



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

NOTICE OF REGULAR MEETING AND AGENDA

Marin Local Agency Formation Commission

Thursday, February 11, 2021 ▪ 7:00 PM

***** BY VIRTUAL TELECONFERENCE ONLY *****

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting will be held by teleconference only. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

PUBLIC ACCESS

Members of the public may access and watch a live stream of the meeting on Zoom at <https://zoom.us/j/4350473750>. Alternately, the public may listen in to the meeting by dialing (669) 900-6833 and entering Meeting ID 4350473750# when prompted.

WRITTEN PUBLIC COMMENTS may be submitted by email to staff@marinlafco.org. Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted to the agenda on the LAFCO website.

SPOKEN PUBLIC COMMENTS will be accepted through the teleconference meeting. To address the Commission, click on the link <https://zoom.us/j/4350473750> to access the Zoom-based meeting.

1. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Commission calls for the item on which you wish to speak, click on "raise hand" icon. Staff will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
3. When called, please limit your remarks to the time limit allotted (3 minutes).

CALL TO ORDER BY CHAIR

ROLL CALL BY EXECUTIVE OFFICER

AGENDA REVIEW

The Chair or designee will consider any requests to remove or rearrange items by members.

PUBLIC OPEN TIME

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on the current agenda. All statements that require a response will be referred to staff for reply in writing or will be placed on the Commission's agenda for consideration at a later meeting. Speakers are limited to three minutes.

CONSENT CALENDAR ITEMS (discussion and possible action)

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

1. Approval of Minutes for December 10, 2020, Regular Meeting
2. Commission Ratification of Payments from December 1, 2020, to January 31, 2020
3. Approval of April 2021 Meeting Date

PUBLIC HEARING

4. Approval of Resolution 21-01, Annexation of 2000 Point San Pedro Road (APN 184-030-01) to San Rafael Sanitary District (LAFCo File #1352)
5. Approval of Resolution 21-02 to Dissolve County Service Area 23 Pursuant to Government Code Section 56879 (LAFCo File #1350)
6. Approval of Resolution 21-03 to Dissolve County Service Area 25 Pursuant to Government Code Section 56879 (LAFCo File #1351)
7. Presentation of the Novato Region Supplemental Municipal Service Review for Marin County Flood Control and Water Conservation District Zone 1 Public Draft [Information Only]

BUSINESS ITEMS (discussion and possible action)

Business Items involve administrative, budgetary, legislative or personnel matters and may or may not be subject to public hearings.

8. Approval of COBRA Payment Agreement with County
9. Accept and File Fiscal Year 2018-2019 Audit Along With Discussion and Possible Action for Future LAFCo Audits

EXECUTIVE OFFICER REPORT (verbal report only)

- a) Budget Update FY 2020-2021
- b) Current and Pending Proposals
- c) Update on Workshop (Verbal Report)
- d) LAFCo Working Group updates (Verbal Report)
- e) 2021 Committee Assignment

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code section 54957

Title: Executive Officer

CONFERENCE WITH LABOR NEGOTIATORS

Government Code section 54957.6

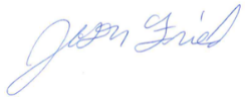
Agency Designated Representatives: Chair McEntee and Commissioner Connolly

Unrepresented Employee: Executive Officer

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

ADJOURNMENT TO NEXT MEETING

April 8, 2021 | 7:00 P.M.



Attest: Jason Fried
Executive Officer

Any writings or documents pertaining to an open session item provided to a majority of the Commission less than 72 hours prior to a regular meeting shall be made available for public inspection at Marin LAFCo Administrative Office, 1401 Los Gamos Drive, Suite 220, San Rafael, CA 94903, during normal business hours.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCo and continues until 3 months after a final decision is rendered by LAFCo. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCo office at least three (3) working days prior to the meeting for any requested arraignments or accommodations.

Marin LAFCo

Administrative Office
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Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 1 (Consent Item)

TO: Local Agency Formation Commission

FROM: Olivia Gingold, Clerk/Junior Analyst

SUBJECT: **Approval of Minutes for December 10, 2020, Regular Meeting**

Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards and processes therein for the public to attend and participate in meetings of local government bodies as well as those local legislative bodies created by State law; the latter category applying to LAFCos.

Discussion

The action minutes for the December 10 regular meeting accurately reflect the Commission's actions as recorded by staff. A video recording of the meeting is also available online for viewing at <http://marinlafco.org/AgendaCenter>.

Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the December 10, 2020 meeting with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item to the next regular meeting and provide direction to staff, as needed.

Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Attachment:

- 1) Draft Minutes for December 10, 2020

Administrative Office
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Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiouss, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

DRAFT

NOTICE OF REGULAR MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, December 10, 2020

CALL TO ORDER

Chair McEntee called the meeting to order at 7:04 P.M.

ROLL CALL BY COMMISSION CLERK

Roll was taken and quorum was met. The following were in attendance:

Commissioners Present: Sashi McEntee, Chair
Craig K. Murray, Vice-Chair
Lew Kious
Barbara Coler
Damon Connolly
Larry Loder
Judy Arnold

Alternate Commissioners Present: Tod Moody
James Campbell

Marin LAFCo Staff Present: Jason Fried, Executive Officer
Jeren Seibel, Policy Analyst
Olivia Gingold, Clerk/Junior Analyst

Marin LAFCo Counsel Present: Mala Subramanian

Alternate Member Absent: Dennis Rodoni
Chris Skelton

AGENDA REVIEW

Executive Officer Fried suggested that item 4 be moved to the front of the consent calendar items as there were public members in attendance to speak on that item, Chair McEntee recommended keeping the agenda as is.

Approved: M/S by Commissioners Arnold and Kious to accept the agenda as is.

Ayes: Commissioners McEntee, Murray, Connolly, Arnold, Coler, Kious, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

PUBLIC OPEN TIME

Chair McEntee opened the public comment period. Hearing no request for comment, Chair closed the public open time.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for August 8, 2020, Regular Meeting

Commissioner Coler asked to change adjourn to “December 12” to adjourn to “December 10”

2. Commission Ratification of Payments from August 1, 2020, to September 30, 2020

Approved: M/S by Commissioners Kious and Arnold to accept consent calendar items 1 and 2.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, and Connolly

Nays: None

Abstain: None

Motion approved unanimously.

3. Approval of Calendar for 2021

Chair McEntee pulled this for discussion because the April meeting fell during spring break for Marin County schools. A number of dates, including all 5 Thursdays in April were discussed but none were possible for the entire Commission so the item was continued for deliberation. No public comment was offered. A discussion was also had about major/minor holidays and checking for major holidays before making the Meeting Calendar. A Doodle poll was proposed between the December 2020 and February 2021 meetings to determine the April meeting date.

Approved: M/S by Commissioners Coler and Arnold to approve the schedule except for the April meeting and finalize the April date at the February meeting.

Ayes: Commissioners Murray, Connolly, Arnold, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

PUBLIC HEARING ITEMS

4. Approval of Extension of Application File 1346 Paradise Drive Annexation to Tiburon

EO Fried reminded the Commission of the details of this application, which was divided into 2 parts so the sanitary district annexation could proceed while the Town of Tiburon took longer to do the pre-zoning. COVID slowed things down and the person who was in charge of planning left so this delayed the pre-zoning process. The applicant is requesting an extension and staff is recommending approval of this extension. There were no questions from the Commissioners and no public comment was made.

Approved: M/S by Commissioners Murray and Loder to approve the extension of application file 1346

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

5. Approval of Resolution to Initiate Proceedings Dissolving CSA 23

Executive Officer summarized the purpose of CSA 23, noting that the CSA has served its purpose of purchasing land and that it hasn't collected any money or had any activity since the '90s. The land has since been transferred into the Marin County Open Space District. The only reason this CSA took so long to be identified as inactive was because it had some money in its account which was accruing interest. This gave the illusion of the district being active. The district was brought to the State Controller's Office's attention, and the list was issued in November, designated CSA 23 as inactive. He noted that the San Rafael Municipal Service Review had made a finding consistent with that of the State Controller's Office. Today's meeting will initiate the proceedings to dissolve, the February meeting will be when the Commission can formally dissolve the CSA. Staff recommends accepting the initiation of the dissolution consistent with SCO and MSR findings.

Murray asked whether or not County real estate staff had reviewed this to ensure all of the assets of the CSA had transferred properly. EO Fried responded that County real estate hadn't been asked. All of the transfers had been finished in the 90's so EO Fried is skeptical that anyone still works at County Real Estate who worked directly on this matter but he did confirm that the County views all of the assets as transferred, the remaining small amount of money in the CSA's account will be used to help pay for the dissolution process. It was clarified that the CSA owns no land so any parcels still in the CSA are private parcels that paid off the bond initially issued to pay off the land and that County had verified this.

Commissioner Connolly wanted to clarify that there has been a check-in with the County and because it was covered in the MSR the public had been given time to comment on it.

No public comment was made for this item.

Approved: M/S by Commissioners Coler and Kious to approve the resolution initiating the proceedings to dissolve CSA 23.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

6. Approval of Resolution to Initiate Proceedings Dissolving CSA 25

EO Fried noted that this CSA is nearly the exact same as CSA 23, except it's up in the Novato area. The staff report remains consistent with the previous staff report for CSA 23.

Chair McEntee opened public comment, none was made.

Approved: M/S by Commissioners Coler and Arnold to approve the resolution initiating the proceedings to dissolve CSA 25.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

BUSINESS ITEMS

7. Review and Approval of Amendments for the LAFCo Policy Handbook

Minor edits made to the policy handbook, most of them dealing with changes to LAFCo's banking system because LAFCo now does its own payroll. Added in a section clarifying that LAFCo created a new account for payroll auto-pay and eventually benefits. Also updated process for selection of special district members, and other small edits. EO Fried yielded to Chair of Committee for comments but he had nothing to add.

Chair McEntee asked if there were any questions from the Commission, but none were heard. Public Comment was opened but no comments were offered and it was closed again.

Approved: M/S by Commissioners Kious and Arnold to approve the edits to the Policy Handbook.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

8. Review and Approval of New Personnel Handbook

The EO reported that the goal today is for the smaller personnel handbook to be replaced by this lengthier, more thorough handbook. Personnel and Policy Committee took the LCW personnel handbook template and used it as a guide, amending it as needed to fit LAFCo better, given LAFCo's unique needs and non-unionized staff status. Full complete handbook has been discussed by Policy and Personnel Committee except for three items: putting in a definition for regular employees (separate from at-will and for-cause), two options were offered for this. The second

was amending sick leave to include a wider scope of people that staff can take time off to care for, in order to not exclude employees who may be in committed long-term relationships that may not be legally defined. The person would need to be pre-designated so as to avoid abuse of the system. The final item for deliberation was whether or not to cap sick leave. LAFcos in the State, as well as special districts and municipalities in Marin County, were surveyed to determine what the appropriate cap for sick leave is.

Commissioner Moody, who is Chair of the Committee, recommended going with staff's recommendations.

Chair McEntee wanted to confirm that sick time doesn't get paid out, meaning there would be no cap on sick leave accrual but no ability to cash out when you terminate although a retirement service credit may be available. EO Fried confirmed.

No public comment was made and public comment was closed.

Vice-Chair Murray wanted to make sure the 2 analysts had the right to unionize. Chair McEntee wanted to know if there was anything in the handbook that would preclude employees from unionizing. EO Fried responded that there is currently nothing stopping staff from unionizing. He clarified that Staff is aware of this and has chosen not to unionize for the time being.

Commissioner Coler wanted to confirm that staff had FMLA, and wanted to know if there was an advance notice regarding a special sick leave designee for staff to prevent abuses. It was confirmed that staff did have FMLA and that advance notice was requisite in being able to take sick leave off for someone other than parents, legal partners, and other immediate family to prevent abuses. A discussion was had about the advance notice and whether or not it was too lenient or open to abuses, it was ultimately decided that it was not too lenient, particularly because requiring a doctor's note for longer sick time off is another check and balance that prevents abuse of the system.

Approved: M/S by Commissioners Kious and Connolly to approve the personnel handbook with staff recommendations.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

9. Approval of a Revised 5-year Study Schedule and Update on MSRs

Clerk/Jr. Analyst Gingold noted that she was doing an update of how recently SOIs had been updated. Some issues were noticed including the fact that during the review of 2016/17 agencies, although the MSRs were approved, the SOIs weren't approved or reamended which led to a deeper look at the study schedule. Some West Marin agencies had been missed in the initial study schedule, while some agencies that had been studied in the water study provided other services that weren't reviewed in the water study. Agencies were added to West Marin making it a really large study that would need to either be done in a year-long time period or split up into two separate reviews.

A multi-regional services study was also created in lieu of some other smaller studies. The biggest items for review by the commission were whether or not a multi-regional services study sounded logical, should CSA 31 and Marin County Resources and Conservation District be included in the multi-regional study or in West Marin because although they are technically countywide they work mostly in West Marin, and finally, should West Marin be a year-long study or split into two smaller studies based on some common factor.

Commissioner Coler wanted to know if the Ross Valley area study could be changed to the Upper Ross Valley study on the schedule, and that Central Marin Fire Authority needed to be added to Twin Cities. Coler agreed with leaving West Marin year long but felt that CSA 31 covers mostly West Marin and should be moved to that study for continuity.

EO Fried clarified that CSA 31 is countywide and very comprehensive. He not only has concerns that it would slow West Marin down but also felt that the review of CSA 31 would bring about a discussion of unincorporated pockets that CSA 31 officially services but that are usually responded to by other local departments instead. These pockets are what make CSA 31 countywide and it is likely after the upcoming review CSA 31 will truly be a West Marin agency but remains multi-regional for the time being.

Commissioner Coler felt that with that information it was reasonable to keep CSA 31 as multi-regional.

Vice-Chair Murray made a comment that the Resource and Conservation District traditionally assisted agriculture in West Marin but he knew it was coming over the hill slowly to help water districts. He acknowledged that it did make the most sense to keep them in West Marin for now.

It was also acknowledged that the study schedule could be amended in the next round based on changes in the service areas of these agencies.

Chair McEntee opened public comment, hearing none she closed public comment.

There was a bit more discussion about splitting West Marin up but it was determined that it made sense to keep it as a single report.

Approved: M/S by Commissioners Coler and Arnold to approve the updated MSR with that addition of name change for Upper Ross Valley report and addition of CMFA to Twin Cities study.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, Connolly, and Arnold

Nays: None

Abstain: None

Motion approved unanimously

EXECUTIVE OFFICER REPORT (discussion and possible action)

a) Budget Update FY 2020-2021

Staff stated budget was on track – should have spent 45% at this point in the year and staff is currently at 36%. Some categories have gone over 45% but overall staff is within and even under budget.

b) Current and Pending Proposals

New application came in which is in 30-day review, as well as 2 CSA additions that were included in agenda today. A couple other pending apps remain outstanding.

c) Discussion of LAFCo Annual Workshop [Verbal Report Only]

After reaching out to other LAFCo's about a joint workshop, 4 showed interest but since then 2 have fallen through. Alameda LAFCo remains interested, but it was decided that a county-wide workshop was a better approach for Marin LAFCo with a focus on shared services, aiming for nothing more than 3 hours via Zoom to enhance participation.

EO Fried also noted that he had brought up due increases to CALAFCO and the board and its makeup because it didn't seem properly distributed anymore with the correlation between due size versus board representation.

EO Fried also mentioned a new stipend signature software that will be utilized.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Vice-Chair Murray made a comment on the issues with the CALAFCO representation. Hearing no other requests or announcements, the Chair called for an adjournment.

Chair McEntee adjourned the meeting at 8:26 P.M.

ADJOURNMENT TO NEXT MEETING

Thursday, February 11th, 2020

Zoom

Attest: Olivia Gingold
Clerk/Junior Analyst

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Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 11, 2021
Item No. 2 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: **Commission Ratification of Payments from December 1, 2020, to January 31, 2021**

Background

Marin LAFCo adopted a Policy Handbook delegating the Executive Officer to make purchases and related procurements necessary in overseeing the day-to-day business of the agency. The Policy Handbook also directs all payments made by the Executive Officer to be reconciled by LAFCo's contracted bookkeeper. Additionally, all payments are to be reported to the Commission at the next available Commission meeting for formal ratification.

This following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between December 1, 2020, and January 31, 2020, totaling \$65,478.53. The payments are detailed in the attachment.

Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between December 1, 2020, and January 31, 2021, as shown in attachment.
2. Alternate Option - Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Attachment:

- 1) Payments from December 1, 2020, to January 31, 2021

Administrative Office

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Damon Connolly, Regular
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Town of Fairfax

James Campbell, Alternate
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Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Marin Local Agency Formation Commission
Expenses by Vendor Detail
 December 2020 through January 2021

Type	Date	Num	Memo	Account	Cir	Split	Amount	Balance
A and P Moving, Inc.								
Check	12/09/2020	20...	Invoice #...	65 · Rent...		11113...	40.00	40.00
Check	01/13/2021	20...	Invoice #...	65 · Rent...		11113...	61.50	101.50
Total A and P Moving, Inc.							101.50	101.50
ARNOLD, JUDY								
Check	12/16/2020	20...	Dec 202...	05 · Com...		11113...	125.00	125.00
Total ARNOLD, JUDY							125.00	125.00
BEST BEST & KRIEGER LLP								
Check	12/09/2020	20...	Invoice #...	25 · Lega...		11113...	432.00	432.00
Check	01/20/2021	20...	Invoice #...	25 · Lega...		11113...	763.60	1,195.60
Total BEST BEST & KRIEGER LLP							1,195.60	1,195.60
CALAFCO								
Check	12/09/2020	20...	2020 CK...	10 · Conf...		11113...	12.50	12.50
Total CALAFCO							12.50	12.50
Cardmember Services								
Credit Card ...	12/17/2020		marin ij	35 · Misc ...		21103...	9.95	9.95
Credit Card ...	12/17/2020		adobe	20 · IT & ...		21103...	65.96	75.91
Credit Card ...	12/17/2020		zoom	20 · IT & ...		21103...	14.99	90.90
Credit Card ...	12/17/2020		mayaca...	50 · Offic...		21103...	20.50	111.40
Credit Card ...	12/17/2020		verizon	20 · IT & ...		21103...	87.68	199.08
Credit Card ...	01/20/2021		marin ij	35 · Misc ...		21103...	9.95	209.03
Credit Card ...	01/20/2021		adobe	20 · IT & ...		21103...	65.96	274.99
Credit Card ...	01/20/2021		zoom	20 · IT & ...		21103...	14.99	289.98
Credit Card ...	01/20/2021		vista print	50 · Offic...		21103...	28.55	318.53
Credit Card ...	01/20/2021		verizon	20 · IT & ...		21103...	87.71	406.24
Total Cardmember Services							406.24	406.24
Coler, Barbara								
Check	12/16/2020	20...	Dec 202...	05 · Com...		11113...	125.00	125.00
Total Coler, Barbara							125.00	125.00
COMCAST								
Check	12/18/2020	20...	Bill Date ...	20 · IT & ...		11113...	140.01	140.01
Check	01/20/2021	20...	Bill Date ...	20 · IT & ...		11113...	140.01	280.02
Total COMCAST							280.02	280.02
CONNOLLY, DAMON								
Check	12/16/2020	20...	Nov 202...	05 · Com...		11113...	250.00	250.00
Total CONNOLLY, DAMON							250.00	250.00
Delta Dental of California								
Check	01/13/2021	20...	Invoice ...	5130210 ...		11113...	97.24	97.24
Total Delta Dental of California							97.24	97.24
FP MAILING SOLUTIONS								
Check	12/16/2020	20...	Invoice #...	50 · Offic...		11113...	157.08	157.08
Total FP MAILING SOLUTIONS							157.08	157.08
KIOUS, LEWIS								
Check	12/16/2020	20...	Dec 202...	05 · Com...		11113...	125.00	125.00
Total KIOUS, LEWIS							125.00	125.00
LIEBERT CASSIDY WHITMORE								
Check	12/01/2020	20...	Invoice #...	25 · Lega...		11113...	1,881.00	1,881.00
Check	12/18/2020	20...	Invoice #...	25 · Lega...		11113...	656.10	2,537.10
Total LIEBERT CASSIDY WHITMORE							2,537.10	2,537.10

Marin Local Agency Formation Commission Expenses by Vendor Detail December 2020 through January 2021

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
LODER, LAWRENCE								
Check	12/16/2020	20...	Dec 202...	05 · Com...		11113...	125.00	125.00
Total LODER, LAWRENCE							125.00	125.00
MARIN MAC TECH								
Check	12/09/2020	20...	Invoice #...	20 · IT & ...		11113...	136.41	136.41
Check	12/16/2020	20...	Invoice #...	20 · IT & ...		11113...	632.50	768.91
Check	01/13/2021	20...	Invoice #...	20 · IT & ...		11113...	136.92	905.83
Check	01/20/2021	20...	Invoice #...	20 · IT & ...		11113...	632.50	1,538.33
Total MARIN MAC TECH							1,538.33	1,538.33
MOODY, TOD								
Check	12/16/2020	20...	Nov 202...	05 · Com...		11113...	250.00	250.00
Total MOODY, TOD							250.00	250.00
MURRAY, CRAIG K								
Check	12/16/2020	20...	Dec 202...	05 · Com...		11113...	125.00	125.00
Total MURRAY, CRAIG K							125.00	125.00
PAYCHEX								
Check	12/11/2020	eft		35 · Misc ...		11114...	45.10	45.10
Check	12/24/2020	eft		35 · Misc ...		11114...	45.10	90.20
Check	01/08/2021	eft		35 · Misc ...		11114...	45.10	135.30
Check	01/22/2021	eft		35 · Misc ...		11114...	45.10	180.40
Total PAYCHEX							180.40	180.40
PAYROLL								
Check	12/11/2020	eft		5110110 ...		11114...	11,217.90	11,217.90
Check	12/11/2020	eft		516150 · ...		11114...	350.00	11,567.90
Check	12/11/2020	eft		5130640 ...		11114...	100.00	11,667.90
Check	12/24/2020	eft		5110110 ...		11114...	11,217.90	22,885.80
Check	12/24/2020	eft		516150 · ...		11114...	0.00	22,885.80
Check	12/24/2020	eft		5130640 ...		11114...	100.00	22,985.80
Check	01/07/2021	eft		5110110 ...		11114...	11,217.90	34,203.70
Check	01/07/2021	eft		516150 · ...		11114...	350.00	34,553.70
Check	01/07/2021	eft		5130640 ...		11114...	100.00	34,653.70
Check	01/22/2021	eft		5110110 ...		11114...	11,217.90	45,871.60
Check	01/22/2021	eft		516150 · ...		11114...	0.00	45,871.60
Check	01/22/2021	eft		5130640 ...		11114...	100.00	45,971.60
Total PAYROLL							45,971.60	45,971.60
PAYROLL TAXES								
Check	12/11/2020	eft		515115 · ...		11114...	169.83	169.83
Check	12/24/2020	eft		515115 · ...		11114...	164.76	334.59
Check	01/07/2021	eft		515115 · ...		11114...	169.83	504.42
Check	01/07/2021	eft		522310 · ...		11114...	69.99	574.41
Check	01/07/2021	eft	CA UI	5140140 ...		11114...	629.94	1,204.35
Check	01/07/2021	eft	ETT	5140140 ...		11114...	11.66	1,216.01
Check	01/22/2021	eft		515115 · ...		11114...	164.76	1,380.77
Check	01/22/2021	eft		522310 · ...		11114...	38.49	1,419.26
Check	01/22/2021	eft	CA UI	5140140 ...		11114...	346.44	1,765.70
Check	01/22/2021	eft	ETT	5140140 ...		11114...	6.42	1,772.12
Total PAYROLL TAXES							1,772.12	1,772.12
RICCIARDI, R J								
Check	01/06/2021	20...	Invoice #...	55 · Prof...		11113...	1,080.00	1,080.00
Total RICCIARDI, R J							1,080.00	1,080.00
SCHIFFMANN, ALYSSA								
Check	12/01/2020	20...	Invoice #...	55 · Prof...		11113...	1,497.10	1,497.10
Check	01/13/2021	20...	Invoice #...	55 · Prof...		11113...	1,742.00	3,239.10
Total SCHIFFMANN, ALYSSA							3,239.10	3,239.10

Marin Local Agency Formation Commission

Expenses by Vendor Detail

December 2020 through January 2021

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
SECURITY MORTGAGE GROUP 2								
Check	12/01/2020	20...	Dec 202...	45 · Offic...		11113...	2,792.35	2,792.35
Check	12/18/2020	20...	Jan 202...	45 · Offic...		11113...	2,792.35	5,584.70
Total SECURITY MORTGAGE GROUP 2							5,584.70	5,584.70
Streamline								
Check	12/01/2020	20...	Invoice #...	20 · IT & ...		11113...	100.00	100.00
Check	01/06/2021	20...	Invoice #...	20 · IT & ...		11113...	100.00	200.00
Total Streamline							200.00	200.00
TOTAL							65,478.53	65,478.53



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

AGENDA REPORT
 February 11, 2021
 Item No. 3 (Consent Item)

TO: Local Agency Formation Commission
FROM: Olivia Gingold, Clerk/Jr. Analyst
SUBJECT: Approval of April 2021 Meeting Date

Background

Annually, Marin LAFCo must approve the regular meeting schedule. LAFCo has held regular meetings, starting in February, on the second Thursday of the even months at 7:00 p.m. Currently, LAFCo is meeting exclusively via Zoom due to the COVID-19 pandemic and will meet on Zoom indefinitely until the COVID-19 pandemic has subsided enough to safely meet in person again. Once meeting in person is allowed again, a location will be chosen that meets all state and local requirements for in-person meetings. LAFCo approved the meeting calendar in December 2020 except for the April meeting date which was continued for discussion. After surveying availability, it was determined that the regular date of April 8, 2021, was the best date to hold the April meeting.

Meeting Dates for 2021

The meeting dates for 2021 are as follows, date still to be approved is bolded:

February 11 th , 2021	April 8th, 2021	June 10 th , 2021
August 12 th , 2021	October 14 th , 2021	December 9 th , 2021

Staff Recommendation for Action

1. Staff Recommendation - Approve the April date of April 8th, 2021.
2. Alternate Option – Make changes to the proposed date.

Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Administrative Office

Jason Fried, Executive Officer
 1401 Los Gatos Drive, Suite 220
 San Rafael, California 94903
 T: 415-448-5877 E: staff@marinlafco.org
 www.marinlafco.org

Damon Connolly, Regular
 County of Marin

Judy Arnold, Regular
 County of Marin

Dennis J. Rodoni, Alternate
 County of Marin

Sashi McEntee, Chair
 City of Mill Valley

Barbara Coler, Regular
 Town of Fairfax

James Campbell, Alternate
 City of Belvedere

Craig K. Murray, Vice Chair
 Las Gallinas Valley Sanitary

Lew Kious, Regular
 Almonte Sanitary District

Tod Moody, Alternate
 Sanitary District #5

Larry Loder, Regular
 Public Member

Chris Skelton, Alternate
 Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 4 (Public Hearing)

TO: Local Agency Formation Commission
FROM: Olivia Gingold, Clerk/Jr. Analyst
SUBJECT: Approval of Resolution 21-01, Annexation of 2000 Point San Pedro Road (APN 184-030-01) to San Rafael Sanitary District (File #1352)

Background

Marin LAFCo has received an application from Brendan Hickey (“applicant”) requesting approval to annex a lot that is in process of approvals for a new single-family home, approximately 1.9 acres, to the San Rafael Sanitary District (SRSD). The affected territory is in San Rafael with a situs address of 2000 Point San Pedro Road (APN 184-030-01). The proposal, as stated by the applicant, is for connection to SRSD. This parcel is located in San Rafael near China Camp Beach. Staff has requested comments from SRSD, along with other interested agencies. All comments were in support or neutral. Staff recommends approving this application.

Staff Recommendation for Action

1. Staff recommendation – Approve the requested annexation of 2000 Point San Pedro Road to SRSD and approve the attached Resolution No. 21-01.
2. Alternate Option 1 – Deny the request.
3. Alternate Option 2 – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachments:

- 1) Resolution #21-01
- 2) Application Packet

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
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Sashi McEntee, Chair
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Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 21-01

RESOLUTION APPROVING AN ANNEXATION OF 2000 POINT SAN PEDRO ROAD TO THE SAN RAFAEL SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Annexation of 2000 Point San Pedro Road (APN 184-030-01) to San Rafael Sanitary District (LAFCo File No.1352)”

WHEREAS Brendan Hickey, hereinafter referred to as “Applicant,” has filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to annex approximately 1.9 acres of incorporated land to the San Rafael Sanitary District; and

WHEREAS the affected territory represents an entire lot developed with an existing single-family residence located at 2000 Point San Pedro Road and identified by the County of Marin Assessor’s Office as APN 184-030-01; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for an annexation of territory that in uninhabited and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Approve the proposed annexation of 2000 Point San Pedro Road (APN 184-030-01), to the San Rafael Sanitary District (File #1352) with the boundaries as shown and described on Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 1.9 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 2000 Point San Pedro Road (APN 184-030-01) to San Rafael Sanitary District (LAFCo File No.1352)”.

Section 3. The proposal is consistent with the adopted spheres of influence of the San Rafael Sanitary District.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 5. As Responsible Agency under CEQA for the proposed annexation of APN: 132-311-61 to San Rafael Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 11, 2021 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair

ATTEST:

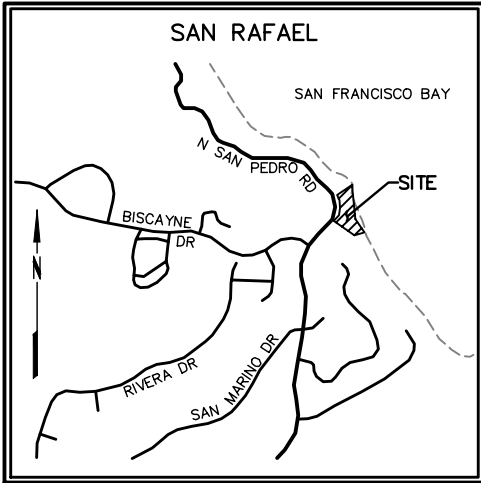
APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

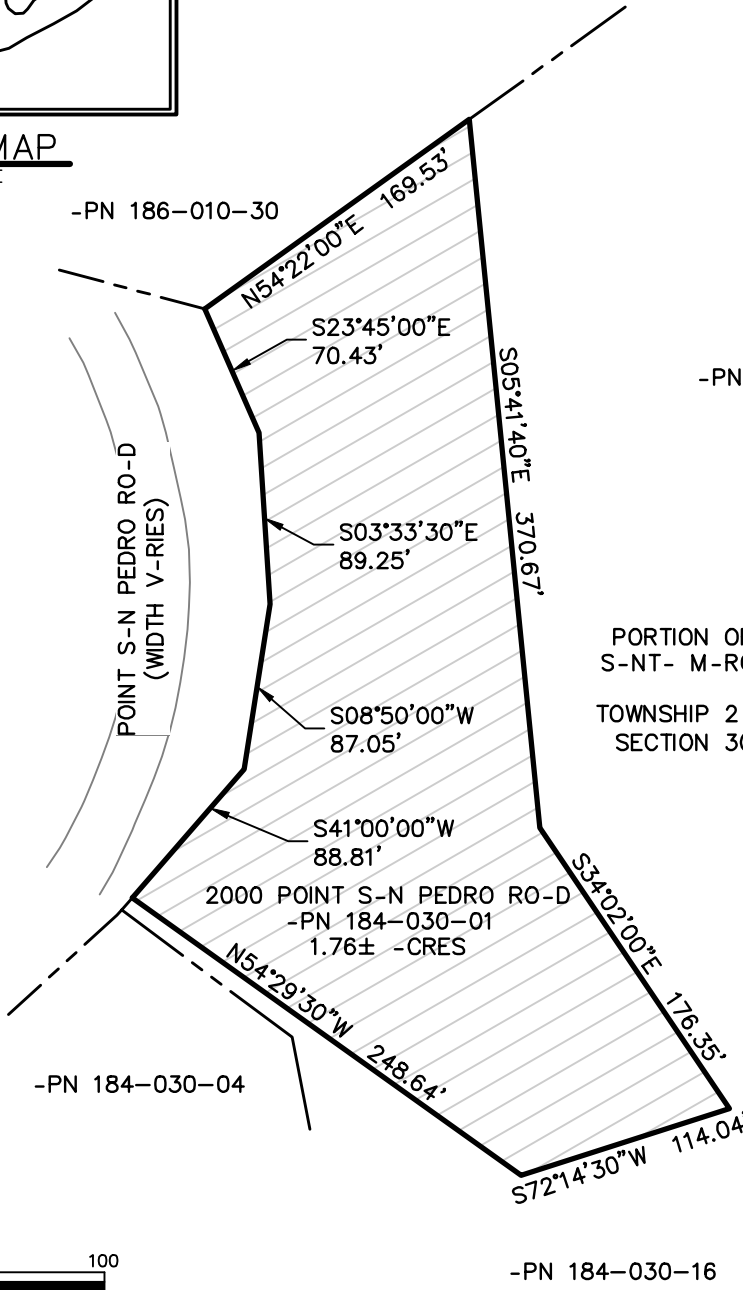
Attachments to Resolution No. 21-01

- a) Exhibit A – Map
- b) Exhibit B – Legal Description

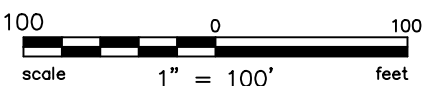


VICINITY MAP
NOT TO SCALE

LEGEND:
APN ASSESSOR PARCEL NUMBER



PORTION OF R-NCHO S-N PEDRO,
S-NT- M-RG-RIT- Y L-S G-LLIN-S
TOWNSHIP 2 NORTH, R-NGE 5 WEST,
SECTION 30 (PROJECTED) MDB&M



1730 N. FIRST ST.
SAN JOSE, CA 95112
PH: 408-467-9100
FAX: 408-467-9199

ANNEXATION OF
APN 184-030-01 INTO
SAN RAFAEL SANITARY
SEWER DISTRICT

JOB # 20181600
DATE 11/17/20
CHECKED. JK
SHEET 1 OF 1

Plot Nov 30, 2020 at 8:12am

Annexation of APN 184-030-01 into
San Rafael Sanitary Sewer District
LAFCO File # – Legal Description

The land referred to herein below is situated in the City of San Rafael, County of Marin, State of California and is described as follows:

Beginning at a point in the centerline of the County road from McNear's Beach to Santa Venetia; said point being the northwesterly corner of that certain tract of land conveyed by E.B. McNear to Louise McNear by Deed dated April 12, 1951 and recorded July 22, 1954 in Book 878 of official records at Page 249, Marin County Records;

Thence running from said point of beginning along said road centerline, South 23°45' East 60.73 feet;

Thence South 3°33'30" East 82.08 feet;

Thence South 8°50' West 77.13 feet;

Thence South 41°00' West 84.01 feet;

Thence leaving said road centerline, South 54°29'30" East 273.75 feet;

Thence North 72°14'30" East 114.04 feet;

Thence North 34°02' West 176.35 feet;

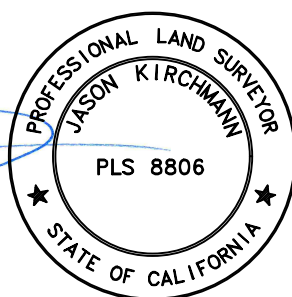
Thence North 5°41'40" West 370.67 feet to a point in the northwesterly line of the lands conveyed to Louise McNear above referred to;

Thence along said Northerly line, South 54°22' West 195.08 feet to the point of beginning.

Exception therefrom the interest conveyed by J.A. McNear, et al to the County of Marin, by Deed recorded January 24, 1895 in Book 32 of Deeds at Page 278, Marin County records.

The legal descriptions contained herein are for annexation purposes only, and do not describe real property for the purpose of creating legal parcels, or for the purpose of any legal transfer or sale.


Jason Kirchmann PLS 8806



11/18/2020

Date



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

MARIN LAFCO
PETITION FOR PROCEEDING PURSUANT TO THE CORTESE-KNOX-HERTZBERG ACT
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Marin Local Agency Formation Commission for approval of a proposed change or organization or reorganization and stipulates as follows:

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Annex APN 184-030-01 (2000 Point San Pedro Road, San Rafael, CA 94901) into San Rafael Sanitation District (hereafter 'SRSD').
3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited
5. This proposal is x or is not_ consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Annexation (ie. Annexation, Detachment, Reorganization, etc.) is/are to allow sewer service at a new home to be built on the parcel through existing SRSD sewer lines.

7. The proposal is requested to be made subject to the following terms and conditions:

8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land

Brendan Hickey		10-23-2020
Print Name	Signature	Date



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

LANDOWNERS SIGNATURES
(\$56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Brendan Hickey, 150 Pine St., San Anselmo, CA 94960
Owner-in-fact, 2000 Point San Pedro Road, San Rafael, CA 94901

Contact Number: (415) 419-6386 Email: Hickey@Defender.Law

Agent Representative (optional)
I/We hereby authorize _____ to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: _____

Contact Number: (____) _____ Email: _____

All owners of each parcel must sign. Original signatures are required.

[Handwritten Signature] _____ 11/18/20
Property Owner Signature Date

Property Owner Signature Date

Property Owner Signature Date



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

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer's Report, and Notice of Hearings:

Please Print Name

Email Address

Phone Number

Steve Stafford {San Rafael Planning}, Steve.Stafford@cityofsanrafael.org, 415-458-5048

Nicholas Busse {San Rafael Sanitation District}, Nicholas.Busse@cityofsanrafael.org, 415-485-3376



MARIN LAFCO
APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

I. GENERAL INFORMATION

3. Please check the method by which this application was initiated:

- Petition (Landowner)
 Resolution of Application (City/Town or District)

4. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

9. A. This application is being submitted for the following boundary change:

(BE SPECIFIC: For example, "annexation," "reorganization"):

Annexation of 2000 Point San Pedro Road, San Rafael, CA 94901 {APN 184-030-01} into the San Rafael Sanitation District.

