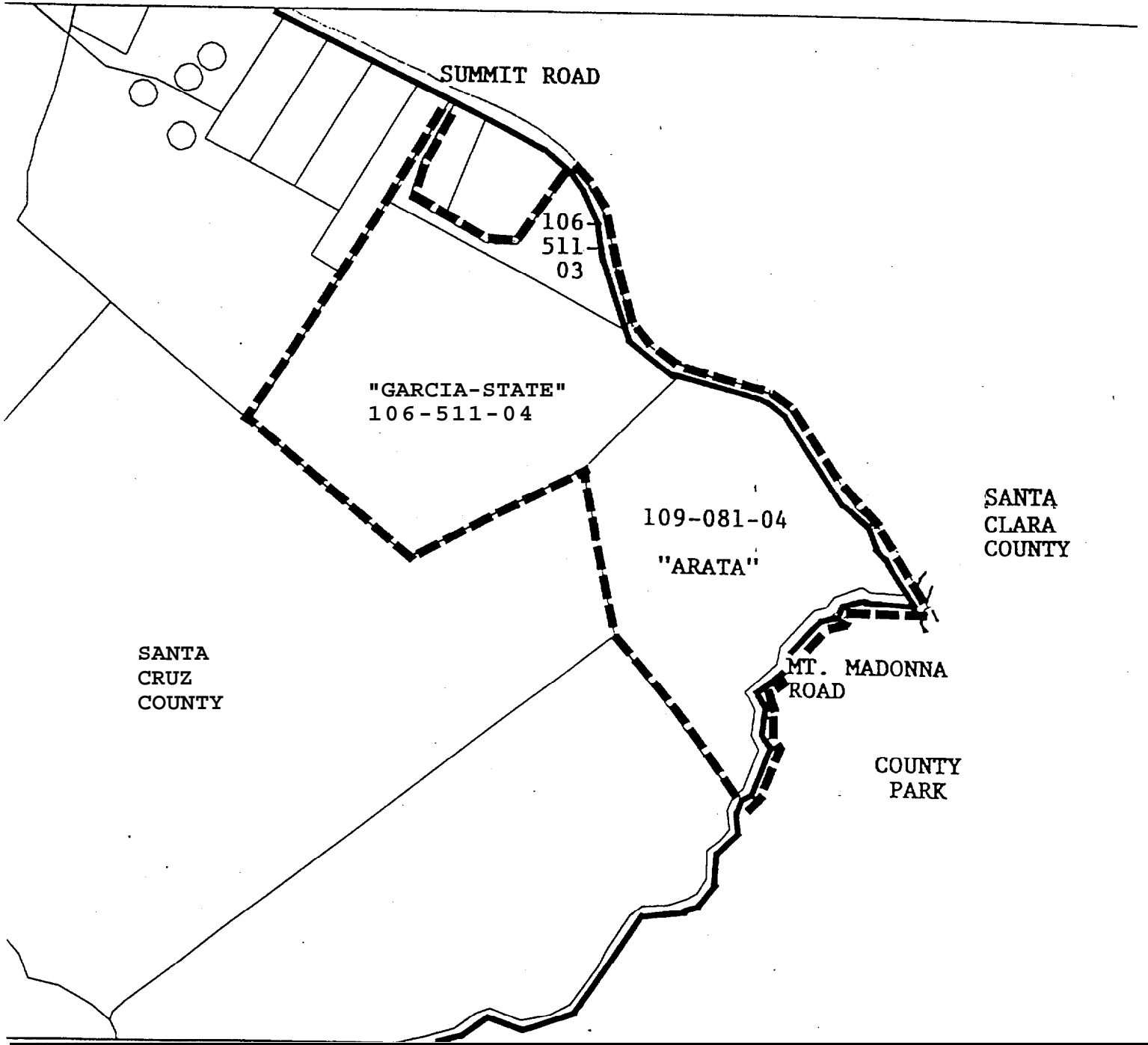
EXHIBIT A

September 1998 County and District Boundaries
District Detachments/LAFCO No. 856

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SCALE (FT/INCH) = 1,237
WIDTH IN FEET = 9,817.62
DEPTH IN FEET = 8,826.33

