



Marin Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

REGULAR MEETING

Thursday, June 8, 2017

Marin Clean Energy | Charles McGlashan Room
1125 Tamalpais Avenue, San Rafael, California

CALL TO ORDER BY CHAIR

Vice Chair Condon called the meeting to order at 7:10 p.m.

ROLL CALL BY CHAIR

Regulars Present: Carla Condon, Vice Chair
Jack Baker
Damon Connolly (7:20 p.m.)
Sashi McEntee
Craig K. Murray
Dennis Rodoni

Alternates Present: Chris Skelton *
Matt Brown
Lew Kious

** voting in place of absent regular members*

AGENDA REVIEW

Vice Chair Condon asked if there were any requests for changes to the agenda. No requests were made from the public. Vice Chair did note the Commission would continue a closed session item regarding labor negotiations due to Chair Blanchfield's absence at tonight's meeting. No objections were made and Vice Chair Condon proceeded with the next agenda item.

ADJOURN TO CLOSED SESSION

The Commission adjourned to a closed session regarding the following item:

- ANTICIPATED LITIGATION – The Commission met to discuss significant exposure to litigation for one case pursuant to Government Code Section 54956.9(d)(2).

RETURN FROM CLOSED SESSION

Vice Chair Condon reported the Commission took no action in closed session.

OPEN TIME

Vice Chair Condon invited members of the audience to address the Commission on any LAFCO related matters not listed on the agenda. No requests were made from the public. Commissioner Baker made announcement about former Alternate Commissioner Chris Burdick's health following a knee injury and invited Commissioners to pay him a visit.

CONSENT CALENDAR ITEMS

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair of designee will also consider requests from the Commission to pull an item for discussion.

1. Approval of Meeting Minutes |

March 16, 2017 Special Meeting and April 13, 2017 Regular Meeting (action)

Staff has prepared meeting minutes for the last two meetings of the Commission. This involves a special meeting held on March 16th and a regular meeting held on April 13th. The minutes are being presented for formal approval with any desired corrections or clarifications.

2. Commission Ratification |

Reconciled Payments from April 1, 2017 to April 30, 2017 (action)

The Commission will consider ratifying payments made by the Executive Officer during the month of April. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$42,413. The payments are being presented for formal ratification consistent with adopted policies.

3. Budget Update for 2016-2017 and Year End Projections (action)

The Commission will review a report comparing budgeted and actual transactions for 2016-2017 through April 30, 2017 and its projection Marin LAFCO is on pace to finish with an operating net of \$1,908 or 0.4%. This projection marks a substantive improvement over the budgeted operating net of (\$25,000) and largely attributed to unexpected savings in payroll costs. The report is being presented to the Commission to accept and file as well as to provide direction as needed.

4. Approval of Budget Amendments for 2016-2017 |

Transfer of \$24,000 Between Operating Expense Units (action)

The Commission will consider two related budget amendments to help ensure all operating expense units maintain positive balances through the end of the fiscal year. The proposed amendments seek to make use of unexpected savings in payroll by transferring \$24,000 out of the Salaries and Benefits Unit with \$19,000 going to the Administrative Activities Unit to cover increased legal services. The remaining \$5,000 would go to the Services and Supplies Unit to cover increased general office supplies.

5. Approval to Extend Agreement |

Support Services with the Southern Marin Fire Protection District (action)

The Commission will consider making amendments to its existing support services agreement with the Southern Marin Fire Protection District. This agreement currently provides terms for the Commission to receive specified bookkeeping and related accounting services from the District and through its Finance Director at a total not-to-exceed cost of \$15,000 through June 30, 2017. Staff is seeking authorization to amend the agreement terms through December 31, 2017 and at a total not-to-exceed cost of \$22,500.

6. Progress Report on 2016-2017 Workplan (action)

The Commission will receive a progress report on accomplishing administrative and planning projects established in the adopted workplan for 2016-2017. This includes summarizing the seven projects completed to date while highlighting the dozen-plus activities substantively underway. The report notes ongoing reductions in staffing levels and related matters have slowed agency efficiencies in addressing certain projects, and most notably as it relates to scheduled municipal service reviews. The report is being presented to the Commission to formally accept as well as to provide direction to staff as needed.

7. Request for Time Extension to Complete Approval Terms |

Annex 700 and 726 Sequoia Valley Road to Homestead Valley Sanitary District (action)

The Commission will consider a request for a time extension to complete the terms established by Marin LAFCO in approving the annexation of territory at 700 and 726 Sequoia Valley Road to the Homestead Valley Sanitary District on June 9, 2016. Staff recommends approval of a one-year extension subject to receipt of the \$680 filing fee as provided under policy by June 16, 2017. The affected parcels are identified by the County of Marin Assessor as 046-231-07 and 046-301-01.