B. The reason for the proposed action(s) being requested:

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")

Annexation to sewer district for construction of a single new single-family home on the subject parcel, which will connect to the existing SRSD sewer line adjacent to the property.

4. State general location of proposal:

Eastern San Rafael, along Point San Pedro Road between McNear's Beach and China Camp State Park.



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

5. Is the proposal within a city's boundaries?
Yes No Which city? San Rafael. If the proposal is adjacent to a city, provide city name: _____

6. Is the subject territory located within an island of unincorporated territory?
Yes No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes No
If yes, please justify proposed boundary change:

8. Provide the following information regarding the area proposed for annexation:

(Attach additional if needed)

A. Assessor's Parcel Number(s)

_____ 184-030-01 _____

Site Address(es)

2000 Point San Pedro Road, San Rafael, CA
94901.

Note: The property previously was numbered
1850 Point San Pedro Road, but that was
changed by a prior owner to 2000 Point San
Pedro.

B. Total number of parcels included in this application: _____ 1 _____

9. Total land area in acres: 1.9 _____



II. LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

None

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.):

Vacant parcel with approved environmental and design review permit from the City of San Rafael for construction of a new single-family home.

3. Indicate the current zoning (either city/town or county) title and densities permitted:

Zone R1a-H - Single family homes {1 acre lot size minimum} _____

4. Has the area been rezoned? No _____ N/A ___x___ Yes _____

What is the rezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)

One Single-Family Home _____



III. ENVIRONMENT

1. Is the site presently zoned or, designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- A. This site? Yes _____ No _____ N/A _____
- B. Adjacent sites? Yes _____ No _____ N/A _____
- C. Unincorporated? Yes _____ No _____
- D. Incorporated? Yes {this parcel} No _____

4. State general description of site topography:

Hillside lot with 50% average slope, containing a flat graded area {proposed site of new home}, a large drainage swale, and a cliff down to the beach below.

5. Indicated Lead Agency for this project: City of San Rafael {Steve Stafford, Planner}; San Rafael Sanitation District.

6. Indicate Environmental Determination by Lead Agency: CEQA Notice of Exemption filed with respect to new single family home at 2000 Point San Pedro Road

Dated: August 11, 2020 {date filed with Marin County by City of San Rafael}

(COPY OF ENVIRONMENTAL DOCUMENTS MUST BE SUBMITTED WITH APPLICATION.)



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

11-18-2020
Date

Brendan Hickey
Print Name

Owner/Applicant
Title



PLAN FOR PROVIDING SERVICES
(For City/Town or District Only)

This section to be completed by a city/town or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services: _____

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

This section completed by:

Signature

Title

Print Name

Agency

Contact Email

Contact Number



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 5 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 21-02 to Dissolve County Service Area 23 Pursuant to Government Code Section 56879

Background

At our December 2020 Commission meeting, the Commission approved the initiation of the process to dissolve County Service Area 23 (CSA 23). As you may recall from the December 2020 meeting, this process starts with the State Controller's Office (SCO) sending a letter to us stating that they believe a district(s) qualifies as an inactive district. Marin LAFCo received this letter in November 2020 which lists two CSAs (23 and 25) in Marin County that are perceived to be inactive. At the December meeting, we agreed with the SCO that CSA 23 is inactive.

Today's agenda item is to hold an official publicly noticed meeting to decide if CSA 23 should be dissolved. On January 21, 2020, we put a notice in our local paper about this hearing. In addition, we sent out an email to all those who made comments on the San Rafael Regional MSR where this CSA is located. As of the writing of this staff memo, we have had no comment from the public on this matter.

CSA 23 was formed in 1975 to purchase land in the Terra Linda area. Once formed the CSA used bonds to help pay for the purchase of the land. In the 1990s the CSA finished paying off the bonds. The CSA has also transferred the land purchased to the Marin County Open Space District, which now owns the land. Since the land was transferred and the bond was paid off the CSA has not met. CSA 23 had been identified as fitting the definition of inactive by the Commission when it approved the San Rafael Regional MSR at the October 10, 2019 meeting.

Staff Recommendation for Action

1. Staff recommendation – Approve the attached resolution to approve the dissolution of CSA 23.
2. Alternate option – Disagree with the SCO and make a determination that the CSA is still active and not to dissolve.
3. Alternate option – Continue consideration of the item to a future meeting and provide direction to staff, as needed.

Attachments:

- 1) Resolution 21-02

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

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County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
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Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiou, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 21-02

RESOLUTION OF THE MARIN LOCAL AGENCY FORMATION COMMISSION APPROVING THE DISSOLUTION OF COUNTY SERVICE AREA No. 23 (Terra Linda)

WHEREAS, on October 10, 2019, the Marin Local Agency Formation Commission adopted the San Rafael Area Municipal Service Review which included County Service Area No. 23 – Terra Linda (CSA 23); and

WHEREAS, in accordance with Government Code Section 56879 (Senate Bill 448) the State Controller’s Office has sent LAFCo a Notification of Inactive District confirming that CSA 23 has had no financial transactions in the previous year, has no assets and liabilities, and has no outstanding debts, judgments, litigation, contracts, liens or claims; and

WHEREAS, the San Rafael Area MSR, which states that “Today, CSA No. 23 provides no services and has no budget, fund balance, funding sources, or expenditures. As such, CSA No. 23 has achieved its original acquisition purposes and is currently inactive”, has confirmed the finding of the State Controller that CSA 23 is inactive and should be dissolved; and

WHEREAS, pursuant to Government Code Section 56879, LAFCo held a public hearing on December 10, 2020, considered the request, received public comment and adopted a resolution of application initiating the dissolution of CSA 23 for being inactive; and

WHEREAS, the Commission caused the publication of notice in the newspaper on January 21, 2021, which set a public hearing to consider the dissolution of CSA 23 at its February 11, 2021 meeting; and

WHEREAS, the Marin Local Agency Formation Commission, as lead agency under the California Environmental Quality Act (CEQA), finds the dissolution to be statutorily exempt from CEQA pursuant to State CEQA Guideline section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, the Marin Local Agency Formation Commission does hereby:

1. Adopt this resolution hereby finding that County Service Area No. 23 is an inactive district as defined in Government Code Section 56042, and hereby approves dissolving County Service Area No. 23 – Terra Linda as depicted in Exhibit A, pursuant to the Cortese Knox Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56879.
2. The Marin Local Agency Formation Commission serves as lead agency under the California Environmental Quality Act (CEQA) and finds the dissolution to

be statutorily exempt from CEQA pursuant to State CEQA Guideline section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and,

- 3. Pending the issuance and recordation of a Certificate of Completion, CSA 23 shall not:
 - (1) appropriate, encumber, expend, or otherwise obligate any revenue of CSA 23, or (2) hire any staff or contractors.
- 4. Upon the effective date of the dissolution (i.e. recordation of the Certificate of Completion), CSA 23 shall be dissolved, its existence shall be terminated and all of its powers shall cease.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 11, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

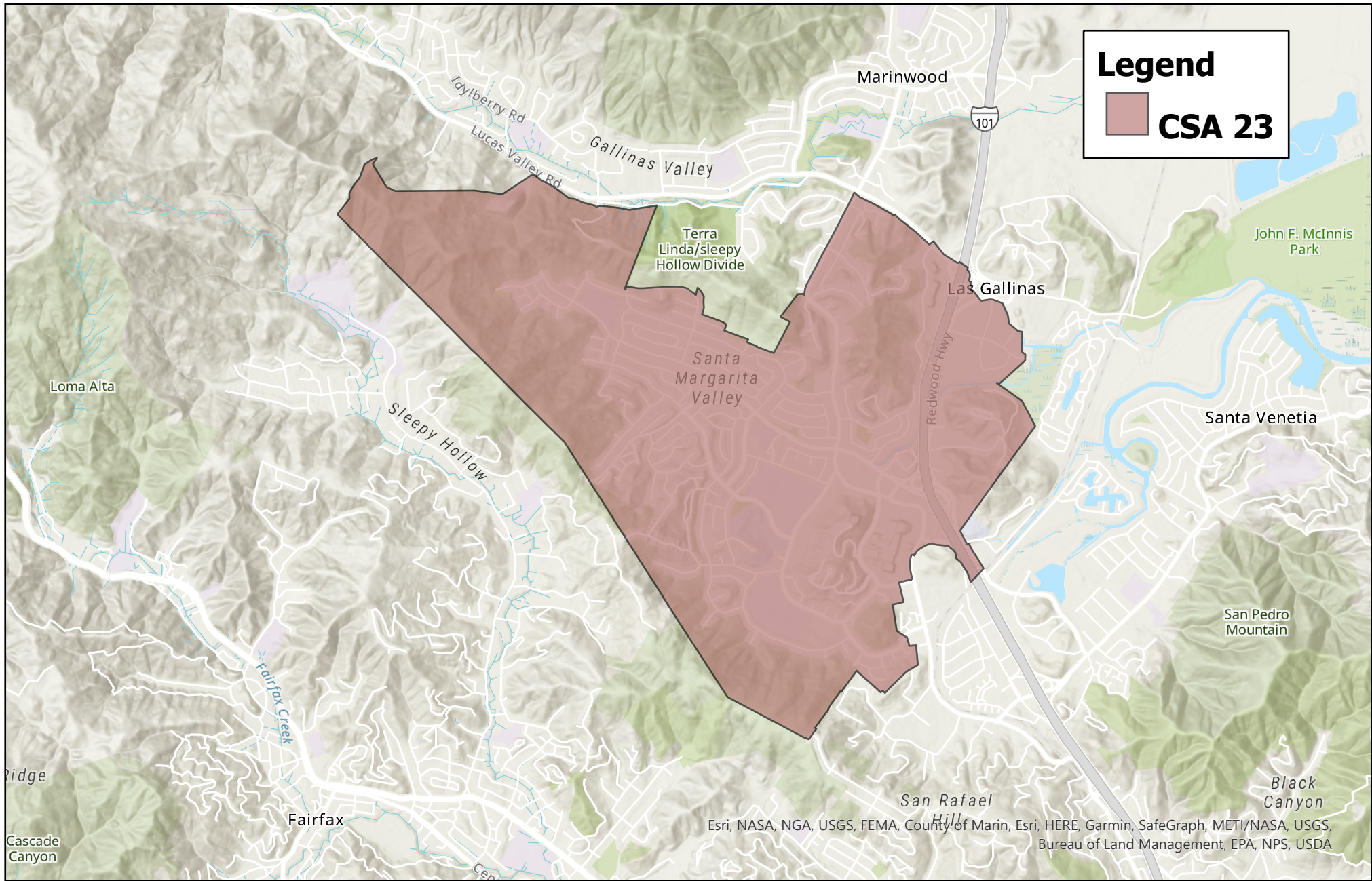
APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

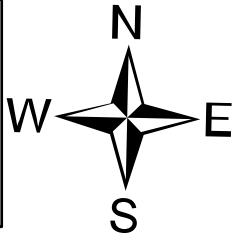
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 21-02

- a) Map of CSA 23



County Service Area 23 - Terra Linda





Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 6 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 21-03 to Dissolve County Service Area 25 Pursuant to Government Code Section 56879

Background

At our December 2020 Commission meeting, the Commission approved the initiation of the process to dissolve County Service Area 25 (CSA 25). As you may recall from the December 2020 meeting, this process starts with the State Controller's Office (SCO) sending a letter to us stating that they believe a district(s) qualifies as an inactive district. Marin LAFCo received this letter in November 2020 which lists two CSAs (23 and 25) in Marin County that are perceived to be inactive. At the December meeting, we agreed with the SCO that CSA 25 is inactive.

Today's agenda item is to hold an official publicly noticed meeting to decide if CSA 25 should be dissolved. On January 21, 2020, we put a notice in our local paper about this hearing. In addition, we sent out an email to all those who made comments on the Novato Regional MSR where this CSA is located. We did receive one phone call from the general public asking for more detail about this and when staff explained what this was about they seemed satisfied with what is being presented to happen.

CSA 25 was formed in 1975 to purchase land around Mount Burdell. Once formed the CSA used bonds to help pay for the purchase of the land. In the 1990s, the CSA finished paying off the bonds. The CSA has also transferred the land purchased to the Marin County Open Space District who now owns the land. Since the land was transferred and the bond was paid off the CSA has not met. CSA 25 had been identified as fitting the definition of inactive by the Commission when it approved the Novato Regional MSR at the February 13, 2020 meeting.

Staff Recommendation for Action

1. Staff recommendation – Approve the attached resolution to approve the dissolution of CSA 25.
2. Alternate option – Disagree with the SCO and make the determination that the CSA is still active and not to dissolve.
3. Alternate option – Continue consideration of the item to a future meeting and provide direction to staff, as needed.

Attachment:

- 1) Resolution 21-03

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County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 21-03

RESOLUTION OF THE MARIN LOCAL AGENCY FORMATION COMMISSION APPROVING THE DISSOLUTION OF COUNTY SERVICE AREA No. 25 (San Marin)

WHEREAS, on February 13, 2020, the Marin Local Agency Formation Commission adopted the Novato Area Municipal Service Review which included County Service Area No. 25 – San Marin (CSA 25); and

WHEREAS, in accordance with Government Code Section 56879 (Senate Bill 448) the State Controller’s Office has sent LAFCo a Notification of Inactive District confirming that CSA 25 has had no financial transactions in the previous year, has no assets and liabilities, and has no outstanding debts, judgments, litigation, contracts, liens or claims; and

WHEREAS, the Novato Area MSR, which states that “CSA No. 25 currently provides no services and has no budget, fund balance, funding sources, or expenditures. As such, CSA No. 25 is considered inactive“, has confirmed the finding of the State Controller that CSA 25 is inactive and should be dissolved; and

WHEREAS, pursuant to Government Code Section 56879, LAFCo held a public hearing on December 10, 2020, considered the request, received public comment and adopted a resolution of application initiating the dissolution of CSA 25 for being inactive; and

WHEREAS, the Commission caused the publication of notice in the newspaper on January 21, 2021, which set a public hearing to consider the dissolution of CSA 25 at its February 11, 2021 meeting; and

WHEREAS, the Marin Local Agency Formation Commission, as lead agency under the California Environmental Quality Act (CEQA), finds the dissolution to be statutorily exempt from CEQA pursuant to State CEQA Guideline section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, the Marin Local Agency Formation Commission does hereby:

1. Adopt this resolution hereby finding that County Service Area No. 25 is an inactive district as defined in Government Code Section 56042, and hereby approves dissolving County Service Area No. 25 – San Marin as depicted in Exhibit A, pursuant to the Cortese Knox Hertzberg Local Government Reorganization Act of 2000, Government Code Section 56879.

- 2. The Marin Local Agency Formation Commission serves as lead agency under the California Environmental Quality Act (CEQA) and finds the dissolution to be statutorily exempt from CEQA pursuant to State CEQA Guideline section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and,
- 3. Pending the issuance and recordation of a Certificate of Completion, CSA 25 shall not:
 - (1) appropriate, encumber, expend, or otherwise obligate any revenue of CSA 25, or (2) hire any staff or contractors.
- 4. Upon the effective date of the dissolution (i.e. recordation of the Certificate of Completion), CSA 25 shall be dissolved, its existence shall be terminated and all of its powers shall cease.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 11, 2021, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

 Sashi McEntee, Chair
 Marin LAFCo

ATTEST:

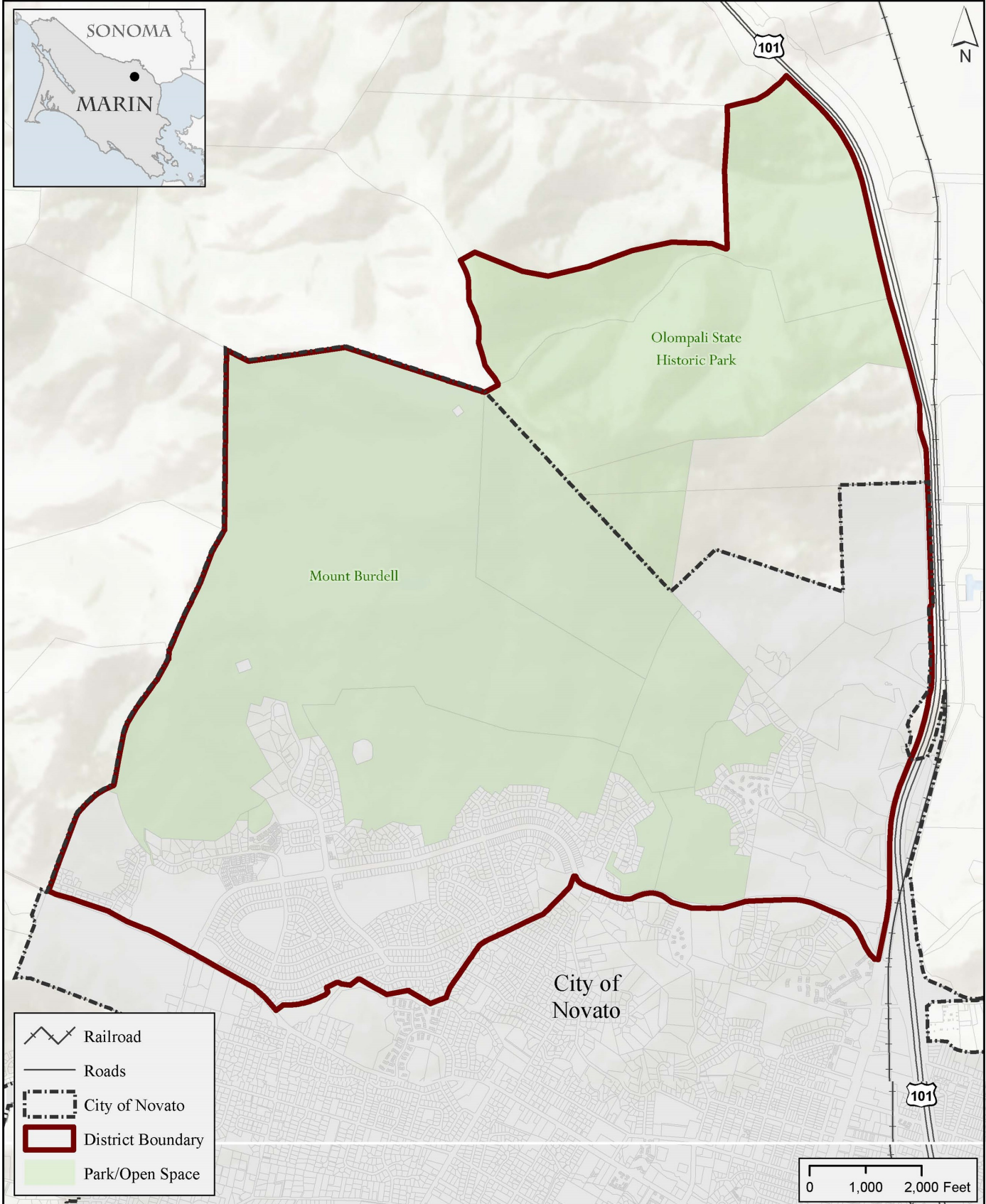
APPROVED AS TO FORM:

 Jason Fried, LAFCo Executive Officer

 Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 21-03

- a) Map of CSA 25



CSA No. 25 - San Marin

Figure 11-1

Date: 6/28/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 11, 2021
Item No. 7 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Olivia Gingold, Clerk/Jr. Analyst

SUBJECT: **Presentation of the Novato Region Supplemental Municipal Service Review for Marin County Flood Control and Water Conservation District Zone 1 Public Draft [Information Only]**

Background

On January 22, 2020, staff released the draft (attached) of the Novato Region supplemental Municipal Service Review (MSR) for Marin County Flood Control and Water Conservation District Zone 1 for public comment. Upon release, staff sent the draft to staff for all Novato area LAFCo jurisdictions with the request that it be passed along to the respective boards and councils, and to multiple County staff. In addition, LAFCo sent the draft report to anybody who made comment on the Novato Region MSR.