REQUEST ID: Madonna



ASSESSOR PARCELS

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ORDINANCE NO. _____

**ORDINANCE OF THE COUNTY OF SANTA CRUZ
TO CHANGE THE COUNTY BOUNDARY BETWEEN
SANTA CLARA AND SANTA CRUZ**

WHEREAS, Article 4, entitled Minor Boundary Changes, of Title 3, Government of Counties, specifically Government Code Section 23210, provides the process for modifying the boundaries between counties when the boundary line is moved less than five (5) miles from its original location; or the reduction in area of the affected county (Santa Cruz) is changed by less than five percent; or the reduction in the population of the affected county is changed by less than five percent; and

WHEREAS, the process requires that the respective county boards of supervisors adopt substantially similar ordinances approving the proposed boundary change.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

County Boundary Change

The boundary of the County of Santa Clara is changed to include the territory of two parcels presently located adjacent to Mt. Madonna County Park of Santa Clara County, but within the territory of the County of Santa Cruz. The boundary between the two counties shall be modified so that the two parcels shall be included within the territory and jurisdiction of the County of Santa Clara, as described in the attached Exhibit A and as shown on the attached Exhibit B, incorporated herein by reference, effective as of December 11, 1998.

The boundary change does not result in a change of more than five miles from its original location; does not reduce by more than five percent the area of the County of Santa Cruz; and the change affects one inhabited parcel and hence does not change by more than five percent the population of any affected county as determined by the State Department of Finance's most recent estimate of population.

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The boundary change is subject to the conditions that: (1) the County of Santa Clara shall develop the subject properties for public park purposes consistent with the Agreement and Open Space Easement covering the subject properties; and (2) Santa Clara County shall bear the cost and responsibility for completion and filing of a survey of the proposed boundary change.

SECTION II

This ordinance shall take effect on the 31st day after the date of its adoption, provided.

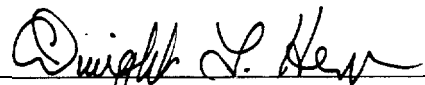
PASSED AND ADOPTED this ____ day of _____, 1998, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chair of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



DWIGHT L. HERR, County Counsel

DISTRIBUTION: County Counsel

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EXHIBIT A**1998 COUNTY BOUNDARY CHANGE
AT MOUNT MADONNA COUNTY PARK**

All that certain real property situate in the County of Santa Cruz, State of California, being a portion of the Rancho Salsipuedes and more particularly described as follows:

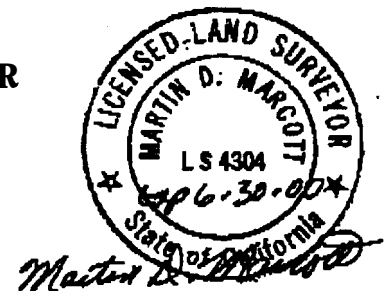
Beginning at a point on the existing Santa Cruz and Santa Clara County Boundary Line as described in Sections 23143 and 23144 of the State of California Government Code, at the point of intersection with the centerline of Mount Madonna Road (forty feet wide), described as County Road in that deed conveyed by M. E. Thomas (a single woman) to the County of Santa Clara dated April 3, 1930 and recorded in Volume 179 at Page 138 Official Records of Santa Cruz County, said point also being the most northerly corner of that property shown on that Parcel Map of Lands of Forest Company, Salsipuedes Rancho, filed in Book 10 of Parcel Maps at Page 48, Santa Cruz County Records, said Point of Beginning having grid coordinates of North 1,828,096 feet, East 6,204,994 feet, based on CCS83, Zone 3, February, 1987 published values; deeds cited are the basis of bearings for this description; thence from said Point of Beginning and leaving said Santa Cruz and Santa Clara County Boundary line, along the centerline of said Mount Madonna Road as shown on said Parcel Map the following four courses: South 0° 30' East, 113.52 feet; South 30° 10' East, 161.04 feet; South 23° 45' West, 376.86 feet; South 41° 15' West, 117 feet, more or less to the intersection thereof with the Northeasterly line of those certain parcels described in that Judgement of Final Distribution No. 30405 in the Superior Court of the State of California in and for the County of Santa Cruz of the Estate of Laura M. Estrada filed in Book 3399 Page 242, Santa Cruz County Records, said line also being the Southwesterly line of that property described in that Grant Deed from Patricia J. Arata, an unmarried woman, to the County of Santa Clara, a political subdivision of the State of California filed for record in Volume 4948 of Official Records, Page 788, Santa Cruz County Records on December 27, 1991; thence leaving said road along said Northeasterly and Southwesterly line the following two courses: North 37° 20' West, 1709.40 feet to a large double redwood stump and North 12° 53' West, 1426.92 feet to the Southeasterly line of the land described in that State of California Quitclaim Deed to the County of Santa Clara filed in Book N558 Page 2067 Official Records of Santa Clara County; thence along said Southeasterly line and continuing along said Northeasterly line of those parcels described in said Judgement South 62° 40' West, 1227.60 feet and North 51° 50' West, 1762.20 feet to the Northwesterly line of said land described in said Quitclaim to the County of Santa Clara, being also the Southeasterly line shown on that map of Tract 814 filed in Volume 66 of Maps at Page 25, Santa Cruz

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County Records; thence along last said Northwesterly and Southeasterly line and along the Southeasterly line of the land described in that Quitclaim Deed to George Donald McKay, filed in Volume 4790 Page 748 Official Records of Santa Cruz County North 29° 25' East, 2747 feet, more or less, to an angle point in said line, said angle point is marked with a 3/4 inch iron pipe with rod in center 1.0 foot above ground as shown on that Record of Survey filed in Volume 50 of Maps at page 43, Santa Cruz County Records; thence continuing along last said line and along the lines as shown upon said Record of Survey North 30° 25' East, 268.82 feet, more or less, to the Southwesterly line of Summit Road (100 feet wide) and the said existing Santa Cruz and Santa Clara County Boundary, also being the generally Southwesterly Right of Way line of said Summit Road as shown upon that Right of Way Map Job No. 39-11 on file in the Office of the County Surveyor of Santa Cruz County under File No. E 405-2.1, .2, .3, .4; thence along said Santa Cruz and Santa Clara County Boundary Line and along said Southwesterly line of Summit Road, South 64° 03' East, 40.00 feet; thence following the boundary of said Record of Survey and also along the lines of the Exception from Parcels One, Two and Three of PARCEL THREE as described in said State of California Quitclaim Deed to the County of Santa Clara the following five courses: South 27° 38' 09" West, 295.68 feet; South 15° 14' 35" West, 357.48 feet; South 63° 00' 54" East, 753.40 feet; South 87° 32' 28" East, 254.73 feet; North 32° 46' 04" East, 440.00 feet to the said Southwesterly line of Summit Road and the said existing Santa Cruz and Santa Clara County Boundary Line; thence along the said southwesterly side of Summit Road and continuing along the existing Santa Cruz and Santa Clara County Boundary Line southeasterly and southwesterly to the POINT OF BEGINNING. Containing 266 acres, more or less.

OCTOBER 26, 1998
 OFFICE OF THE COUNTY SURVEYOR
 MARTIN D. MARCOTT, COUNTY SURVEYOR
 SANTA CLARA COUNTY, CALIFORNIA



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AGREEMENT AND OPEN SPACE EASEMENT CONTRACT

This is an Agreement and Open Space Easement Contract (Agreement) between the COUNTY OF SANTA CLARA, a political subdivision of the State of California, (GRANTOR) and the COUNTY OF SANTA CRUZ, a political subdivision of the State of California, (GRANTEE).