8. Notice of Extended Public Review and Comment | Central Marin Wastewater Study (information)

The Commission will receive an update on its scheduled Central Marin Wastewater Study. This includes – and with the concurrence of the Chair – approval by the Executive Officer to extend the public review and comment period on the draft report presented at the April 13th meeting. The review and comment period now extends for an additional 30 days through June 30th. A final report is expected to be presented for action at the August 10th meeting.

9. Comment Letter | Plan Bay Area 2040 Update (information)

The Commission will receive an update on the Metropolitan Transportation Commission and Association of Bay Area Governments' joint project to update the region's sustainable communities strategy plan; the document under State law that establishes long-term development and transportation priorities in the region. This includes the Commission receiving a copy of the comment letter jointly submitted by staff with Alameda, Contra Costa, and San Mateo LAFCOs ahead of a June 1st deadline.

10. Marin LAFCO Brochure (information)

Consistent with the adopted workplan the Commission will receive a copy of the newly created brochure on Marin LAFCO. The brochure has been prepared by staff and based on earlier input from the Commission and part of the agency's ongoing interest in advancing its branding and outreach efforts within Marin County. The brochure is being provided to the Commission for information with an opportunity for members to provide direction on desired revisions going forward.

11. Current and Pending Proposals (information)

The Commission will receive a report identifying active proposals on file with Marin LAFCO as required under statute. The report also identifies pending local agency proposals to help telegraph future workload. The report is being presented to the Commission for information only.

APPROVED; motion and second made by Commissioners Murray and Baker to approve the consent calendar and recommendations therein; all yes

PUBLIC HEARING ITEMS

12. Proposal for Reorganization of 238 Summit Drive et al | Concurrent Annexations Involving Ross Valley Sanitary District and Corte Madera Sanitary District with Sphere Amendments (action)

The Commission will consider a reorganization proposal filed on behalf of interested landowners from the Corte Madera Sanitary District involving four incorporated parcels in the Town of Corte Madera totaling 4.5 acres. The proposal seeks approval to concurrently annex 244, 246, and 260 Summit Drive to Corte Madera Sanitary District and 238 Summit Drive to the Ross Valley Sanitary District. The proposal's purpose is to formalize as well as rationalize current public wastewater services provided in the affected territory through earlier actions outside of Marin LAFCO review. Staff recommends approval without modifications and subject to standard terms. Conforming sphere amendments are also recommended. The subject parcels comprising the affected territory are identified by the County of Marin Assessor's Office as 021-161-20, 021-161-26, 021-161-17, and 021-161-02.

The Administrative Analyst summarized the proposal on the reorganization of 238 Summit Drive. Commissioners presented questions and participated in a robust discussion regarding – and among other topics – the potential to expand the proposal to include the “North Trail.” The Commission ultimately gave direction to staff to work offline with Corte Madera and the

Corte Madera Sanitary District in assessing ownership of the North Trail with the goal of potentially returning as part of a separate clean up item.

Vice Chair Condon opened the public hearing and invited any members of the public to address the Commission. Comments were received by Peter Moeck representative for the landowner at 238 Summit Drive. No other comments were received.

APPROVED; motion and second made by Commissioners Murray and Rodoni to close the public hearing and approve the reorganization of 238 Summit Drive et. al to Ross Valley Sanitary District and Corte Madera Sanitary District as presented; all yes

13. Final Amendments | Policies on Outside Service Extensions (action)

The Commission will consider approving final amendments prepared by staff as part of the adopted workplan on Marin LAFCO's policies on outside service extensions. The amendments return to the Commission entirely intact following their presentation in draft-form in April and subsequent public review. The amendments address two distinct issues divided between non-fire protection services and fire protection services with the latter necessitated by the recent enactment of Senate Bill 239 (Hertzberg). Approval is recommended with any changes as identified by members.

Staff provided a brief summary of the proposed policies on outside service extensions and noted they remain entirely intact from their earlier presentation and discussion in April.

Commission discussion followed.

Vice Chair Condon opened the public hearing and invited comments from the audience. No Comments were received. Vice Chair closed the public hearing.