LAFCo staff has already been invited to the Advisory Board for Flood Control 1 to present on this MSR. That meeting is occurring between the drafting of this memo and the Commission meeting so staff will report at the LAFCo meeting any comments or information learned from that advisory board meeting.

LAFCo is accepting public comment on this draft through the end of the day on Friday, March 5. As of the writing of this staff memo, LAFCo has not received any official comment.

During the February meeting the Commission will hear from staff about what is in the draft report's recommendations of what, if anything, the flood control zone should make an effort to address moving forward. Commissioners will be able to ask questions to staff. In addition, the public will be given time to make comments on the draft MSR. Staff will then take all comments made by March 5, make modifications, as needed, to the draft MSR and present a final draft report for approval at the April meeting.

Staff Recommendation for Action

1. Staff recommendation – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachment:

- 1) [Public Draft of Novato Region Supplemental Municipal Service Review for Marin County Flood Control and Water Conservation District Zone 1](#)

Administrative Office

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Dennis Rodoni, Alternate
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City of Mill Valley

Barbara Coler, Regular
Town of San Anselmo

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission

Municipal Service Review

Novato Region Supplemental

**Marin County Flood Control and Water Conservation District
Zone 1**

DRAFT REPORT

JANUARY 2021

PREFACE

This Municipal Services Review (MSR) documents and analyzes services provided by local governmental agencies in the Novato region. Specifically, it evaluates the adequacy and efficiency of local government structure and boundaries within the region and provides a basis for boundary planning decisions by the Marin Local Agency Formation Commission (LAFCo).

Context

Marin LAFCo is required to prepare this MSR in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000, et seq.), which took effect on January 1, 2001. The MSR reviews services provided by public agencies—cities and special districts—whose boundaries and governance are subject to LAFCo. The analysis and recommendations included herein serve to promote and coordinate the efficient delivery of local government services and encourage the preservation of open space and agricultural lands.

Commissioners, Staff, Municipal Services Review Preparers

Commissioners

Sashi McEntee, Chair	City	City of Mill Valley
Craig Murray, Vice Chair	Special District	Las Gallinas Valley Sanitary District
Damon Connolly	County	District 1 Supervisor
Judy Arnold	County	District 5 Supervisor
Barbara Coler	City	Town of Fairfax
Lew Kious	Special District	Almonte Sanitary District
Larry Loder	Public	Commission
Chris Skelton	Public Alternate	Commission
Tod Moody	Special District Alternate	Sanitary District #5
James Campbell	City Alternate	City of Belvedere
Dennis Rodoni	County Alternate	District 4 Supervisor

Staff

Jason Fried	Executive Officer
Jeren Seibel	Policy Analyst
Olivia Gingold	Clerk/Jr. Analyst

MSR Preparers

Olivia Gingold, Clerk/Jr. Analyst

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1.0 INTRODUCTION

1.1 ROLE AND RESPONSIBILITY OF LAFCO

Local Agency Formation Commissions (LAFCos) were established in 1963 and are political subdivisions of the State of California responsible for providing regional growth management oversight in all 58 counties. LAFCo’s authority is currently codified under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), which specifies regulatory and planning powers delegated by the Legislature to coordinate and oversee the establishment, expansion, and organization of cities and special districts as well as their municipal service areas.

Guiding LAFCo’s regulatory and planning powers is to fulfill specific purposes and objectives that collectively construct the Legislature’s regional growth management priorities under Government Code (G.C.) Section 56301. This statute reads:

“Among the purposes of the commission are discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing governmental services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.”

LAFCo decisions are legislative in nature and not subject to an outside appeal process. LAFCos also have broad powers with respect to conditioning regulatory and planning approvals so long as not establishing terms that directly control land uses, densities, or subdivision requirements.

Regulatory Responsibilities

LAFCo’s principal regulatory responsibility involves approving or disapproving all jurisdictional changes involving the establishment, expansion, and reorganization of cities and most special districts.¹ More recently LAFCos have been tasked with also overseeing the approval process for cities and districts to provide new or extended services beyond their jurisdictional boundaries by contract or agreement as well as district actions to either activate a new service or divest an existing service. LAFCos generally exercise their regulatory authority in response to applications submitted by the affected agencies, landowners, or registered voters.

Recent CKH amendments, however, now authorize and encourage LAFCos to initiate on their own jurisdictional changes to form, consolidate, and dissolve special districts consistent with current and future community needs. LAFCo regulatory powers are described in Table 1-1 below.

¹ CKH defines “special district” to mean any agency of the State formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. All special districts in California are subject to LAFCo with the following exceptions: school districts; community college districts; assessment districts; improvement districts; community facilities districts; and air pollution control districts.

Table 1-1: LAFCo's Regulatory Powers

Regulatory Powers Granted by Government Code (G.C.) Section 56301	
• City Incorporations / Disincorporations	• City and District Annexations
• District Formations / Dissolutions	• City and District Detachments
• City and District Consolidations	• Merge/Establish Subsidiary Districts
• City and District Outside Service Extensions	• District Service Activations / Divestitures

Planning Responsibilities

LAFCos inform their regulatory actions through two central planning responsibilities: (a) making sphere of influence (“sphere”) determinations and (b) preparing municipal service reviews. Sphere determinations have been a core planning function of LAFCos since 1971 and effectively serve as the Legislature’s version of “urban growth boundaries” with regard to cumulatively delineating the appropriate interface between urban and non-urban uses within each county. Municipal service reviews, in contrast, are a relatively new planning responsibility enacted as part of CKH and are intended to inform – among other activities – sphere determinations. The Legislature mandates, notably, all sphere changes as of 2001 be accompanied by preceding municipal service reviews to help ensure LAFCos are effectively aligning governmental services with current and anticipated community needs.

1.2 MUNICIPAL SERVICE REVIEWS

Municipal service reviews were a centerpiece to CKH’s enactment in 2001 and are comprehensive studies of the availability, range, and performance of governmental services provided within a defined geographic area. LAFCos generally prepare municipal service reviews to explicitly inform subsequent sphere determinations. LAFCos also prepare municipal service reviews irrespective of making any specific sphere determinations in order to obtain and furnish information to contribute to the overall orderly development of local communities. Municipal service reviews vary in scope and can focus on a particular agency or governmental service. LAFCos may use the information generated from municipal service reviews to initiate other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies.

All municipal service reviews – regardless of their intended purpose – culminate with LAFCos preparing written statements addressing seven specific service factors listed under G.C. Section 56430. This includes, most notably, infrastructure needs or deficiencies, growth and population trends, and financial standing. The seven mandated service factors are summarized in the following table.

Table 1-2: Mandatory Determinations

Mandatory Determinations / Municipal Service Reviews (Government Code Section 56430)
1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to affected spheres of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status and opportunities for shared facilities.
6. Accountability for community service needs, including structure and operational efficiencies.
7. Matters relating to effective or efficient service delivery as required by LAFCo policy.

1.3 MARIN LAFCO COMPOSITION

Marin LAFCo is governed by a 7-member board comprised of two county supervisors, two city councilmembers, two independent special district members, and one representative of the general public. Each group also gets to appoint one “alternate” member. Each member must exercise their independent judgment, separate from their appointing group, on behalf of the interests of all residents, landowners, and the public. Marin LAFCo is independent of local government and employs its own staff. Marin LAFCo’s current commission membership is provided below in Table 1-3.

Table 1-3: Marin LAFCo Commission Membership

Name	Position	Agency Affiliation
<i>Sashi McEntee, Chair</i>	<i>City</i>	<i>City of Mill Valley</i>
<i>Craig Murray, Vice Chair</i>	<i>Special District</i>	<i>Las Gallinas Valley Sanitary District</i>
<i>Damon Connolly</i>	<i>County</i>	<i>District 1 Supervisor</i>
<i>Judy Arnold</i>	<i>County</i>	<i>District 5 Supervisor</i>
<i>Barbara Coler</i>	<i>City</i>	<i>Town of Fairfax</i>
<i>Lew Kious</i>	<i>Special District</i>	<i>Almonte Sanitary District</i>
<i>Larry Loder</i>	<i>Public</i>	<i>Commission</i>
<i>Chris Skelton</i>	<i>Public Alternate</i>	<i>Commission</i>
<i>Tod Moody</i>	<i>Special District Alternate</i>	<i>Sanitary District #5</i>
<i>James Campbell</i>	<i>City Alternate</i>	<i>City of Belvedere</i>
<i>Dennis Rodoni</i>	<i>County Alternate</i>	<i>District 4 Supervisor</i>

Marin LAFCo offices are located at 1401 Los Gamos Drive, Suite 220 in San Rafael. Information on Marin LAFCo’s functions and activities, including reorganization applications, are available by calling (415) 448-5877 by e-mail to staff@marinlafco.org or by visiting www.marinlafco.org.

2.0 EXECUTIVE SUMMARY

This study represents Marin LAFCo’s scheduled supplemental regional municipal service review of local agencies in the Novato region of central Marin County. The underlying aim of the study is to produce an independent assessment of municipal services in Marin County Flood Control Water Conservation District’s Flood Control Zone 1 (FZ1) over the next five to ten years relative to the Commission’s regional growth management duties and responsibilities. The information generated as part of the study will be directly used by the Commission in (a) informing future boundary changes, and – if merited – (b) initiating government reorganizations, such as consolidations, and/or dissolutions.

2.1 AFFECTED PUBLIC AGENCIES

This report focuses on one agency operating in the Novato Region as listed below and shown in Figure 2-1.

Table 2-1: Novato Area Supplemental MSR Agencies

Novato Agency Names
Marin County Flood Control Water Conservation District - Flood Control Zone 1

This agency provides a range of municipal services to the communities it serves, including:

Flood Control Zones

Reduce frequency and severity of flooding in the watershed.

2.2 PLANS, POLICIES, STUDIES

Key references and information sources for this study were gathered for the district considered. The references utilized in this study include published reports; review of agency files and databases (agendas, minutes, budgets, contracts, audits, etc.); Master Plans; Capital Improvement Plans; engineering reports; EIRs; finance studies; general plans; and state and regional agency information (permits, reviews, communications, regulatory requirements, etc.). Additionally, the LAFCo Executive Officer, Policy Analyst, and/or Clerk/Jr. Analyst contacted each agency with requests for information.

The study area for this MSR includes communities within the City of Novato as well as unincorporated areas adjacent to the City. In the areas entirely outside of the City, Marin County has the primary authority over local land-use and development policies (and growth). The City of Novato has authority over land use and development policies within the City. City, County, and Community plans were vital for the collection of baseline and background data for this agency. The following is a list of documents used in the preparation of this MSR:

- City and County General Plans
- Specific Plans
- Community Plans
- Agency databases and online archives (agendas, meeting minutes, website information)

2.3 AGENCY AND PUBLIC PARTICIPATION

Within the approved scope of work, this study has been prepared with an emphasis in soliciting outside public review and comment as well as multiple opportunities for input from the affected agencies. This included an agency startup meeting with Marin LAFCo, information requests sent to individual agencies, draft agency profiles also sent to the agency, and review of the draft report prior to Commission action.

This MSR is posted on the Commission's website (www.marinlafco.org). It may also be reviewed at the LAFCo office located at 1401 Los Gamos Drive, Suite 220 in San Rafael during open hours.

2.4 WRITTEN DETERMINATIONS

The Commission is directed to prepare written determinations to address the multiple governance factors enumerated under G.C. Section 56430 anytime it prepares a municipal service review. These determinations are similar to findings and serve as independent statements based on information collected, analyzed, and presented in this study's subsequent sections. The underlying intent of the determinations is to identify all pertinent issues relating to the planning, delivery, and funding of municipal services as it relates to the Commission's role and responsibilities. An explanation of these seven determination categories is provided below.

1. Growth and Population

This determination evaluates existing and projected population estimates for the City of Novato and the adjacent unincorporated communities within the study area.

2. Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence.

This determination was added by Senate Bill (SB) 244, which became effective in January 2012. A disadvantaged community is defined as an inhabited community of 12 or more registered voters having a median household income of 80 percent or less than the statewide median household income.

3. Capacity and Infrastructure

Also discussed is the adequacy and quality of the services provided by each agency, including whether sufficient infrastructure and capital are in place (or planned for) to accommodate planned future growth and expansions.

4. Financing

This determination provides an analysis of the financial structure and health of each service provider, including the consideration of rates and service operations, as well as other factors affecting the financial health and stability of each provider. Other factors considered include those that affect the financing of needed infrastructure improvements and compliance with existing requirements relative to financial reporting and management.

5. Shared Facilities

Opportunities for districts to share facilities are described throughout this MSR. Practices and opportunities that may help to reduce or eliminate unnecessary costs are examined,

along with cost avoidance measures that are already being utilized. Occurrences of facilities sharing are listed and assessed for more efficient delivery of services.

6. Government Structure and Local Accountability

This subsection addresses the adequacy and appropriateness of existing boundaries and spheres of influence and evaluates the ability of each service provider to meet its demands under its existing government structure. Also included is an evaluation of compliance by each provider with public meeting and records laws (Brown Act).

7. Other Matters Related to Effective or Efficient Service Delivery, as Required by Commission Policy

Marin LAFCo has specified the sustainability of local agencies as a priority matter for consideration in this MSR. Sustainability is not simply about the environment but can consider the sustainability of an organization and its ability to continue to provide services efficiently for many years to come. Sustainable local governments that take practical steps to protect the environment and our natural resources through land conservations, water recycling and reuse, preservation of open space, and opting to use renewable energy are the key players in determining the sustainability of the region.

In addition, other matters for consideration could relate to the potential future SOI determination and/or additional effort to review potential advantages or disadvantages of consolidation or reorganization.

A summary of determinations regarding each of the above categories is provided in Chapter 3 of this document and will be considered by Marin LAFCo in assessing potential future changes to an SOI or other reorganization.

3.0 DETERMINATIONS

Growth and population projections for the affected area.

a) As stated in the Novato MSR, projected near-future growth is expected to be moderate in the City of Novato. According to the Association of Bay Area Governments, the Novato population is expected to increase to a total population of 53,900 by 2025 with an estimated annual growth rate of 0.3 percent.

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) There are no identified DUCs within the study area.

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies, including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) As noted above, there are no unincorporated communities within the study area that have been identified as disadvantaged. FZ1 does have a large amount of aging infrastructure, and with the financial constraints described in the section below, infrastructure deficiencies could increasingly become a problem for this agency. Financial constraints have caused FZ1 to forgo replacement and rehabilitation of facilities at the end of their expected service life as early as 2005 and it is acknowledged that flood damage could have been prevented or minimized had that pump station received necessary replacement and rehabilitation.

Financial ability of agencies to provide services.

a) FZ1 prepares budgets and financial statements annually in accordance with established governmental accounting standards. FZ1 just recently passed a new budget structure which budgets a baseline of fixed, operational costs while excluding major projects. The intention is to avoid inconsistent spikes in the year-to-year budgets when major expenditures are approved. The major expenditures will now have separate actions for approval at major project milestones and will be tracked in a project-specific ledger. The County Board of Supervisors, acting as the Board for the Marin County Flood Control and Water Conservation District, may also amend FZ1's budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.

b) The County Administrative Officer is authorized to transfer budgeted amounts between accounts or funds under certain circumstances, however; the County Board of Supervisors, acting as the Board for the Marin County Flood Control and Water Conservation District, must approve any increase in the operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared as part of the County of Marin audit which is performed by an independent certified public accounting firm.

c) FZ1 has the funds to cover baseline costs but not enough funds to account for growing needs as a result of aging infrastructure, rising cost-of-living, and unfunded environmental mandates. Budget constraints in the last 15-20 years have caused FZ1 to forgo additive items that would have been beneficial to them because of concerns with unfunded maintenance needs. FZ1 passed their first and only benefit assessment in 1984 but this benefit was not fixed to rises in the cost of living. Prices have risen over the last 35 years, but the benefit assessment has stayed relatively flat, causing FZ1 to increasingly fall behind on maintenance needs. Staff are faced with the challenges of maintaining aging infrastructure while simultaneously planning for sea-level rise adaptation with a lagging revenue source.

FZ1 worked to pass a ballot measure in 2017 that would solve their revenue problem, but the ballot measure failed. This forced the District to pivot towards other revenue sources. Right now, the most viable revenue source is grant money, but working with grants creates a whole host of issues for FZ1. To begin with, grants can be hard to secure. According to FZ1 staff, current grant funding sources for major flood control improvements is very limited and highly competitive and doesn't necessarily address the existing infrastructure deficit

Not only are these grants competitive, but they are conditional on certain factors. For example, the California Office of Emergency Services won't fund pump station projects if the facility is nearing its life expectancy because that work is not considered a hazard mitigation effort. Other grants aren't awarded unless project proposals include habitat restoration elements, and even when grant money is secured, it often requires fund matching. This means FZ1 would still need to have adequate revenue to meet these grants' matching requirements.

Staff may also be able to pursue funding from other agencies in the region who have a common interest or shared infrastructure. The City of Novato is one example of an agency in the FZ1 that may benefit from the improvement of flood control infrastructure within their boundaries, and as a result may help fund that construction. The being said, Novato itself has limits to its fund availability.

Caltrans and SMART are also being brought into the picture as potential co-sponsors of projects because of the extra benefits that some of the additive items could offer both of those agencies in the name of reducing flooding and sea level rise vulnerability on parts of the Caltrans Highway and SMART Railway.

Much of the SMART track is in areas that have or could flood. Novato Creek downstream of Rowland is an example of a SMART project that the City and District contributed to because it raised the bridge and reduced in-creek obstructions. There are sections of Highway 37 that are also prone to flooding and may benefit from upstream projects that although not directly adjacent to the Highway, will be beneficial to that area. Whether or not those potential benefits are beneficial enough to elicit funding from these agencies is less clear.

Although Staff has a list of potential funding sources, as past experience shows, these funding sources can be unreliable and are less adequate than the sure-fire funding source that a ballot measure would create. FZ1 needs to find a more reliable and consistent source of revenue if they are to ensure the adequate provision of flood control services in the coming years.

