

employment period is coming to an end, makes it difficult for the

Ex-director of LAFCO defends actions

By BUD O'BRIEN

Why was the executive director of the Local Agency Formation Commission fired?

Cecil Smith, who is chairman of the Santa Cruz County Board of Supervisors and one of that board's two representatives on the LAFCO board of directors, has said he voted to fire Executive Director Dan Cardoza because of "demands" he had made on county staff.

Supervisor Pat Liberty, the county board's other representative on the LAFCO board, said she voted to fire Cardoza primarily for budgetary reasons.

Santa Cruz City Councilman Joe Ghio will not comment on the reason he voted to fire Cardoza, saying the action was taken in a closed personnel session.

The other two members of the LAFCO board — public member (and chairwoman) Robley Levy and Scotts Valley City Councilman Jack Boone — voted to retain Cardoza.

Cardoza has claimed that he was the sacrificial lamb in a campaign led by Smith to destroy the independence of

LAFCO by shifting its administration from an independent executive director's office to the county Public Works Department.

Smith has denied that, saying that his motive for wanting the Public Works Department to handle the administrative duties was to preserve "continuity" in LAFCO's work. Smith said there was no way he could torpedo the independence of LAFCO in any event because its status was protected by state law.

The successful attack on Cardoza's position was started by Smith a couple of months ago after Cardoza wrote a letter to various county and other agencies asking for information to be used by LAFCO in its work on the proposed annexation of a part of the Freedom area to Watsonville.

According to Smith, these constituted "demands" on the county staff at a time when Prop. 13 had placed the county under tight budget restrictions. Smith accused Cardoza of "ordering" county staff around and made a

rather significant issue of the Cardoza letter.

But, Cardoza says, the letter consisted not of demands, but of requests for information that the agencies involved already had on hand. He said the information sought had to do with the services being provided the Freedom area being considered for annexation — services such as sewage, recreation, water, police protection, etc. Cardoza said two of the three county agencies solicited for such information, the Community Resources Agency and the Sheriff's Department, replied promptly. Only the Public Works Department failed to respond, Cardoza said.

Cardoza pointed out that the state law provides that county agencies provide such information to LAFCO.

Cardoza said Smith's charge that he had made "demands" on the county staff was "ludicrous" and a smokescreen behind which Smith was maneuvering to destroy LAFCO's independence. He pointed also

to Smith's assertion that LAFCO was reliant on county staff for most of its information. Smith had made that remark as one of the reasons why shifting LAFCO's administration to the Public Works Department would be more efficient and provide for better continuity.

"That's a dramatic example," Cardoza said, of Smith's misleading tactics.

"Not only was I not relying almost completely on the Public Works Department (for information)," Cardoza said, "I didn't rely on them at all."

Before he wrote the one letter that stirred up Smith, Cardoza said he had never gotten any information from the Public Works Department, or sought any, since he had been hired to head LAFCO in May.

"I defy Cecil Smith to show where (Public Works) supplied me with a single bit of information," Cardoza said. "It (Smith's accusations) is so absurd I have a problem even talking about it."

When he was asked about

Cardoza's statement, Public Works Director Don Porath would not comment. Asked directly whether his department had been subject to "demands" from Cardoza, Porath would only say that, "I don't want to get into that ... I didn't ask for this job." (Porath is the acting executive director of LAFCO until the board either hires a new executive director or contracts the job out.)

Mrs. Liberty, when asked why she voted to fire Cardoza, said she felt it was a budgetary move. "With the fiscal restraints imposed by Prop. 13," she said, "I felt it was unfair of the state to make the county pay (for LAFCO) while the cities pay nothing."

She said it was not Cardoza she was aiming at when she voted for his dismissal, but the office of executive director itself. Mrs. Liberty makes no bones about wanting the administration of the agency in the county's hands.

Nevertheless, Mrs. Liberty said she did not believe Cardoza had been treated unfairly, even though she

would not say what, if anything, he had done to warrant his dismissal. As did Ghio, she said she did not feel free to discuss what went on in the executive session during which Cardoza was fired.

Mrs. Liberty said she hasn't given up on the idea of permanently transferring the executive officer's duties into the county Public Works Department. She and Smith had voted at the meeting in which Cardoza was fired, to eliminate the independent executive directorship. But Ghio joined with the pro-Cardoza pair on the board to thwart that move.

Ghio said today he was still determined to "keep LAFCO independent" by retaining an independent executive director, or by contracting with an outside firm to do the work.

LAFCO was established some years ago under a state law designed to create a body independent of other local governmental bodies (cities, counties, fire districts, etc.) to oversee annexations and other boundary changes.

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