WITNESSETH:

WHEREAS GRANTOR owns fee title to the real property in Santa Cruz County, California, described in the attached Exhibit A (Property), which is incorporated by reference;

WHEREAS GRANTOR and GRANTEE wish to preserve the natural scenic beauty and existing openness of the Property as park lands for the public benefit;

WHEREAS GRANTOR is willing to grant to GRANTEE an open space easement on the Property to protect its present scenic beauty and existing openness by restricting GRANTOR's use and development of the Property by the imposition of the conditions provided below;

NOW, THEREFORE, for and in consideration of the premises, GRANTOR grants and conveys to GRANTEE an estate, interest and open space easement in perpetuity in the Property of the nature and character and to the extent hereinafter expressed, which estate, interest, and easement will result from the restrictions hereby imposed on the use of the Property by GRANTOR, and to that end and for the purpose of accomplishing the intent of the parties hereto, GRANTOR covenants on behalf of itself, its heirs, successors and assigns with said GRANTEE, its successors and assigns to do and refrain from the various acts hereinafter mentioned. The restrictions hereby imposed on the use of the Property and the acts which GRANTOR shall refrain from doing on the Property in connection therewith are and shall be as follows:

1. The Property shall be used and designated only for park lands use by GRANTOR.
2. No billboards of any kind or nature shall be located on the Property.
3. All signs shall be harmonious with the character of the area and shall be of the highest design standards.
4. No road or major facility requiring large-scale clearance of vegetation, such as telecommunications equipment, shall be located in areas where it would create visible scars on the landscape, and all cleared area shall be replanted to control erosion.
5. Roads, building sites, and facilities shall not be allowed to create major or lasting visible scars on the landscape. Structures on the Property must be located, constructed or landscaped so that they do not create a major negative visual impact from the valley floor. If the land is either developed or divided, such development or division shall be carried out so that building sites are not located on ridge lines.
6. Development shall be landscaped with fire resistant and/or native plants which are ecologically compatible with the area.
7. Natural riparian and stream side areas shall be left in their natural state, providing

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OCT 27 1998

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percolation, wildlife habitat, aesthetic relief, and recreational uses that are environmentally compatible.

8. Open space lands shall be protected for their functional ecological or scenic values, and natural environmental resources shall be conserved for wise and efficient use.
9. Development activity shall not be allowed to degrade the natural environment and all reasonable steps shall be taken to mitigate potentially adverse effects.
10. Only commercial development that will contribute to and is directly related to the recreation-related enjoyment of the area shall be considered.
11. All development must be compatible with the Santa Cruz County and Santa Clara County General Plans.

EXCEPTING AND RESERVING TO GRANTOR:

- a) The right to maintain all existing roads, bridges, trails, and structures on the Property.
- b) The use and occupancy of the Property as park lands non inconsistent with the conditions and restrictions imposed by this Agreement.

The restrictions in this Agreement shall continue if county boundary lines are changed so that the Property is located in Santa Clara County.

So long as the Property is used for park purposes, Santa Cruz County residents shall be granted access to Mount Madonna County Park, including the Property) and given the right to use any facilities on such lands on the same terms as GRANTOR's residents. No "out-of-county" or "out-of-district" fees or exclusions shall apply to Santa Cruz County residents.

GRANTEE shall not make any payment to GRANTOR for the conveyance of the open space easement described above, it being recognized and agreed between the parties that the consideration for this conveyance is the substantial public benefit to be derived therefrom by restriction development in conformance to the use of the Property as park lands and the advantage which will accrue to GRANTOR in GRANTEE's approval of the subsequent annexation of the Property to GRANTOR for use as park lands.

The conveyance by GRANTOR to GRANTEE of an open space easement in the Property is made in perpetuity.

The open space easement conveyed by this instrument shall run with the Property and shall be binding on the heirs, successors, and assigns of the parties hereto.

IT IS FURTHER AGREED by the parties that so long as the Property is used for park purposes, Santa Cruz County residents shall be granted access to the Mount Madonna County Park and to the Property and given the right to use any facilities on such lands on the same terms as residents of GRANTOR and no "out-of-county" or "out-of-district" fees or exclusions shall apply to Santa Cruz County residents.