Status of, and opportunities for, shared facilities.

a) There are no opportunities for shared facilities at this time, but cost-sharing may be present among local agencies in this area. Within its budgetary constraints, FZ1 has found that allocating some of its available funding in collaboration with other agencies has allowed for projects to be completed that FZ1 deems useful to the zone as a whole. These are projects the District otherwise would not have been able to complete on its own with its current level of funding. A perfect example of this is the Stafford Lake and Dam facility, which is owned and maintained by North Marin Water District (NMWD). Although FZ1 staff acknowledges that it doesn't make much sense for FZ1 to get involved in the day to day maintenance of this area, they have helped fund improvement projects for Stafford Lake in the past. There have been discussions of increasing the capacity of Stafford Lake in the future, which it would make sense for FZ1 to help fund part of. The benefits of this expansion were preliminarily assessed in the Novato Creek Watershed Program, and because NMWD joined the Marin County Multi-Jurisdictional Local Hazard Mitigation Plan, they're now eligible for FEMA grants for hazard mitigation projects such as this one. A new FEMA program called BRIC (Building Resilient Infrastructure Communities) offers up to \$50 million for a single project, and a Stafford Dam joint project between NMWD and FZ1 should fit within his limit. If this project were to move forward, it would be an appropriate place for FZ1 to potentially offer some funding and technical assistance because of the flood service provision benefits that the expansion of Stafford Lake would create.

Accountability for community service needs, including governmental structure and operational efficiencies.

a) FZ1 encompasses a large area, and as a result, has a lot of different agencies within its sphere of influence that have infrastructure relevant to FZ1. This infrastructure, although not all directly owned or managed by FZ1, still impacts flood control management. This unique situation means that critical management between many different stakeholders beyond FZ1 is required in order to ensure that FZ1 is adequately providing its services.

Most entities in the zone have been cooperative. FZ1 meets with Caltrans, the City of Novato, and Novato Sanitary District on a quarterly basis, and also communicates with some neighborhood groups that are particularly impacted by flooding, but cooperation with other entities that have direct stakes in flood control work isn't always as robust as it needs to be.

There are no forums that regularly bring together all three of the District, Caltrans, and SMART. This was particularly problematic following a 2019 levee breach on the SMART right-of-way that put financial pressure on the FZ1's already limited funds when they responded to the breach, in spite of the damage not being on District property.

In order to make the provision of flood control services more robust and efficient, more collaboration in the future is necessary, particularly with the public entities who operate within this zone.

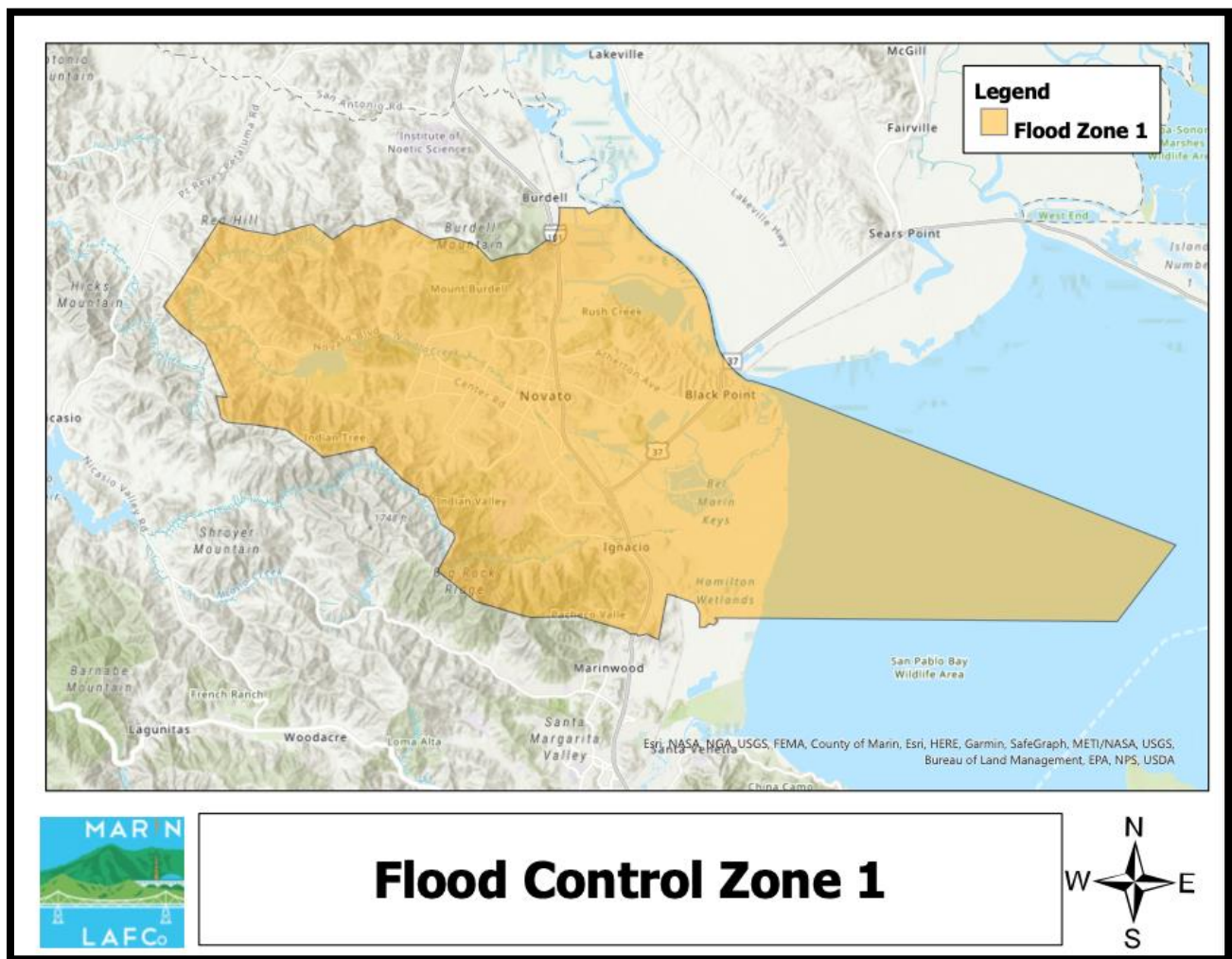
Any other matter related to effective or efficient service delivery, as required by commission policy

a) As mentioned above, FZ1 has a lot of infrastructure in the zone that may be operated by other agencies but remains relevant to flood control. A more comprehensive map of what that infrastructure is, and who it is officially owned/serviced by would be useful to FZ1 in ensuring better flood control services to the area. Making this map browser-based and publicly accessible would be even more beneficial as there have been issues in the past with members of the public bouncing around between agencies in an effort to determine who does what. This could be something that is built from the asset management and “flood inquiry” system FZ1 already presently has in the works. Another idea is to create a members-only section of Marin Map for the City of Novato and Flood Control District to both utilize. In this section, the two agencies would each upload all the easement and property ownership data they have. Additional cross-checking outside the database may still be necessary depending on the completeness of information but this would be a good place to start in making a clearer and more accessible distinction of which agencies are responsible for certain easements or facilities.

4.0 REGIONAL SETTING

This Municipal Service Review (MSR) is a supplemental addition to the Novato Area MSR completed in January 2020. The full Novato area regional setting can be found at the Marin LAFCo website, www.marinlafco.org. As shown in figure 4-1 Flood Control Zone 1 covers the City of Novato and a wide breadth of surrounding unincorporated area extending eastwards towards the Bay. The FZ1 area is relatively coterminous with the boundaries of the Novato Watershed, and a map of this zone is depicted below.

Figure 4-1: Flood Zone 1 Boundary



5.0 FLOOD CONTROL ZONE #1 – NOVATO

5.1 OVERVIEW

Flood Control Zone #1 (FZ1) is the largest flood zone in Marin and covers over 45 square miles in the Novato area of Marin County. Zone coverage encompasses not only the City of Novato, but also portions of unincorporated County in Indian Valley, Bel Marin Keys, Green Point, Black Point, Loma Verde, and western Novato. The boundaries of FZ1 are relatively consistent with the boundaries of the Novato Creek Watershed, which extends eastward from Big Rock Ridge, Stafford Lake, and Mount Burdell, through intertidal bay land to San Pablo Bay. The watershed covers a 45 square mile drainage area. FZ1 is particularly prone to flooding because of its geography. It has experienced 12 major floods in the last 90 years – a little over one per decade.

FZ1 was formed by the Marin County Flood Control and Water Conservation District outlined in Resolution No. 3982 approved by the Board of Supervisors in 1955 in order to manage the excessive flooding issues that downtown Novato and its surrounding areas were experiencing. FZ1 has a 5-member advisory board which is selected by the Marin County Flood District Board. The Advisory Board meets annually on the first Thursday of February. This meeting is when the Board addresses matters such as the budget and annual work plan. Other special meetings may be called by the District Manager when the District’s business needs dictate. Special meetings may also be called at the request of the Advisory Board Chair. The significant amount of land and infrastructure that the District owns in FZ1 leads to a lot of activity in the zone. This calls for the Zone to meet relatively often outside of its regular annual meeting.

Also, due to its size, FZ1 overlaps many other local, regional, and state agencies. These include the City of Novato, the Bel Marin Keys Community Services District, the North Marin Water District, the Novato Sanitary District, the Sonoma Marin Area Rail Transit, and CalTrans. In addition to these government agencies, FZ1 also works with local community groups, such as Old Town Novato Flood Group. The staff from FZ1, the Old Town Novato Flood Group, and the City do meet on an ad hoc basis (quarterly). Quarterly virtual coordination meetings have continued between the City, Novato Sanitary District, and Caltrans to coordinate where all 3 agencies interface at state highways as well. Meetings between FZ1 and other government agencies are much less frequent and tend to occur on an as-needed basis. These meetings are usually topic-specific and often pertain to maintenance specifically.

An overview map of FZ1 is provided in Figure 5-1. Figure 5-2 shows a general map of Flood Control Zone 1 infrastructure in the lower half of FZ1. This map is not entirely comprehensive because some infrastructure that affects flooding and prevention is not owned by FZ1, but is still critical to FZ1’s services. FZ1 and the other local agencies own different assets in the area but one comprehensive list of who owns what is not available and may be difficult to create because each specific situation may call on a different agency to respond. Rather, when something critical comes up, each group has to communicate with the others to find out who is responsible for the issue. Because of this, FZ1 may still play a role in managing that infrastructure, irrespective of ownership.

Figure 5-1: Flood Control Zone 1 Overview Map

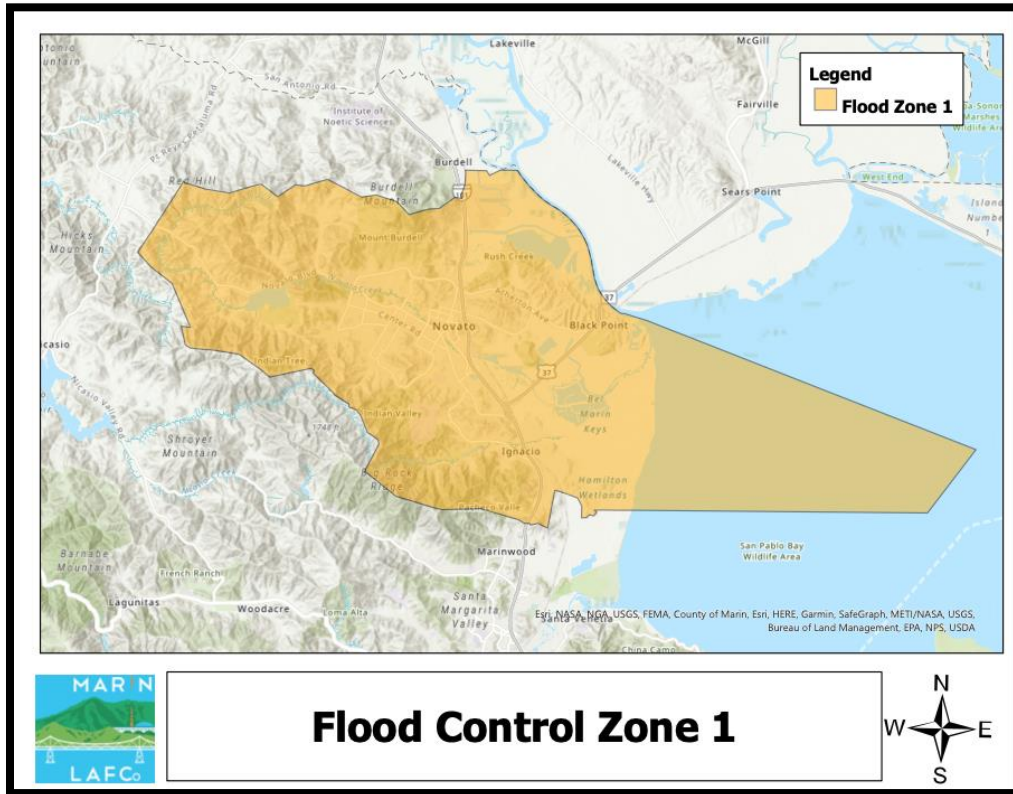


Figure 5-2: Flood Control Zone 1 Infrastructure

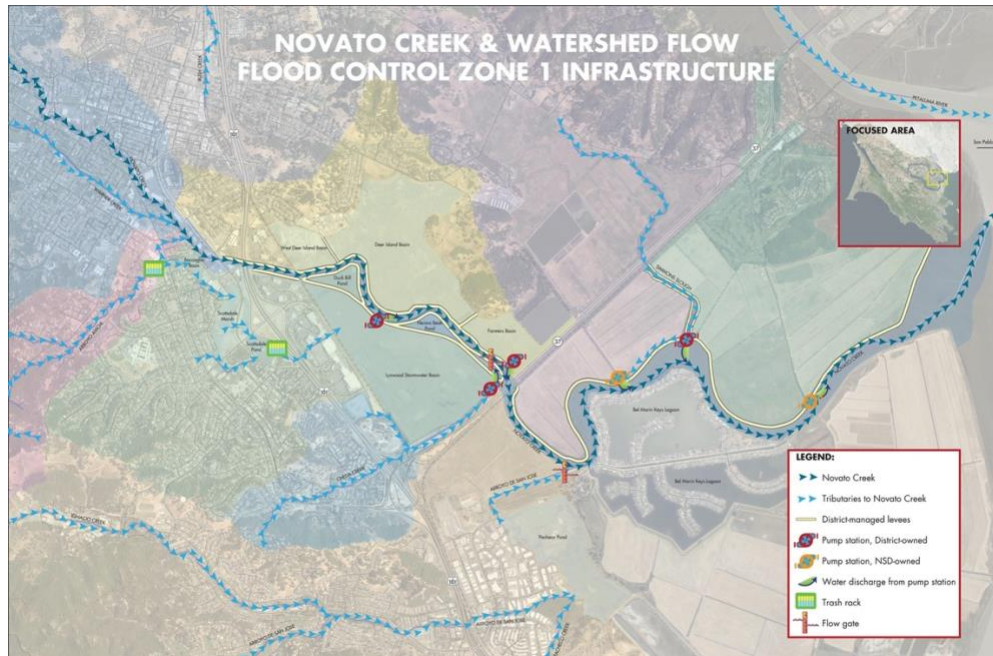


Table 5-1: Flood Control Zone No. 1 Overview

Flood Control Zone #1 – Novato			
Primary Contact	Hannah Lee – Senior Civil Engineer		
Phone	(415) 473-2671		
Office Location:	Department of Public Works, 3501 Civic Center Drive, San Rafael, CA 94903		
Formation Date	1955	Services Provided	Flood Control
Service Area	45 Square Miles	Population Served	63,000

5.2 FORMATION AND DEVELOPMENT

FZ1 was established in 1955. Since its formation in 1955, changes to FZ1 have included the incorporation of the City of Novato in 1960, growth and development in the City and its surrounding areas, expansion of FZ1 related projects in incremental steps, and general maintenance of FZ1 properties and assets.

In November of 1984, FZ1 residents passed two special assessments. The first was a 4-year tax for years 1984 through 1988, and was approved for capital projects. The second assessment of \$9 per parcel was created to fund the maintenance of FZ1 projects in perpetuity. This second special assessment, however, did not include a cost-of-living adjustment. This has meant that as costs rise and infrastructure ages the money raised from this assessment has failed to keep up with current costs.² FZ1 attempted to pass a ballot measure in 2017 titled Measure E to bring in more tax revenue, but it failed with nearly a two-thirds majority *against* it. A two-thirds majority *in favor* was needed for the measure to pass. It was anticipated by FZ1’s Advisory Board Members that FZ1 would not achieve 2/3 approval in the foreseeable future, projecting at least 10 years before that approval rate could be achieved.³

While additional funds are still critical for FZ1 operations, the Zone staff focuses its limited revenue on maintaining and improving the 18 miles of creeks, 4 pump stations, 9 miles of levee, and other flood control facilities in the Novato Watershed, as well as managing periodic removals of accumulated sediment from Novato Creek and its tributaries.⁴ They also have to consider priorities for future-thinking projects such as those identified in the Novato Watershed Program and Deer Island Basin Restoration project which will not only address current flood control needs but also prevent future flood disasters. These assets are all critical for not only managing flooding when it happens but also preventing flooding in the future, especially with sea-level rise.

² [Novato Creek Watershed Benefit Assessment FAQ](#)

³ [FZ1 Advisory Board Meeting Minutes, November 16, 2017](#)

⁴ [Novato Creek Watershed Benefit Assessment FAQ](#)

5.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

FZ1’s sphere of influence is coterminous with its jurisdictional boundary and includes a total of 21,580 parcels. Land use within Novato is predominantly residential but also includes commercial and mixed-use areas, business and industrial areas, and community and natural resource lands. The predominant land uses in unincorporated District territory are generally comprised of agricultural, public facility, open space, rural residential, and low-density residential lands⁵

5.4 POPULATION AND GROWTH

FZ1 encompasses the community of Novato and surrounding unincorporated areas which includes all of Census Tracts 1022.02, 1022.03, 1032, 1041.01, and 1041.02, as well as most of tracts 1031 and 1050, and parts of tracts 1011 and 1330. The City of Novato is the second-largest city in Marin to be developed. It grew rapidly between 1970 and 1990. The development of Novato leveled off between 1990 and 2000 but then began to increase again. Novato is presently engaged in downtown redevelopment for potentially both commercial and residential uses and expects to see a growth in jobs in the coming years. It was identified by the Marin Countywide Plan as “having the greatest growth potential in Marin for commercial and industrial development.” The January 2020 Novato Area MSR projected a population of 63,000 by 2020 which is an increase from the year 2000.

5.5 MUNICIPAL SERVICES

Flood Control

The way that the City of Novato was developed altered the Novato Creek Watershed’s channel network from its historically natural conditions. Many of its channels are narrower and deeper than they should be given the size of the watershed and the level of rainfall this area experiences. Bank erosion implies that the watershed’s channels are widening, but many of these channels are constrained by urban development on their banks. With urbanization, many channels were re-routed or directly connected to storm drain systems which also increased the rate of creek bed and bank erosion. These issues only exacerbated the fact that this area is already prone to flooding due to its topography.

