

No 'fatal flaws' would bar City of Aptos, expert says

By DONALD MILLER
Sentinel Staff Writer

APTOS — An expert hired to see if Aptos should become a city said Thursday night he sees "no major fatal flaws" that would prevent that from happening.

But, he said, the county will have a significant say in a potential city's economic future.

The consultant, Walter Kieser of Economic and Planning Systems of Berkeley, spoke at a public forum at Rio del Mar Elementary School. About 50 people attended.

Kieser was hired by a local group looking into incorporation. His complete feasibility report should be ready by early January, he said.

Kieser said the major benefits of

incorporating would be to increase police and road-maintenance services, and to give residents a better voice in planning and land-use issues.

Kieser, who has worked on incorporation plans for a number of smaller Bay Area communities, said the Aptos area is "incredibly underserved" in its police protection.

Santa Cruz County Sheriff Al Noren already has proposed contracting with a future city of Aptos for a police department administered by the Sheriff's Office, which would at least double police protection for area residents.

Kieser also noted that Aptos would be a "limited-service" city, since fire, sewer, water and library services are already in place.

Kieser said the county will set the percentage of property taxes available for a city of Aptos. Typically, he said, this rate is between 7 and 15 percent of the property taxes collected in the area. The county now gets 24 percent of the property taxes collected.

But, said Kieser, in post-Proposition 13 times, the feasibility of incorporation cannot be based on property taxes. Instead, a city should look toward state revenue-sharing funds that are based on three times the number of registered voters during the first eight years of cityhood.

The city of Aptos as drawn up by backers would have 11,500 registered voters out of a total population ex-

ceeding 18,000.

The backers also estimate \$4 million in revenue for the first year, with \$2.5 million in operating expenses.

Kieser has been told not to include any potential revenue from two controversial projects in Aptos: the Wingspread Beach complex or the Seascape beachlands 298-unit hotel.

Both have been approved at least in concept by the county Board of Supervisors. But the county has vowed it will seek legislation to prevent a future city from trying to tap either project for revenue. Backers have said they doubt such a stipulation is legal. Kieser also said he doubted whether the supervisors could act in a way that would prevent a future city council from making decisions.

Kieser noted that if backers are successful in getting 25 percent of the registered voters in the proposed city to sign a petition supporting incorporation, then the matter goes to the Local Agency Formation Commission, the county agency that oversees boundary changes and incorporations.

And, several people noted, LAFCO's voting commissioners include supervisors Gary Patton and Robley Levy. Levy represents Aptos, and Patton is the county's most

prominent controlled-growth advocate.

Kieser conceded that the political process of moving an incorporation through the county would be the toughest task faced by backers.

But, he said, if the Aptos area supports incorporation and if Levy is "a good politician," she probably would not try to block incorporation. Levy has said she will await detailed feasibility studies before taking any position on the incorporation.

Kieser said "boards of supervisors do not belong making decisions for urban areas" such as Aptos.

Kieser denied that incorporation would necessarily lead to growth. In fact, he said, he has "never" seen a case where "growth goes rampant" in a newly incorporated small city.

This is true, he said, even when the incorporation is strongly backed by pro-development forces.

"Once a local community takes responsibility for land use, it tends to be more responsible and careful than a county," said Kieser.

He said a city could not raise taxes unless such a move was approved in a post-incorporation election by at least two-thirds of the voters.

Kieser said that the lack of an appreciable commercial or industrial tax base in Aptos would not be a "fatal flaw," because the community is affluent with higher property values.