This Agreement is executed as of the latest date shown below:

no

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GRANTOR

GRANTEE

COUNTY OF SANTA CLARA

COUNTY OF SANTA CRUZ

Elana Alvarado
Elana Alvarado, Chairperson
Board of Supervisors

Chair
Board of Supervisors

Date: OCT 27 1998

Date: _____

ATTEST:

APPROVED AS TO FORM:

Phyllis A. Perez
Phyllis A. Perez, Clerk
Board of Supervisors

Dwight L. Harr, County Counsel

Date: OCT 27 1998

Date: _____

APPROVED AS TO FORM & LEGALITY

Kathryn A. Berry
Kathryn A. Berry, Deputy County Counsel

Date: Oct. 14, 1998

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EXHIBIT "A"

PARCEL ONE:

BUNG a part of the Rancho Salsipuedes, end beginning on the Northern side of the "Summit Road", so called, and at the most Northern corner of lands of one Schell, a madrone tree 8" in diameter bears South 71° West 30 links distant; and running thence along the Northerly and Northeasterly side of said road and along the boundary of lands now or formerly of one Roos, North 82°30' West 1.50 chains; North 61°50' West 4.50 chains; North 29°30' West 2.00 chains; North 24°45' West 2.50 chains; North 10° East 3.00 chains; North 6°40' West 2.50 chains; North 26°10' West 4.50 chains; North 9°10' East 1.70 chains; North 36°15' East 2.00 chains; North 36°10' West 1.00 chains; and North 56°20' West 7.00 chains, a little more or less, to a pipe on the Northeastern side of said road at the most Easterly corner of the 15.59 acre tract of land conveyed by Tony Avansini to George E. Garcia by deed dated October 19, 1827 and recorded on October 20, 1927 in Vol. 108 of Official Records at Page 290. Santa Cruz County Records; thence leaving said lands of Roos and along the line of said lands so conveyed to Garcia, as aforesaid, South 30°30' West 3.54 chains; South 37°15' West 3.70 chains; North 71°54' West 6.07 chains; North 63°17' West 7.15 chains and North 69°55' West 3.88 chains to the lands formerly of John C. Avansini; thence along said last mentioned lands South 29°25' West 36.25 chains to a station in a picket fence on line of lands of one Chas. Rossi; thence along said lands of Rossi, South 51°50' East 28.70 chains and North 62°40' East 18.60 chains to the aforesaid lands of Schell, and thence along the boundary thereof, North 43°19' East 20.00 chains to the place of beginning.

PARCEL TWO:

BEING a part of the Rancho Salsipuedes, and beginning on the Northeastern side of the road on the summit of the Santa Cruz mountains, and at the most Western corner of lands of one Roar, and running thence from said point of beginning, South 30°30' West 0.35 chains to the middle of said road; thence along the center line of said road, North 72°40' West 3.19 chains; North 56°50' West 3.50 chains; and North 21°36' West 1.59 chains to a station from which an iron pipe drains into the ground at the foot of a redwood snag bears North 19°25' East 25 links distant; thence leaving road and along lands of John C. Avancinr, South 19°25' West 0.51 chains; South 30°25' West 4.83 chains; South 29°25' West 5.30 chains; thence leaving said lands of John C. Avancina, South 59°55' East 3.66 chains; South 63°17' East 7.16 chains; South 71°54' East 6.07 chains; North 37°15' East 3.70 chains; North 30°30' East 3.64 chains to a pipe on the Northeastern side of the aforesaid road and line of the aforesaid lands of Roos; thence along the said road and lands of Roos, Northwesterly to the place of beginning.

PARCEL THREE:

All of the lands described in that certain Quitclaim Deed to George E. Garcia recorded January 29, 1963, in Volume 1594, Page 277, Official Records of Santa Cruz County,

Excepting from Parcels One and Two those portions thereof described in Quitclaim deed, from George E. Garcia to Frank L. Dornick, Sr., recorded January 29, 1964 in Book 1594, Page 279, Official Records of said County.