FZ1 has averaged more than one major flood per decade over the course of the last 90 years, with particularly severe floods in 1940, 1955, 1982, 1998, and 2006. These floods caused damage and inconvenience to residential and commercial properties alike. As recently as 2016-2017, a portion of Highway 37 within the zone’s boundaries was closed for 27 days due to flooding issues. This affected neighborhood streets after heavy winter storms.⁶ Parcels in the Old Town Novato area have seen their backyards turn into “lakes”, particularly during floods which hit the properties in 2011 and 2019.

To address the needs of this area, the Zone built its first pump station (Lynwood) in 1968. Then, in 1972, the Flood Control District acquired 1,200 acres of land in the lower Baylands. This land was initially supposed to be developed into residential homes, but FZ1 instead utilized the lands

⁵ [From Novato MSR](#)

⁶ [Novato Flood Protection and Watershed Program](#)

for flood storage, flood protection, tidal marsh restoration, sea level rise adaptation projects, and water re-use.⁷ The Zone built 3 more pump stations in 1971 (Cheda), 1989 (Simmons Slough, formerly a large portable pump until a permanent station was installed in 2020), and 1990 (Farmers) respectively.

In the 1970s, the Flood Control Zone contracted with an engineering firm in an effort to identify options for improving the level of flood protection. This project would eventually become the Novato Creek Flood Control Project, an 8-phase project that was initiated in 1985. The project included improvements on Stafford Lake, Novato Creek, Warner Creek, and Arroyo Avichi, and intended to achieve protection from a 50-year flood event. The final phase of the project was completed in 2006. Since the completion of the Novato Creek Flood Control project, improvements to the channel at Vineyard and Warner Creeks in 2008 and 2009 were initiated in response to flooding in 2006.

Most recently, FZ1 has pivoted to a few new projects, most notably the Novato Watershed Program, which aims to create a “framework that integrates flood protection, creek and wetland restoration, fish passage and water quality improvements with public and private partners, to protect and enhance Marin’s watersheds.”⁸ The Deer Island Basin Complex Restoration Complex is another example of a big multi-benefit project FZ1 has initiated. This project, which involves restoration of the Deer Island basin as well as two stormwater ponds adjacent to the basin, has included collaboration with the SF Bay Restoration Authority and attracted grant funding because of the design’s sustainability elements. In 2020, the Zone also completed a Levee Evaluation Report, which was funded by the state and which identifies remedial alternatives to reduce the risk of levee failure. Other projects FZ1 is presently focusing on include sea-level rise adaptation and widening of the corridor between Highway 37 and SMART which remains a bottleneck between District lands.

In addition to these projects, FZ1 continues to maintain its 4 pump stations (Lynwood, Simmons Slough, Farmers, and Cheda) along the Novato Creek. It also owns and maintains 9 miles of levee along Novato Creek, and tide gates and trash racks on tributaries that lead to both Novato Creek and Rush Creek. Every 4 years, Zone 1 removes sediment accumulation from lower Novato Creek, Warner Creek, and Arroyo Avichi.

With the exception of the Simmons Pump station, the other three pump stations are nearing or beyond their expected design life of 50 years. Simmons Slough is already under construction, but FZ1 had been hoping to fund replacements for the other pumps using grants. In the process of addressing Lynwood Pump Station, the district found out that Cal OES does not fund projects for pump stations if they are near or past their expected design life as the project is not considered “hazard mitigation”. FZ1’s current revenues aren’t robust enough to support the replacement of these pumps, so other projects are being considered instead. This is discussed in more depth in Section 5.8.

⁷ [Novato Flood Protection and Watershed Program](#), p.7

⁸ [Novato Watershed Program Fact Sheet](#)

FZ1 has a lot of other facilities within its boundary that belong to various entities such as CALTrans, SMART, Novato Sanitary District, and North Marin Water District. FZ1 has cooperative agreements with some of these entities to assist with maintenance and operations. There is also a large amount of flood infrastructure on private lands as well as flood-related facilities that aren't clearly the responsibility of one specific agency. This makes it difficult to determine who is supposed to operate and maintain certain facilities.

The City of Novato in 1995 and the County of Marin in 2016 joined the Federal Emergency Management Agency (FEMA) Community Rating System (CRS). Currently, both the City and the County are in CRS class 6, which can get a homeowner a 20% discount on flood insurance⁹. Floodplain management activities above and beyond basic FEMA requirements may help residents get further reductions in insurance premiums.

5.6 ORGANIZATION STRUCTURE

Advisory Board

Flood Control Zone #1 was formed by the Board of Supervisors of the Marin County Flood Control and Water Conservation District. The goal was to create a zone that would improve flood protection for businesses, government, and emergency service facilities, as well as homeowners and residents in the watershed.¹⁰ It is a dependent special district with the Marin County Board of Supervisors as its governing body. The Advisory Board consists of five (5) members appointed by the District Board. County Supervisors are elected to four-year terms of office, with no term limits.

Table 5-2: County of Marin Board of Supervisors

Member	Position	Experience	Term
Damon Connolly (District 1)	2 nd -Vice President	Government	Expires January 2023
Katie Rice (District 2)	Supervisor	Government	Expires January 2025
Stephanie Moulton-Peters (District 3)	Supervisor	Government	Expires January 2025
Dennis Rodoni (District 4)	President	Construction	Expires January 2025
Judy Arnold (District 5)	Vice President	Government	Expires January 2023

Advisory Board

The Board of Supervisors appoints five (5) members, who shall reside in Flood Control Zone #1, to an Advisory Board that oversees the zone. The Advisory Board will make recommendations to the Board of Supervisors on necessary actions. This Advisory Board meets on the first Thursday of February to discuss annual items such as maintenance updates and the budget. A written update

⁹ [National Flood Insurance Community Rating System](#)

¹⁰ [Novato Creek Watershed Benefit Assessment FAQ](#)

is provided to the Board of Supervisors unless a meeting is needed to discuss a time-sensitive issue. The current Advisory Board consists of the five appointees noted below in Table 5-3.

Table 5-3: Flood Control Zone #1 Advisory Board Members

Member	Position	Term
William (Bill) Long	Chairperson	2019-2023
James (Jim) Gross	Vice-Chairperson	2019-2023
Drew McIntyre	Board Member	2017-2021
Gary Butler	Board Member	2018-2021
Susan Lattanzio	Board Member	2019-2023

Staffing and District Operations

As a dependent district of the County, all administrative services are provided by county departments, including legal counsel and compilation of financial transaction reports for the State Controller’s Office required under Government Code Section (53891).

5.7 ACCOUNTABILITY AND TRANSPARENCY

Meetings and Agendas

Advisory Board meetings are held at least once a year as required by the by-laws. The meeting date, time, and location are posted on the Marin Watershed Program website: <https://www.marinwatersheds.org/>. Meetings are being held virtually for the time being in response to Executive Order N-29-20 which arose as a result of the Novel COVID-19.

Also posted on the website are agendas, staff reports, and meeting minutes, as well as periodic Statements of Proposed Action regarding Zone maintenance projects. The Board met as recently as November 5, 2020, to hear updates on the budget and current projects, as well as discuss the Zone’s vision for the future - namely surrounding the work plan and funding strategies, as well as climate change and other auxiliary items.

5.8 FINANCIAL OVERVIEW

Flood Control Zone #1 posts draft budgets on the Marin Watershed Program Website as part of meeting packet materials. The draft budgets have changed in structure every few years over the last 10 years, but the most recent budget included actuals for the prior year, a proposed budget for the upcoming year, and preliminary estimates for the two following years.

At the November 2020 FZ1 Advisory Board meeting, a new budget structure was introduced consistent with the County’s financial system. A baseline budget that excludes major project expenses was recommended by the County Administrator’s Office and will be utilized; this budget is expected to stay relatively consistent year to year to avoid the inconsistent spikes from major project expenditures. Any project expenditures will now require separate budgets and approval actions.¹¹

¹¹ [FZ 1 Advisory Board Staff Report, November 5, 2020](#)

Financial Audit

The County of Marin operates an Internal Audit Unit within its Department of Finance. The unit provides continuous monitoring of the County's activities and reports to management staff on the results of risk evaluations.

Revenues and Expenditures

The FY 2019-2020 expenditure budget for FZ1 shows a general trend upwards, rising by \$4.5 million between FY 2017-18 (Actual) and FY 2019-20 (Proposed). This is mostly due to an uptick in Maintenance of Facilities, Professional Services and Trade or Construction Services, and Utilities. Most other costs stayed relatively steady with only small increases. Some even fell.

Total expenditure in FY 2019-20 was set to be \$6,590,636 with revenue lagging slightly behind at \$4,086,574 (\$2,842,356 in actual revenues and \$1,247,218 in Grant Reimbursements). The Zone is able to cover this deficit because they have an unrestricted fund balance entering FY 2019-20 of \$3,888,099. They anticipate spending this restricted fund balance down to \$1,162,036 in FY 2019-20 and then slowly building the fund balance back up with increases in FY 2020-21 and FY 2021-22.¹²

FZ1's annual revenue comes from two main sources: the ad valorem tax (of which they receive 9.5% or \$2 million) and the \$9 parcel tax created in 1984. In total, revenues from non-one-time sources are about \$3,000,000 a year. Over the years, FZ1 has seen some fluctuations, namely in revenues attributed to miscellaneous sources, intergovernmental revenue (normally grants or money from Cities and State), and transfers in (also money transferred from cities). These variable revenues often come from grants and also money transferred from flood-control stakeholders in the zone, such as the City of Novato, to help fund flood control projects. These variable funds help make up for the deficit from the lagging parcel tax.

As for the two main sources of income, the ad valorem is relatively constant from year to year and rises most years. The \$9 parcel tax on the other hand is fixed and has been outpaced by the gradual rise in costs and aging infrastructure. Although FZ1 attempted to pass a new parcel tax in 2017 to address this issue, the ballot measure failed to pass. FZ1 is now focused on grant funding, but most grant funds don't cover 100% of design and construction¹³ and grant funding can be difficult to secure. FEMA Grants in particular are only awarded for hazard mitigation, not for routine maintenance. Other grants require sustainability aspects to be considered when designing new projects, emphasizing habitat restoration in particular. Even when grants are secured, they don't always necessarily cover the costs of projects. Grants can sometimes require anywhere from 25-50% of a "local match" to be covered by FZ1. This means that even when grants are secured, funding may still become a burden to FZ1.

¹² [FZ1 Proposed FY 2019-2020 Budget](#)

¹³ [FZ1 Advisory Board Meeting Minutes, November 16, 2017](#)

Flood Control Zone 1 has little to no revenue available for new capital projects.¹⁴ FZ1’s “[s]taff are faced with the challenges of maintaining aging infrastructure while simultaneously planning for sea-level rise adaptation with any additional funding dependent upon State and Federal grant programs”.¹⁵ Not only does this cause issues for funding future construction, but it also impedes funding for current construction. When it is too expensive to replace pumps, costs associated with extending the life of these aging pumps begin to mount.

The Lynwood Pump Station is a great example of this issue. This pump has been overdue for replacement for years. FZ1 made plans to replace the pump back in 2005 but did not have the adequate funding to proceed. Maintenance of this pump station has since cost the zone \$369,312 for repairs and replacement of parts as the station continues to deteriorate. This is money that could have gone towards pump station rehabilitation and/or upgrades instead. What makes matters worse is that even with repairs in place, the pump station cannot operate at its full capacity due to lack of back-up power. Installation of a generator for back-up power would have been particularly beneficial as the PG&E power goes out at this location many times per year, but with limited funds this type of project is impossible.

As the above example shows, funding is undoubtedly a concern for FZ1 in the future. Multiple projects have been scaled back or abandoned over the last 10-20 years, and although Lynwood Pump Station serves as a prime example of this issue, FZ1 has also had to scale back other projects. Budget constraints caused FZ1 to forgo additive items that would have been beneficial to them in both the Deer Island Basin Complex Tidal Wetlands Restoration Project design and the Simmons Slough construction project because of concerns with unfunded maintenance needs. Deer Island Basin also had to be scaled back when all the consultant proposals were over budget.

After the loss of the ballot measure that FZ1 put forward for more funding in 2017, FZ1 has had to consider alternatives, especially the immediate needs of its 3 aging pump stations. The first alternative is setting aside money for rehabilitation to simply extend the life of the pump stations. The second is to design entirely new pump stations that would qualify for grant matching funds. FZ1 may also be able to appeal to other interested parties, namely SMART and CalTrans, to help fund projects that would have a dual-benefit for the functionality of those two public agencies’ services.

The Novato Watershed Program was also created as a joint effort between the County, FZ1, Novato Sanitary District, City of Novato, and North Marin Water District in an effort to address the funding issue FZ1 is experiencing, especially because the Flood Control Zone foresees increased flood risks related to rising sea levels and a changing climate that capital projects will be necessary to mitigate.

¹⁴ [Novato Flood Protection and Watershed Program](#), p. 1

¹⁵ [FZ 1 Advisory Board Staff Report, November 5, 2020](#)

The capital projects proposed by the Novato Watershed Program are expected to cost around \$31 million (2017 cost estimates). Although the Novato Watershed Program is well-positioned to aggressively pursue grant funds for project implementation, grants usually have to be matched.¹⁶ What’s more, FZ1 hoped to fund 2/3 of the project through the 2017 special parcel tax that has since failed to pass. How this will be funded now is less clear.

It is apparent that staff has had to cut back on maintenance, repairs, and construction because of budget constraints in recent years. As climate change-related issues increase flood control needs in the area, without a new revenue source FZ1 may not have sufficient funds to adequately serve their region in the years to come.¹⁷ This is a problem that needs to be addressed immediately, as flood control is a vital service to this area.

FZ1’s budget from 2014/15 to 2019/20 is depicted in Table 5-4.

Table 5-4: Flood Zone 1 Budget Table

Description	FY14/15	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20
Total Fund						
Balance	2,387,818.15	3,101,729.96	3,919,489.61	3,377,534.95	4,403,352.26	5,287,408.44
Unrestricted Fund						
Balance	2,009,180.97	2,905,395.55	3,239,186.08	2,768,729.70	3,326,870.62	4,751,173.15
Taxes & Interest	2,281,547.82	2,449,055.63	2,613,840.11	2,684,495.98	2,902,608.20	2,977,557.58
Intergovernmental	0.00	0.00	9,673.44	129,647.74	60,898.08	927,226.35
Misc Revenue	13,869.28	3,966.76	270,000.00	0.00	250.00	500.00
Transfers In	0.00	0.00	0.00	0.00	0.00	0.00
Total Revenue	2,295,417.10	2,453,022.39	2,893,513.55	2,814,143.72	2,963,756.28	3,905,283.93
Salaries & Benefits	817,486.27	920,717.23	1,030,226.69	989,590.33	1,044,442.10	968,958.14
Services & Supplies	764,019.02	714,545.51	2,405,241.52	798,736.08	1,035,258.00	1,188,528.95
Total Expense	1,581,505.29	1,635,262.74	3,435,468.21	1,788,326.41	2,079,700.10	2,157,487.09
Prior Year						
Encumbrance	378,637.18	196,334.41	680,303.53	608,805.25	1,076,481.64	536,235.29
Current Year						
Encumbrance	-196,334.41	-680,303.53	-608,805.25	-1,076,481.64	-536,235.29	-3,087,628.00
Ending Fund						
Balance	3,101,729.96	3,919,489.61	3,377,534.95	4,403,352.26	5,287,408.44	7,035,205.28
Ending Unrestricted Fund						
Balance	2,905,395.55	3,239,186.08	2,768,729.70	3,326,870.62	4,751,173.15	3,947,577.28

¹⁶ [Novato Flood Protection and Watershed Program](#), p. 1

5.9 SUSTAINABILITY

FZ1 is directly affected by climate change. Heat from the globe's rising temperatures is absorbed by the ocean, which leads to sea-level rise and increases the severity of winter storms, both factors which exacerbate flooding issues in an already flood-prone region.

In addition, in 2017 as a sustainability initiative, the Regional Water Quality Control Board began regulating the District's regular preventive creek maintenance. Through the new programmatic permit, there are restrictions on the amount of maintenance that can be performed each year, mandates for the development of quantitative thresholds for creek maintenance, and significant recurring fees to be paid to the water board that take away from the amount of funding that can be spent on physical creek maintenance. This change affects FZ1 more than the other zones because this zone owns and/or has maintenance easements over a much larger network of creeks than in any other zone. FZ1 *has* to keep climate change in mind when looking at future capital projects, for both legal and weather-related reasons.

The 2016 Hydraulic Study, conducted by the Novato Watershed Program, provided a computerized program which created an "existing conditions" model. This allowed for the analysis of known storm and flood events. This existing condition model also allowed for the projection of impacts that any potential flood control project would have on flood protection, and the analysis and management of present conditions. This created the opportunity to see the long-term effects that forward-thinking projects may have and sets FZ1 up for more successful planning of future flood mitigation and allows FZ1 to incorporate the anticipated impacts of climate change.

FZ1 isn't only impacted by sustainability concerns, their actions can also create sustainability concerns. FZ1 contains the Novato Creek Baylands within its boundaries and protecting and restoring this vital habitat is important to FZ1. FZ1 hopes to keep not only climate change but also habitat protection and restoration at the forefront of their practices. By promoting future capital projects that will work with natural processes to manage flooding, the proposed projects intend to restore stream and wetland habitats, positively impact water quality, and allow for adaptation to sea level rise. The Deer Island Basin Tidal Marsh restoration design is an example of one of these projects which marries sustainability and habitat restoration.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 8 (Business Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of COBRA Payment Agreement With Marin County

Background

As we have discussed at previous meetings, Marin County is in the process of moving us out of its payroll and benefits system. Payroll transfer has now been completed with benefits starting to happen in pieces now. On December 8, 2020, we received a letter from Marin County (attached) on one part of this process. They originally asked for our response by December 16, 2020, at which point I let them know this had to go to the Commission for approval so we would let them know after today's meeting if we would agree to enter into this agreement which they said works for them. Under the new system the County is setting up, we will still be able to get the same benefit packages that the County offers its employees with the only difference being we will have to administer it ourselves. One piece of this is how do we handle Consolidated Omnibus Budget Reconciliation act of 1985 (COBRA) for employees when they leave LAFCo? Marin County has established an agreement with Connect Your Care (CYC) to provide these services. The attached MOU with the County would give us access to CYC to do this work on our behalf. It will cost LAFCo \$0.37 per employee a month. For LAFCo that means \$1.11 a month when fully staffed. If we don't enter into this agreement then LAFCo would have to be in charge of its own COBRA program as the County will no longer be doing that for us.

Staff did ask our legal counsel to review the MOU to make sure it covered our needs and to see if anything needed to change in it. Staff was given some questions on how our benefits program will work to make sure it covered our legal needs as a 3 FTE organization. All responses from the County to those questions did show that the CYC agreement will fit our needs and legal counsel had no issues with the MOU itself.