APPROVED; motion and second made by Commissioners Rodoni and McEntee to approve the final amendments on Marin LAFCO's policies on outside service extensions as presented; all yes

14. Adoption of Final Workplan and Operating Budget for 2017-2018 (action)

The Commission will consider adopting a final workplan and budget for 2017-2018. Both items return following their adoption in draft-form in April and subsequent public review. Revisions are reflected in both items and highlighted in the workplan by the addition of district reorganizations within Murray Park and San Quentin Village as well as prioritizing a contract review with CalPERS for employee pension services. Revisions to the budget are limited to accommodating revised insurance estimates that increase costs by an additional 0.3% and contribute to an updated overall budgeted expense total of \$556,781; a difference of 5.7% over 2016-2017 and entirely attributed to funding additional non-payroll costs.

Staff provided a summary of the final workplan and operating budget recommended by the Budget Committee (McEntee, Murray and Rodoni).

Vice Chair Condon opened the public hearing. No comments received, and the Vice Chair closed the hearing.

Commission discussion followed.

APPROVED; motion and second made by Commissioners McEntee and Murray to adopt the final workplan and operating budget for 2017-2018 as presented; all yes

BUSINESS ITEMS

15. Draft Report on Sphere of Influence Update | North Marin Water District (action)

The Commission will review a report from staff representing Marin LAFCO's scheduled sphere of influence update on the North Marin Water District. The report is in draft-form and recommends making one immediate change to the sphere to add 2,230 acres located off of State Highway 1 in the West Marin service area; lands already connected to the water system through earlier outside service extensions and support commercial agricultural uses. The report also recommends formal placeholders for additional review and analysis for the possible future expansion of the sphere to include portions of Dillion Beach and southern Sonoma County. The report is being presented for discussion and formal authorization to proceed with a noticed public review ahead of presenting a final report at the August 10th meeting.

Staff provided a detailed presentation on the draft report as part of the Commission's scheduled sphere of influence update for North Marin Water District. This included noting the sphere of influence update was derived from the recently completed Countywide Water Study and focused on three distinct study areas.

Vice Chair Condon invited comments from the audience. Comments were received from North Marin Water District General Manager, Drew McIntyre.

Commission discussion followed with ultimate direction to staff proceed with the formal public review and comment period on the draft report with the expectation a final report be presented for action at the next regular meeting.

16. Initial Review | Draft Proposal to Readopt Study Schedule (action)

The Commission will review a draft proposal to readopt a new five-year study schedule calendaring municipal service reviews. The draft proposal would replace the existing study schedule, which terms at the end of the next fiscal year, and calendar municipal service reviews beginning in 2017-2018 and extending to 2021-2022. The draft proposal is being presented for discussion as well as authorization to proceed with a formal public review – include notice to all affected 65 local agencies – ahead of considering final action at the August 10th meeting.

Staff provided a summary of a draft proposal to readopt a new five-year municipal service review study schedule that better aligns with the Commission's existing progress to date in preparing studies as well as available resources.

Commission discussion followed.

APPROVED; motion and second made by Commissioners Baker and Skelton to authorize and proceed with a formal public review period ahead of considering final action at the next regular meeting; all yes

17. Legislative Report | Update on First Year of 2017-2018 Session (action)

This item is for the Commission to consider bill proposals generated as part of the first year of the Legislature's 2017-2018 session that directly or indirectly impact LAFCOs' duties and or interests. This includes considering position recommendations on three bills not previously reviewed by the Commission as well as receiving an update on the ongoing review of the Little Hoover Commission on special districts and LAFCOs' oversight therein. The Commission is also invited to provide direction on other legislative matters of interests.

Staff provided an overview of the bill proposals that directly or indirectly impact LAFCOs as part of the first year of the Legislature's 2017-2018 session and through the local review of the Legislative Committee (Kious, McEntee, and Murray).

Commission discussion followed.

APPROVED; motion and second made by Commissioners McEntee and Baker to authorize and proceed with position recommendations as recommended along with starting to track legislation affecting Williamson Act contracts going forward; all yes

18. Election of Chair and Vice Chair (action)

The Commission will consider the election of a Chair and Vice Chair as provided under adopted policy. The terms are each one year and will commence immediately.

APPROVED; motion and second made by Commissioners Rodoni and Baker to nominate and elect Chair Blanchfield as the Commission Chair; all yes

APPROVED; motion and second made by Commissioners Rodoni and Baker to nominate and elect Vice Chair Condon as the Vice Chair; all yes

EXECUTIVE OFFICER REPORT

The Executive Officer announced that at the next regular meeting Commissioners will begin to receive iPads for agenda packets.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Commissioner Murray adjourned tonight's meeting in honor of the late John T. Knox.

ADOURNMENT TO NEXT MEETING

Vice Chair Condon adjourned the meeting at 9:50 pm.

APPROVED:

ATTESTED:

Carla Condon
Vice Chair

Keene Simonds
Executive Officer