Excepting from Parcels One, Two and Three that portion thereof more particularly described as follows:

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BEGINNING at an eight inch spike on the centerline of Summit Road at Engineer's Station 49 + 75.60 as said centerline is shown on plans on file with the County Surveyor, County of Santa Cruz, file number E405-1, Sheet No. 4, said point being South 16°53'20" West, 90.83 feet, from a large nail in a 10 inch by 10 inch corner fence post as delineated on the Record of Survey of a part of the lands of Frank L. Dornick, Sr., recorded in Book 40 of Maps at Page 71, of Santa Cruz County, an April 28, 1964; thence from said POINT OF BEGINNING, along the centerline of Summit Road South 64°03'00" East, 57.88 feet to a large found spike; thence on a curve tangent to the last mentioned course, concave Southwesterly, having a radius of 1,400.00 feet, a central angle of 23°53'34", and an arc length of 563.81 feet to a six inch railroad spike, thence leaving the centerline of Summit Road, South 32°46'04" West 52.39 feet to a Standard Division of Beaches and Parks Brass Cap marked L.S. 2781, 1967 located at the Southwesterly right-of-way of Summit Road, thence South 32°46'04" West 440.00 feet to a standard Division of Beaches and Parks brass cap marked L.S. 2781, 1967, thence North 87°32'28" West, 254.73 feet, to a standard Division of Beaches and Parks brass cap marked L.S. 2781, 1967, thence North 63°00'54" West, 753.40 feet, to a standard Division of Beaches and Parks brass cap marked L.S. 2781, 1967, thence North 15°14'35" East, 387.46 feet, to a standard Division of Beaches and Parks brass cap marked L.S. 2781, 1967, thence North 27°38'09" East, 295.68 feet to a standard Division of Beaches and Parks brass cap marked L.S. 2781, 1967 located on the Southwesterly right-of-way of Summit Road, thence North 25°57'00" East, 50.00 feet to a railroad spike set on the centerline of Summit Road, thence along said centerline South 64°03'00" East, 478.16 feet, to the POINT OF BEGINNING. This latter exception contains 16.438 acres more or less.

Reserving from said Parcels One, Two and Three (parcel granted) herein and as an appurtenance to the certain 16.438 acre tract described as an exception, the right to take, for domestic use and stock watering, water, not in excess of 1,000 gallons per day, from a spring or well on said parcel granted, located ppmxhstdy 600 feet east of the east line of said 16.438 acre parcel; provided, however, that Grantee may reasonably designate and redesignate the area adjoining said spring or well that may be used by Grantor, his successors or assigns, for the purpose of collecting and taking said water. Grantee hereby covenants and agrees that Grantee will not do anything that will impair the potable condition of said water.

Further reserving from the parcel granted, and as an appurtenance to the certain 16.438 acre parcel above described, a non-excludable easement for a water pipeline over a strip of land ten (10) feet in width, the centerline of which said ten (10) foot strip is the existing waterline leading from the spring or well, hereinbefore referred to, to the residence on said 16.438 acre tract; provided, however, that the Grantee may at its own cost relocate said water pipeline and upon such relocation Grantor, his successors and assigns, shall quitclaim to Grantee the easement hereby reserved upon Grantee furnishing Grantor a sufficient easement for said waterline as relocated.

Further reserving from the parcel granted, and as an appurtenance to this certain 16.438 acre tract described above, the right to graze cattle on said parcel granted which reservation is made and excepted upon the express condition that Grantor, his successors and assigns, conducts his operations on said parcel granted according to specifications, if any, issued by State Director of Parks and Recreation to protect said land for the public use for which it was acquired, provided, however, that Grantee may, upon six (6) months' notice to Grantor, his successors or assigns, terminate said right as to all or part of said parcel granted herein, upon a determination by the State Director of Parks and Recreation that all or such part of said parcel granted herein to which said rights are to be terminated are needed for the public use for which said land was acquired.