Staff Recommendation for Action

1. Staff recommendation – Authorize the Executive Officer to sign the attached MOU with Marin County for services with CYC.
2. Alternate option – Choose not to enter into the MOU and have staff do all COBRA work in the future.
3. Alternate option – Continue consideration of the item to a future meeting and provide direction to staff, as needed.

Attachment:

- 1) MOU with Marin County
- 2) Letter from Marin County

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiou, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

**MEMORANDUM OF AGREEMENT BETWEEN COUNTY OF MARIN AND
THE MARIN LOCAL AGENCY FORMATION COMMISSION, A SPECIAL
DISTRICT/AGENCY LOCATED WITHIN THE COUNTY OF MARIN,
PERTAINING TO THE PROVISION AND ADMINISTRATION OF COBRA
BENEFITS FOR EMPLOYEES OF SPECIAL DISTRICTS LOCATED
WITHIN THE COUNTY OF MARIN**

WHEREAS, the County of Marin, through third party vendors, provides and administers a variety of benefits for employees of the County of Marin, including retirement benefits, insurance benefits and health benefits, etc., and includes the provision of the continuation coverage for health care benefits under the Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”), through its vendor, Connect Your Care (“CYC”);

WHEREAS, COBRA requires group health plans to offer continuation coverage to covered employees, former employees, spouses, former spouses, and dependent children when group health coverage would otherwise be lost due to certain specific events, including the death of a covered employee, termination or reduction in the hours or workforce, ineligible dependent, divorce/legal separation, retirement of a covered employee’s employment for reasons other than gross misconduct, a covered employee’s becoming entitled to Medicare, divorce or legal separation of a covered employee and spouse, domestic partner and/or a child’s loss of dependent status (and therefore coverage) under the plan;

WHEREAS, COBRA generally applies to all private-sector group health plans maintained by employers that have at least 20 employees on more than 50 percent of its typical business days in the previous calendar year (under federal law), and applies to employers and group health plans that cover from 2 to 19 employees (under California law), and the County of Marin, in implementing this MOA follows state and federal guidelines;

WHEREAS, there are Special Districts/Agencies located within the County of Marin are designed to provide a type of local government created by a local community to meet specific public needs for services such as water, sewage, fire, flood control, libraries, and other community services, and have governing powers that are similar to cities and counties and are formed to provide specific or related services for the community in which they serve;

WHEREAS, Special Districts/Agencies located within the County of Marin often employ less than 20 employees on more than 50 percent of its typical business days in the previous calendar year;

WHEREAS, employees of Special Districts/Agencies located within the County of Marin are public employees, they however are not considered employees of the County of Marin, and although COBRA benefits are offered to these employees, nevertheless they are either not being administered or not administered consistently by Special Districts/Agencies on behalf of employees;

WHEREAS, the County of Marin provides, and the various Special Districts/Agencies

avail themselves of, the various benefits offered by and through the County of Marin to its employees, including but not limited to, retirement, insurance, flexible spending and health benefits for the employees of Special Districts/Agencies;

WHEREAS, the Human Resources Department for the County of Marin has learned that currently, COBRA benefits and notifications are either not being administered at all or administered consistently on behalf of the employees of the Special Districts/Agencies by the Special Districts;

WHEREAS, the Human Resources Department for the County of Marin has determined that the cost on the open insurance market for Special Districts/Agencies, especially smaller Special Districts/Agencies, to obtain post-employment continuing coverage for medical, dental, and/or vision benefits for employees would be greater than obtaining the same post-employment COBRA continuing coverage medical insurance through the County of Marin;

WHEREAS, the Human Resources Department for the County of Marin has determined that continuing coverage for health plans would have a similar or the same per employee cost for Special Districts/Agencies as for other County of Marin employees if the Special Districts/Agencies agreed to have post-employment COBRA medical insurance administered by the County of Marin through Connect Your Care;

NOW, THEREFORE, IT IS AGREED by and between the County of Marin and Marin Local Agency Formation Commission (LAFCo), a Special District/Agency located within the County of Marin, that the County of Marin shall offer and administer on behalf of LAFCo through various group medical, dental, and vision plans, continuation coverage offered by the County of Marin, to covered employees, former employees, spouses, domestic partner (DP), former spouses/DP, and dependent children and domestic partners covered children of covered employees, former employees, including, providing all required pre-employment and post-employment notices regarding the availability of COBRA continuation coverage benefits;

IT IS FURTHER AGREED, that LAFCo shall notify Connect Your Care of any and all events that trigger notification to employees of LAFCo continuation coverage under COBRA, including but not limited to: (1) hiring of new benefit eligible employees; (2) termination of a covered employee or reduction in the hours of employment or workforce; (3) death of a covered employee; (4) ineligible dependent/domestic partner; (5) divorce/legal separation; (6) retirement;

IT IS FURTHER AGREED that LAFCo shall notify the County of Marin at least once a year, as to all census data for LAFCo, including total numbers for all current employees, and notify the County of Marin immediately upon the occurrence of the following: (1) hiring of new benefit-eligible employees; (2) termination of a covered employee or reduction in the hours of

employment or workforce for a covered employee; (3) death of a covered employee; (4) ineligible dependent/domestic partner; (5) divorce/legal separation; (6) retirement;

IT IS FURTHER AGREED, that LAFCo will be invoiced monthly for COBRA costs by Connect Your Care, and shall timely pay any and all invoices for COBRA costs directly to Connect Your Care based on the current fee in effect as determined by the Connect Your Care, as costs associated with the provision and administration of continuation coverage under COBRA to the covered employees, former employees, spouses, domestic partners, former spouses/DP, and dependent children and domestic partners covered children of covered employees, former employees of LAFCo, at the annual rate offered to the County of Marin, for the current fiscal year and for every fiscal year for a term of 5 years, beyond the effective date of this MOA;

IT IS FURTHER AGREED, that the County of Marin, through Connect Your Care, will provide all pre-employment notices of COBRA benefits to eligible employees of LAFCo, and shall further provide notices of continuation coverage under COBRA to covered employees, former employees, spouses, Domestic Partner (DP), former spouses/DP, and dependent children and Domestic Partner's covered children of covered employees, former employees of LAFCo, in the event of a qualifying event rendering a covered employee eligible for continuation coverage benefits under COBRA;

IT IS FURTHER AGREED, that commencing in the 2021-2022 Fiscal Year, LAFCo shall conduct annual Open Enrollment sessions for employees of LAFCo, similar to Open Enrollment sessions conducted annually by the County of Marin for employees of the County of Marin;

IT IS FURTHER AGREED that in the event that LAFCo opts out of this enrollment in continuation coverage under COBRA through the County of Marin, and fails to execute this agreement, LAFCo agrees that the County of Marin shall not be liable for penalties issued to LAFCo by the Internal Revenue Service for failure to uniformly and consistently administer continuation coverage under COBRA to the covered employees, former employees, spouses, former spouses, and dependent children of covered employees, former employees, and LAFCo agrees to hold the County of Marin, its officers, agents, employees, executors, administrators and representatives harmless, and agrees to indemnify and defend the County of Marin, its officers, agents, employees, executors, administrators and representatives from all causes of action, claims, demands, damages and liabilities of any whether known or unknown, and including but not limited to, claims and litigation for violations of the Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. Part 6, §1161 et seq., 26 CFR § 54.4980B-1 et seq.;

IT IS FURTHER AGREED that this MOA constitutes the agreement between the County of Marin and LAFCo, a Special District/Agency, for a term of 5 years, the provision of continuation coverage under COBRA to the covered employees, former employees, spouses, Domestic Partner (DP), former spouses/DP, and dependent children and Domestic Partner's covered children of covered employees, former employees of LAFCo, and supersedes all prior negotiations, representations, or agreements, whether written or oral. In the event of a dispute

between the parties as to the language of this MOA or its construction or meaning of any term, this MOA shall be deemed to have been drafted by the parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any party to this MOA.

IT IS FURTHER AGREED that this MOA will renew annually every fiscal year unless and until LAFCo notifies the County of Marin and Connect Your Care upon sixty (60) days' notice and in writing, that it exercises the option to discontinue continuation coverage as specified under this MOA. Should LAFCo at any time opt not to renew this MOA, LAFCo agrees to hold the County of Marin, its officers, agents, employees, executors, administrators and representatives harmless, and agrees to indemnify and defend the County of Marin, its officers, agents, employees, executors, administrators and representatives, from all causes of action, claims, demands, damages and liabilities, whether known or unknown, and including but not limited to, claims and litigation for violations of the Consolidated Omnibus Budget Reconciliation Act of 1985, 29 U.S.C. Part 6, §1161 et seq., 26 CFR § 54.4980B-1 et seq.

SIGNATURE PAGE FOLLOWS

**REQUESTING AGENCY
COUNTY OF MARIN**

Date: _____

Matthew H. Hymel
County Administrator
County of Marin
State of California

Approved as to form:
BRIAN E. WASHINGTON
County Counsel

RISK MANAGEMENT APPROVAL

By: Renee Giacomini Brewer
Assistant County Counsel

By: Karen Shelar
Risk Manager

**PROVIDING AGENCY
HUMAN RESOURCESB**

Date: _____

By: Mary Hao
Director of Human Resources
County of Marin

Marin LAFCo

Date: _____

By: Jason Fried
Executive Officer
Marin Local Agency Formation Commission



December 8, 2020

Matthew H. Hymel
COUNTY ADMINISTRATOR

Marin County Civic Center
3501 Civic Center Drive
Suite 325
San Rafael, CA 94903
415 473 6358 T
415 473 4104 F
CRS Dial 711
www.marincounty.org/cao

LAFCO ACTIVES

JASON FRIED

1401 LOS GAMOS DR, SUITE 220

SAN RAFAEL, CA 94903

To SPECIAL DISTRICT:

Attached for your review, consideration and agreement is a Memorandum of Agreement between LAFCO ACTIVES and the County of Marin, for the administration and provision of continuation coverage for health care benefits under the Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”), - through its vendor, Connect Your Care.

As you are aware, COBRA requires group health plans like those offered by the County of Marin to offer continuation coverage to covered employees, former employees, when group health coverage would otherwise be lost due to certain specific events (e.g., termination, reduction in the hours or workforce, ineligible dependent, divorce/legal separation, retirement, or death of a covered employee’s employment, etc.).

For some of the smaller Special Districts who participate in the County’s Benefits Program that could include any of the following: medical, dental and vision plans. Ensuring that COBRA is correctly administered, can add another layer of complexity as failure to uniformly and consistently administer COBRA, based on all of its requirements, will place liability on the County, as we are the provider of your district’s active employee health benefits.

If your Special District were to obtain post-employment continuing coverage on the open insurance market, the cost would be greater than obtaining the same post-employment continuing coverage medical insurance through the plans currently offered by County of Marin. The County’s COBRA vendor, Connect Your Care, is able to offer your Special District its COBRA administration services at the same cost per active benefit eligible employee per month, as it

currently charges the County of Marin. The current per active benefit-eligible employee per month cost is \$0.37, an expense for which Connect Your Care will invoice your District directly. As the COBRA administrator, Connect Your Care handles all required notices to new employees of their rights under COBRA and provide any health coverage continuation information to employees who have separated from your district, provided that your district timely notifies ConnectYourCare of any changes in your personnel, including benefit eligible new hires, termination, reduction in the hours or workforce, ineligible dependent, divorce/legal separation, retirement, or death of a covered employee's employment.

By executing this MOA, your district agrees to participate in the County's COBRA coverage, with Connect Your Care as the COBRA administrator and further agrees to notify Connect Your Care of benefit eligible new hires, reduction in hours or workforce, and terminations, ineligible dependent, divorce/legal separation, retirement, or death in a timely manner. You are subject to the rules and requirements of the third-party vendor.¹ Each Special District agrees to the per active benefit-eligible fees, as determined by its COBRA vendor and pay monthly invoices in a timely manner.

Please respond no later than Friday, December 16, 2020 to let us know whether you will participate in the County's COBRA coverage described above. If you have any questions please feel free to contact Lisa Hatt, County of Marin Benefits Manager, at lhatt@marincounty.org or at (415) 473-6548.

Thank you,



Matthew Hymel, County Administrator



Mary Hao, Director, Human Resources

¹ See Connect Your Care notices and regulations.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Item No. 9 (Business Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Accept and File Fiscal Year 2018-2019 Audit Along With Discussion and Possible Action For Future Audits

Background

LAFCo policy 3.13(l) in part states “Marin LAFCo shall utilize an independent auditor to prepare annual or biennial financial statements. The audit report, including the firm’s opinion, shall be presented to the Commission for formal acceptance.” This item is for the Commission to formally review and file the completed audit report (see attachments) covering the 2018-2019 fiscal year prepared by R.J. Ricciardi and Associates. FY 18-19 is the first fiscal year in which current staff was responsible for overseeing our system. A summary of key findings and related items underlying the audit report and the accompanying management letter follows:

- The management report identifies for current year observations that “Nothing came to our attention”.
- The management report also revisits three recommendations made in previous audit reports. Two of the three items they state “This recommendation has been implemented.” The third item is “Bank of Marin account 4033 had an irreconciliation difference of \$883 at 6-30-19. The bank reconciliation report could not be located.” In the recommendation on this matter the auditor does note “The difference is immaterial to the financial statements but future reconciliations should be monitored for an increase in the amount noted above.”

With respect to the recommendations included in the accompanying management letter, staff is talking with our bookkeeper to rectify this last item that remains to be addressed.

Future Audits

At the June 12, 2014 meeting the Commission entered into an agreement with R.J. Ricciardi and Associates to prepare an independent audit beginning with fiscal year 2012-2013. The agreement includes providing the Commission with an option to contract for additional audits each year thereafter. The Commission has exercised this option to engage and receive audit reports from R.J. Ricciardi and Associates for the fiscal year 2013-2014 through fiscal years 2018-2019. Due to COVID the FY 18-19 report has taken longer than normal to complete.

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Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Based on past best practices, LAFCo Policy 3.13(I) in part states “Marin LAFCo shall select a different independent auditor no less than every six years. The Commission may waive this requirement upon a majority vote of the membership at a public meeting.” In addition, state government code section 12410.6(b) indicates that starting in fiscal year 2013-2014, local agencies will not have a lead audit partner or coordinating audit partner perform the audit for more than six consecutive fiscal years. This is the sixth year that we will have had the same individual performing our audit within R.J. Ricciardi and Associates. The state government code section does allow us to retain the same company but they would have to assign a different person to do the audit.

The question today is, does the Commission want to retain R.J. Ricciardi and Associates and get assigned a new person or look to see what other firms can provide this service? Staff would suggest we take a similar approach to our recent search for Payroll services. Have staff find out who the Cities/Towns and Special Districts in Marin County use as well as other LAFCo’s. Then bring back a recommendation to the Commission with a contract to perform such services at the April meeting. If any Commissioners have experience or interest in this and want to assist in this work then LAFCo could create an Ad Hoc committee to facilitate this search.

Staff Recommendation for Action

1. Staff recommendation – Accept and File the FY 18-19 audit report then authorize the Executive Officer to research and bring back a recommendation to the April meeting for future audit work.
2. Alternate option – Waive LAFCo policy 3.13 (I), continue to use our current auditing firm, and have staff bring a contract for service for our next audit to the next meeting.
3. Alternate option – Continue consideration of the item to a future meeting and provide direction to staff, as needed.

Attachments:

1. Marin LAFCo Final Audit – Board of Commissioners & Management Report
2. Marin LAFCo Final Audit – Basic Financial Statements

**MARIN LOCAL AGENCY FORMATION COMMISSION
BOARD OF COMMISSIONERS & MANAGEMENT REPORT**

**For the Year Ended
JUNE 30, 2019**

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R. J. RICCIARDI, INC.
CERTIFIED PUBLIC ACCOUNTANTS

Commissioners
Marin Local Agency Formation Commission
San Rafael, California

In planning and performing our audit of the basic financial statements of Marin Local Agency Formation Commission (LAFCo) for the fiscal year ended June 30, 2019, in accordance with auditing standards generally accepted in the United States of America, we considered its internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the basic financial statements but not for the purpose of expressing an opinion on the effectiveness of its internal control. Accordingly, we do not express an opinion on the effectiveness of Marin Local Agency Formation Commission's internal control.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or a combination of control deficiencies, that adversely affect the entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or a combination of significant deficiencies, that result in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of internal control was for the limited purpose described in the first paragraph and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses, as defined above. We did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above.

During our audit, we noted certain matters involving internal controls and other operational matters that are presented for your consideration in this report. We will review the status of these comments during our next engagement. Our comments and recommendations, all of which have been discussed with appropriate members of management, are not intended to be all-inclusive, but rather represent those matters that we considered worthy of your consideration. Our comments and recommendations are submitted as constructive suggestions to assist you in strengthening controls and procedures; they are not intended to reflect on the honesty or integrity of any employee. We will be pleased to discuss these comments in further detail at your convenience, to perform any additional study of these matters, or to assist Marin Local Agency Formation Commission in implementing the recommendations.

This report is intended solely for the information and use of management, the Commissioners, and officials of the federal and state grantor agencies and should not be used by anyone other than these specified parties.

We thank Marin Local Agency Formation Commission's staff for its cooperation during our audit.

R.J. Ricciardi, Inc.

R.J. Ricciardi, Inc.
Certified Public Accountants

San Rafael, California
January 13, 2021

Commissioners
Marin Local Agency Formation Commission
San Rafael, California

We have audited the basic financial statements of the Marin Local Agency Formation Commission (LAFCo) for the year ended June 30, 2019. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated July 9, 2019, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement and are fairly presented in accordance with U.S. generally accepted accounting principles. Because an audit is designed to provide reasonable, but not absolute assurance and because we did not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us.

As part of our audit, we considered the internal control of LAFCo. Such considerations were solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we advised management about the appropriateness of accounting policies and their application. The significant accounting policies used by LAFCo are described in Note 2 to the financial statements. No new accounting policies were adopted, and the application of existing policies was not changed during the year. We noted no transactions entered into by LAFCo during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. We evaluated the key factors and assumptions used to develop the accounting estimates in determining that they are reasonable in relation to the financial statements taken as a whole. The most sensitive estimate(s) affecting the financial statements were:

- Accrual and disclosure of compensated absences;
- Calculation of unearned revenue;
- Pension plan and post employment benefit actuarial computations;
- Fair value of investments and financial instruments.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements (Audit Adjustments)

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. Of the four accounting adjustments detected as a result of audit procedures and corrected by management most were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated January 13, 2021.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to LAFCo's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as LAFCo's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the Management's Discussion and Analysis and the Budgetary Comparison Schedule for the General Fund, which is required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

This report is intended solely for the information and use of management and the Board of Commissioners of Marin Local Agency Formation Commission and others within the organization, and is not intended to be, and should not be, used by anyone other than these specified parties.

Marin Local Agency Formation Commission
BOARD OF COMMISSIONERS & MANAGEMENT REPORT
For the Year Ended June 30, 2019

Current Year Observation

Nothing came to our attention.

Prior Year Observations

1) Payroll Tax Return Reconciliation

Observation:

During our audit it was noted that Marin Local Agency Formation Commission (LAFCo) does not reconcile the salaries and payroll tax amounts on the quarterly payroll tax returns to the general ledger.