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Further reserving from said parcel granted herein, and as an appurtenance to the 16.438 acre tract described herein, the right to take, for use as domestic fuel on said 16.438 acre tract, downed or dead trees and if no downed or dead trees are reasonably available, to Cut, for such use, such standing trees as may be designated by Grantee after a request by Grantor to so designate which reservation is made and accepted upon the express condition that Grantor, his successors and assigns, conducts hts operations on said parcel granted herein according to specifications, if any, issued by State Director of Parks and Recreation to protect said land for the public use for which it was acquired, provided, however, that Grantee may, upon six (6) months' notice to Grantor, his successors or assigns, terminate said right as to all or part of said parcel gnnted herein, upon a determination by the Stab btmtcor of Parks and Recreation that all or such part of said parcel granted herein to which said rights are to be terminated are needed for the public use for which said land was acquired.

Grantee covenants and agrees that so long a8 Grantor uses and occupies the existing single-family residence on the aforementioned excepted 16.438 acres, or any replacement thereof, Grantor, during hi life, may dispose of his garbage in areas and ln such manner as designated by State Director of Parks and Recreation.

Grantee further covenants and agrees that when all or any portion of the land granted to Grantee herein is opened to public use Grantee shall construct along the common boundary line of Grantee and Grantor a cattle fence constructed with galvanized steel fence posts, wiring and barbed wire in such a manner as reasonably designated by Grantor.

The Grantee does hereby covenant and agree that it will place on the lands herein granted a memorial plaque for the grandfather of Grantor, SEBASTIAN AVAZINI.

To have and to hold the parcel granted unb the said Grantee, its successors and assigns, in fee simple subject to the following conditions subsequent:

That the parcel granted shall be used only for park purposes, wayside park purposes, parkway purposes or roadside rest purposes.

Upon breach of raid condition by said Grantee, its successors or assigns, then in that event, Grantor, his heirs, successors or assigns, may forthwith enter and re-enter upon the parcel granted and in that event all right, title and interest granted hereby shall revert to raid Grantor, his heirs, successors and assigns. Waiver by Grantor, or his heirs, successors and assigns of any breach shall not be deemed a waiver of any subsequent breach of said conditions.

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PARK ADMIN

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SITUATE in the County of Santa Cruz, State of California.

PARCEL ONE:

BEGINNING at 6 point in the middle of the Old Stage Road on the Northeasterly boundary of a tract of land conveyed to one Schaffer by Watsonville Mill and Lumber Company, from which point of beginning a redwood witness tree 18 inches in diameter bears South 53° East 46 links distant; thence along said road North 65° 20' West 1.50 chains; North 26° 20' West 2.50 chains; North 5° 25' East 3 chains to a station on the divide by the Toll House, from which a large redwood stump bears South 23° East 30 links distant; thence leaving said road and along the mountain road North 45° 35' West 5 chains, North 35° 50' West 13.50 chains to a station from which the corner post of a fence bears North 60° East 30 links distant; thence continuing along said road North 69° 20' West 7 chains; North 50° 40' West 2.75 chains; North 82 1/2° West 4 chains to a station, from which an oak stump bears South 36 3/4° East 70 links distant; thence leaving said road South 43° 19' West at 11.11 chains a point from which a redwood 3 feet in diameter bears South 55° East 30 links distant at 20 chains station for a corner; thence in a Southeasterly direction about 23 chains to a large double redwood tree notched on the Westerly side which stands in the fence on the boundary of said Schaffer tract of land; thence Easterly along said boundary to the place of beginning.

PARCEL TWO:

BEGINNING in the Old stage Road at the Easterly point of land heretofore conveyed to John Mull Schell by Watsonville Mill and Lumber Company, from which point a redwood tree bears South 53° East 46 links distant; thence along the boundary of the aforesaid land conveyed as aforesaid North 71 1/2° West 5.75 chains to a redwood tree, North 54 3/4° West 9.85 chains to another tree, South 36 3/4° West 15 chains to a stake, South 66° 6' West 14.04 chains to a stake in fence; thence leaving said boundary South 12° 53' East 40 links to the Easterly side of a large

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double redwood tree which stands in a fence; thence South 37° 20' East passing through a dead oak tree 25.90 chains to the aforesaid Stage Road thence along said Road North 48 3/4° East 1.69 chains to a station; North 19 1/2° East 5.83 chains to a station, North 32 1/4° West 1.80 chains to station, North 1° West 2.90 chains to station, North 25 1/2° West 2.30 chains to station, North 49 3/4° East 5.17 chains to station, North 11 1/4° East 2.20 chains to station, North 41 1/2° East 6.80 chains to station, North 76 1/4° East 1.40 chains to station, North 33° East 2.10 chains to station, North 73 1/2° East 3.50 chains to station, South 56 1/2° East 1.30 chains to station, South 85 1/2° East 5.80 chains to station, North 40 1/4° West 3.44 chains to station, North 19 1/2° West 3.20 chains to the place of beginning.

APN: 109-081-04

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ATTACHMENT V

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

Resolution No. _____

On the motion of Supervisor
Duly seconded by Supervisor
The following resolution is adopted:

**RESOLUTION ORDERING SPECIAL DISTRICT DETACHMENTS DESIGNATED
AS SANTA CLARA COIJNTY PARKS AND RECREATION DETACHMENTS NO. 856**

WHEREAS, the Local Agency Formation Commission of Santa Cruz County adopted its Resolution No. 856 on October 7, 1998, making determinations and authorizing reorganization proceedings for the territory described in Exhibit A attached hereto and by this reference incorporated herein; and

WHEREAS, the Board of Supervisors is conducting the reorganization proceedings in accordance with the Cortese-Knox Local Government Reorganization Act of 1985; and

WHEREAS, the reason for this proposed reorganization is to allow the adjustment of the Santa Clara/Santa Cruz County boundary; and

WHEREAS, the regular county assessmknrt roll is utilized by this County; and

WHEREAS, the affected territory will not be taxed for existing general bonded indebtedness of this county; and

WHEREAS, the Board of Supervisors certifies that this action is categorically exempt from CEQA; and

WHEREAS, the reorganization includes the detachment of the following special districts from the territory described in Exhibit A:

- Pajaro Storm Drain Maintenance District
- Pajaro Valley Cemetery District
- Pajaro Valley Fire Protection District
- Santa Cruz County Resource Conservation District
- Santa Cruz County Flood Control and Water Conservation District
Including Zones 4 and 7
- County Service Area 9 (public works)
Including Zones C and D3

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- County Service Area 11 (parks and recreation)
- County Service Area 12 (septic maintenance)
- County Service Area 38 (extended police)
- County Service Area 53 (mosquito abatement and vector control);

WHEREAS, a public hearing on this reorganization was called for and held by the Board of Supervisors at the place and time noticed therefore on November 10, 1998, and the Board of Supervisors finds and determines that the value of written protests filed and not withdrawn is less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the territory,.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Santa Cruz County hereby orders the territory described in Exhibit A reorganized subject to the terms and conditions contained in LAFCO Resolution No. 856 and directs the Clerk of the Board of Supervisors to transmit a certified copy of this resolution to the executive officer of the Local Agency Formation Commission of Santa Cruz County.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this 10th day of November, 1998, by the following vote:

AYES: SUPERVISORS
 NOES. SUPERVISORS
 ABSENT: SUPERVISORS

 Chairperson of the Board

A T T E S T :

 Clerk of the Board

APPROVED AS TO FORM:

Dwight L. Hew

 County Counsel

- Distribution:
- Santa Clara County Parks and Recreation District
 - County Counsel
 - Auditor-Controller
 - Treasurer--Tax Collector
 - LAFCO
 - Assessor

SANTA CRUZ LAFCO RESOLUTION NO. 856

EXHIBIT A

September 1998 County and District Boundaries
District Detachments/LAFCO No. 856

SCALE (FT/INCH) =	1/237
TOTAL LENGTH IN FEET =	9,817.62
PERIMETER LENGTH IN FEET =	8,826.33

REQUEST ID: **Madonna**