Recommendation:

We recommended LAFCo reconcile the quarterly payroll tax returns to the general ledger on a quarterly basis.

Status:

This recommendation has been implemented.

2) Wells Fargo Checking

Observation:

During the course of our audit it was noted the Wells Fargo Checking account reconciliation had a \$659 irreconcilable difference at June 30, 2017.

Recommendation:

The difference is immaterial to the financial statements but future reconciliations should be monitored for an increase in the amount noted above.

Status:

Bank of Marin account 4033 had an irreconcilable difference of \$883 at 6-30-19. The 6-30-19 bank reconciliation report could not be located.

3) Vendor Invoices

Observation:

During the course of our audit it was noted some vendor invoices could not be located by LAFCo due to employee turnover.

Recommendation:

We recommended all vendor invoices be approved, retained and properly filed for future reference.

Status:

This recommendation has been implemented.

**MARIN LOCAL AGENCY
FORMATION COMMISSION**

SAN RAFAEL, CALIFORNIA

BASIC FINANCIAL STATEMENTS

JUNE 30, 2019

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INDEPENDENT AUDITORS' REPORT

Commissioners
Marin Local Agency Formation Commission
San Rafael, California

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities and the major fund of the Marin Local Agency Formation Commission, as of and for the year ended June 30, 2019, and the related notes to the financial statements, which collectively comprise the Marin Local Agency Formation Commission's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the State Controller's Minimum Audit Requirements for California Special Districts. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to Marin Local Agency Formation Commission's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Marin Local Agency Formation Commission's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Marin Local Agency Formation Commission, as of June 30, 2019, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis (pages 3-6) and the required supplementary information (page 24-28), as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

R. J. Ricciardi, Inc.

R. J. Ricciardi, Inc.
Certified Public Accountants

San Rafael, California
January 13, 2021

Marin Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2019

This section of Marin Local Agency Formation Commission's (LAFCo's) basic financial statements presents management's overview and analysis of the financial activities of the organization for the fiscal year ended June 30, 2019. We encourage the reader to consider the information presented here in conjunction with the basic financial statements as a whole.

Introduction to the Basic Financial Statements

This discussion and analysis is intended to serve as an introduction to LAFCo's audited financial statements, which are composed of the basic financial statements. This annual report is prepared in accordance with the Governmental Accounting Standards Board (GASB) Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for States and Local Governments*. The Single Governmental Program for Special Purpose Governments reporting model is used, which best represents the activities of LAFCo.

The required financial statements include the Statement of Net Position and Governmental Funds Balance Sheet; and the Statement of Activities and Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances.

These statements are supported by notes to the basic financial statements. All sections must be considered together to obtain a complete understanding of the financial picture of LAFCo.

The Basic Financial Statements

The Basic Financial Statements comprise the Combined Government-wide Financial Statements and the Fund Financial Statements; these two sets of financial statements provide two different views of LAFCo's financial activities and financial position.

The Government-wide Financial Statements provide a longer-term view of LAFCo's activities as a whole, and comprise the Statement of Net Position and the Statement of Activities. The Statement of Net Position provides information about the financial position of LAFCo as a whole, including all of its capital assets and long-term liabilities on the full accrual basis, similar to that used by corporations. The Statement of Activities provides information about all of LAFCo's revenues and all of its expenses, also on the full accrual basis, with the emphasis on measuring net revenues or expenses of LAFCo's programs. The Statement of Activities explains in detail the change in Net Position for the year.

All of LAFCo's activities are grouped into Government Activities, as explained below.

The Fund Financial Statements report LAFCo's operations in more detail than the Government-wide statements and focus primarily on the short-term activities of LAFCo's Major Funds. The Fund Financial Statements measure only current revenues and expenditures and fund balances; they exclude capital assets, long-term debt and other long-term amounts.

Major Funds account for the major financial activities of LAFCo and are presented individually. Major Funds are explained below.

The Government-wide Financial Statements

Government-wide Financial Statements are prepared on the accrual basis, which means they measure the flow of all economic resources of LAFCo as a whole.

Marin Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS

June 30, 2019

The Statement of Net Position and the Statement of Activities present information about the following: *Governmental Activities* – LAFCo’s basic services are considered to be governmental activities. These services are supported by specific general revenues from local agencies.

Fund Financial Statements

The Fund Financial Statements provide detailed information about each of LAFCo’s most significant funds, called Major Funds. The concept of Major Funds, and the determination of which are Major Funds, was established by GASB Statement No. 34 and replaces the concept of combining like funds and presenting them in total. Instead, each Major Fund is presented individually, with all Non-major Funds summarized and presented only in a single column. Major Funds present the major activities of LAFCo for the year, and may change from year-to-year as a result of changes in the pattern of LAFCo’s activities.

In LAFCo’s case, there is only one Major Governmental Fund.

Governmental Fund Financial Statements are prepared on the modified accrual basis, which means they measure only current financial resources and uses. Capital assets and other long-lived assets, along with long-term liabilities, are not presented in the Governmental Fund Financial Statements.

Comparisons of Budget and Actual financial information are presented for the General Fund.

Analyses of Major Funds

Governmental Funds

General Fund revenue increased this fiscal year compared to the prior year due primarily to increases in intergovernmental charges. Actual revenues were greater than budgeted amounts by \$5,924.

General Fund expenditures were \$509,745, an increase of (\$68,664) from the prior year primarily due to an increase in employees’ salaries and benefit costs due to staff increases. Expenditures were \$182,630 less than budgeted.

Governmental Activities

Table 1
Governmental Net Position

	2019	2018
	Governmental Activities	Governmental Activities
Current assets	\$ 366,723	\$ 292,619
Total assets	<u>366,723</u>	<u>292,619</u>
Deferred outflows of resources	<u>17,964</u>	<u>24,254</u>
Current liabilities	14,652	28,602
Non-current liabilities	<u>6,829</u>	<u>55,337</u>
Total liabilities	<u>21,481</u>	<u>83,939</u>
Deferred inflows of resources	<u>-</u>	<u>6,134</u>
Net position		
Unrestricted	<u>363,206</u>	<u>226,800</u>
Total net position	<u>\$ 363,206</u>	<u>\$ 226,800</u>

Marin Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
 June 30, 2019

LAFCo's governmental net position amounted to \$363,206 as of June 30, 2019, an increase of \$136,406 from 2018. This increase is the Change in Net Position reflected in the Statement of Activities shown in Table 2 and the prior period adjustment. LAFCo's net position as of June 30, 2019 comprised the following:

- Cash and investments comprised \$366,173 of cash on deposit with the Marin County Treasury and Bank of Marin.
- Accounts payable totaling \$14,652.
- OPEB liabilities totaling \$860
- Compensated absences of \$5,969 and net pension liability of \$0.
- Unrestricted net position, the part of net position that can be used to finance day-to-day operations without constraints established by debt covenants or other legal requirements or restrictions. LAFCo had \$363,206 of unrestricted net position as of June 30, 2019.

The Statement of Activities presents program revenues and expenses and general revenues in detail. All of these are elements in the Changes in Governmental Net Position summarized below.

Table 2
Changes in Governmental Net Position

	2019 Governmental Activities	2018 Governmental Activities
<u>Expenses</u>		
Services and supplies	\$ 461,393	\$ 430,195
Total expenses	461,393	430,195
<u>Revenues</u>		
Program revenues:		
Charges for services	31,068	27,637
Total program revenues	31,068	27,637
General revenues:		
Intergovernmental	559,875	514,781
Interest income	6,856	2,853
Total general revenues	566,731	517,634
Total revenues	597,799	545,271
<u>Change in net position</u>	\$ 136,406	\$ 115,076

As Table 2 above shows, \$31,068 or 5% of LAFCo's fiscal year 2019 governmental revenue, came from program revenues and \$566,731 or 95%, came from general revenues such as contributions from local agencies.

Program revenues were composed of application and related fees of \$31,068.

General revenues are not allocable to programs. General revenues are used to pay for the net cost of governmental programs.

Capital Assets

LAFCo has no capital assets.

Marin Local Agency Formation Commission
MANAGEMENT'S DISCUSSION AND ANALYSIS
June 30, 2019

Debt Administration

LAFCo does not utilize long-term debt to fund operations or growth.

Economic Outlook and Major Initiatives

Financial planning is based on specific assumptions from recent trends, State of California economic forecasts and historical growth patterns in the various agencies served by LAFCo.

The economic condition of LAFCo as it appears on the balance sheet reflects financial stability. LAFCo will continue to maintain a watchful eye over expenditures and remain committed to sound fiscal management practices to deliver the highest quality service to the citizens of the area.

Contacting LAFCo's Financial Management

The basic financial statements are intended to provide citizens, taxpayers, and creditors with a general overview of LAFCo's finances. Questions about this report should be directed to Marin Local Agency Formation Commission, 1401 Los Gatos Drive, Suite 220, San Rafael, California 94903.

Marin Local Agency Formation Commission
STATEMENT OF NET POSITION AND
GOVERNMENTAL FUNDS BALANCE SHEET

June 30, 2019

	General	Adjustments (Note 9)	Statement of Net Position
<u>ASSETS</u>			
Cash and investments	\$ 366,173	\$ -	\$ 366,173
Accounts receivable	550	-	550
Total assets	\$ 366,723	-	366,723
DEFERRED OUTFLOW OF RESOURCES			
Deferred outflow of resources-pension		13,318	13,318
Deferred outflow of resources-OPEB		4,646	4,646
Total deferred outflows		17,964	17,964
<u>LIABILITIES</u>			
Accounts payable	\$ 14,652	-	14,652
Long term liabilities:			
Compensated absences	-	5,969	5,969
Net OPEB liability	-	860	860
Net pension liability	-	-	-
Total liabilities	14,652	6,829	21,481
DEFERRED INFLOW OF RESOURCES			
Deferred inflow of resources-pension		-	-
Deferred inflow of resources-OPEB		-	-
Total deferred inflows		-	-
<u>FUND BALANCES/NET POSITION</u>			
Fund balances:			
Unassigned fund balance	352,071	11,135	363,206
Total fund balances	352,071	11,135	363,206
Total liabilities and fund balances	\$ 366,723		
Net position:			
Unrestricted		363,206	363,206
Total net position		\$ 363,206	\$ 363,206

The accompanying notes are an integral part of these financial statements.

Marin Local Agency Formation Commission
GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES, AND
CHANGES IN FUND BALANCES
For the period ended June 30, 2019

	General	Adjustments (Note 10)	Statement of Activities
Expenditures/expenses:			
Services and supplies	\$ 509,745	\$ (48,352)	\$ 461,393
Total expenditures/expenses	509,745	(48,352)	461,393
Program revenues:			
Charges for services	31,068	-	31,068
Net program expense			(430,325)
General revenues:			
Intergovernmental	559,875	-	559,875
Interest income	6,856	-	6,856
Total general revenues and transfers	566,731	-	566,731
Excess (deficiency) of revenues and transfer in over (under) expenditures and transfers out	88,054	(88,054)	-
Changes in net position	-	136,406	136,406
Fund balance/Net position at beginning of period	264,017	(37,217)	226,800
Fund balance/Net position at end of period	\$ 352,071	\$ 11,135	\$ 363,206

The accompanying notes are an integral part of these financial statements.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 1 - REPORTING ENTITY

A. Organization of LAFCo

Marin Local Agency Formation Commission (LAFCo) was formed in 1963. LAFCo is responsible for coordinating logical and timely changes in local government boundaries, conducting special studies that review ways to reorganize, simplify, and streamline governmental structure, and preparing a sphere of influence for each city and special district within its county. LAFCo's efforts are directed toward seeing that services are provided efficiently and economically while agricultural and open-space lands are protected. LAFCo also conducts service reviews to evaluate the provision of municipal services within its county.

B. Principles that Determine the Scope of Reporting Entity

LAFCo consists of seven voting members and exercises the powers allowed by state statutes. This follows section 56325 of the Government Code. The basic financial statements of LAFCo consist only of the funds of LAFCo. LAFCo has no oversight responsibility for any other governmental entity since no other entities are considered to be controlled by, or dependent on, LAFCo.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Basis of Presentation

LAFCo's basic financial statements are prepared in conformity with U.S. generally accepted accounting principles. The Governmental Accounting Standards Board (GASB) is the acknowledged standard setting body for establishing accounting and financial reporting standards followed by governmental entities in the U.S.A.

LAFCo has chosen to present its basic financial statements using the reporting model for special purpose governments engaged in a single government program.

This model allows the fund financial statements and the government-wide statements to be combined using a columnar format that reconciles individual line items of fund financial data to government-wide data in a separate column on the face of the financial statements rather than at the bottom of the statements or in an accompanying schedule.

Government-wide Financial Statements

LAFCo's financial statements reflect only its own activities; it has no component units. The statement of net position and statement of activities display information about the reporting government as a whole. They include all funds of the reporting entity. Governmental activities generally are financed through intergovernmental revenues and charges for services.

The statement of activities presents a comparison between direct expenses and program revenues for each segment of LAFCo's governmental activities. Direct expenses are those that are specifically associated with a program or function and, therefore, are clearly identifiable to a particular function. Program revenues include charges paid by the recipients of goods and services offered by the program. Revenues that are not classified as program revenues, including all intergovernmental revenues, are presented as general revenues.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

A. Basis of Presentation (concluded)

Fund Financial Statements

Fund financial statements of the reporting entity are organized into funds, each of which is considered to be a separate accounting entity. General Fund operations are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures (or expenses) as appropriate. LAFCo's resources are accounted for based on the purposes for which they are to be spent and the means by which spending activities are controlled. An emphasis is placed on major funds within the governmental categories. A fund is considered major if it is the primary operating fund of LAFCo or meets the following criteria: Total assets, liabilities, revenues or expenditures (or expenses) of the individual governmental fund are at least 10 percent of the corresponding total for all funds of that category or type. The General Fund is always a major fund.

Governmental Funds

General Fund: This is the operating fund of LAFCo. The major revenue source for this fund is intergovernmental revenues. Expenditures are made for intergovernmental revenues projects and administration.

B. Basis of Accounting

The government-wide financial statements are reported using the *economic resources measurement focus* and the *full accrual basis* of accounting. Revenues are recorded when earned and expenses are recorded at the time liabilities are *incurred*, regardless of when the related cash flows take place.

Governmental funds are reported using the *current financial resources measurement focus* and the *modified accrual* basis of accounting. Under this method, revenues are recognized when "measurable and available." LAFCo considers all revenues reported in the governmental funds to be available if the revenues are collected within sixty days after year-end.

Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, claims and judgments, and compensated absences, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as *expenditures* in governmental funds. Proceeds of general long-term debt and acquisitions under capital leases are reported as *other financing sources*.

Those revenues susceptible to accrual are intergovernmental, certain charges for services and interest revenue. Charges for services are not susceptible to accrual because they are not measurable until received in cash.

Non-exchange transactions, in which LAFCo gives or receives value without directly receiving or giving equal value in exchange, include taxes, grants, entitlements, and donations. On the accrual basis, revenue from taxes is recognized in the fiscal year for which the taxes are levied or assessed.

LAFCo may fund programs with a combination of charges for services and general revenues. Thus, both restricted and unrestricted net position may be available to finance program expenditures. LAFCo's policy is to first apply restricted grant resources to such programs, followed by general revenues if necessary.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (concluded)

C. LAFCo Budget

Pursuant to Section 56381, et seq of the Government Code, LAFCo adopts a proposed budget by May 1 and a final budget by June 15 of each year.

Budgets are adopted on a basis consistent with U.S. generally accepted accounting principles. Budget/actual comparisons in this report use this budgetary basis. These budgeted amounts are as originally adopted or as amended by LAFCo. Individual amendments were not material in relation to the original appropriations that were amended.

D. Property, Plant and Equipment

LAFCo currently has no fixed assets.

E. Compensated Absences

Compensated absences comprise unpaid vacation. Vacation and sick time are accrued as earned.

F. Deferred Outflows and Inflows of Resources

Pursuant to GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, and GASB Statement No. 65, *Items Previously Reported as Assets and Liabilities*, LAFCo recognizes deferred outflows and inflows of resources.

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. A deferred outflow of resources is defined as a consumption of net position by the government that is applicable to a future reporting period.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. A deferred inflow of resources is defined as an acquisition of net position by LAFCo that is applicable to a future reporting period.

Pensions

For purposes of measuring the net pension liability and deferred outflows/inflows of resources related to pensions, and pension expense, information about the fiduciary net position of LAFCo's Marin County Employees Retirement Association (MCERA) plan (Plan) and additions to/deductions from the Plan's fiduciary net position have been determined on the same basis as they are reported by MCERA. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

NOTE 3 - CASH AND INVESTMENTS

LAFCo's cash is maintained with the Marin County Treasury in an interest-bearing account. LAFCo's cash on deposit with Marin County Treasury and Bank of Marin at June 30, 2019 was \$366,173.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 3 - CASH AND INVESTMENTS (concluded)

Credit Risk, Carrying Amount and Market Value of Investments

LAFCo maintains specific cash deposits with Marin County. Marin County is restricted by state code in the types of investments it can make. Furthermore, the Marin County Treasurer has a written investment policy, approved by the Board of Supervisors, which is more restrictive than state code as to terms of maturity and type of investment. Also, Marin County has an investment committee, which performs regulatory oversight for its pool as required by California Government Code Section 27134. In addition, LAFCo has its own investment policy as well.

Marin County's investment policy authorizes Marin County to invest in obligations of the U.S. Treasury, its agencies and instrumentalities, certificates of deposit, commercial paper rated A-1 by Standard & Poor's Corporation or P-1 by Moody's Commercial Paper Record, bankers' acceptances, repurchase agreements, and the State Treasurer's investment pool. At June 30, 2019, LAFCo's cash with the Marin County Treasurer was maintained in an interest-bearing account.

Fair Value Measurements – LAFCO categorizes its fair value measurements within the hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted market prices in active markets for identical assets; Level 2 inputs are significant other observable inputs, and Level 3 inputs are other significant unobservable inputs. LAFCO's investments in the Local Agency Investment Fund and County Treasurer's Pool are valued using Level 1 inputs as are the certificates of deposit, local government bonds and money market funds.

NOTE 4 - USE OF ESTIMATES

The basic financial statements have been prepared in conformity with U.S. generally accepted accounting principles and, as such, include amounts based on informed estimates and judgments of management with consideration given to materiality. Actual results could differ from those amounts.

NOTE 5 - CONTINGENCIES

LAFCo may be involved from time to time in various claims and litigation arising in the ordinary course of business. LAFCo management, based upon the opinion of legal counsel, is of the opinion that the ultimate resolution of such matters should not have a materially adverse effect on LAFCo's financial position or results of operations.

NOTE 6 - FUND EQUITY

The accompanying basic financial statements reflect certain changes that have been made with respect to the reporting of the components of Fund Balances for governmental funds. In previous years, fund balances for governmental funds were reported in accordance with previous standards that included components for reserved fund balance, unreserved fund balance, designated fund balance, and undesignated fund balance. Due to the implementation of GASB Statement No. 54, the components of the fund balances of governmental funds now reflect the component classifications described below. In the fund financial statements, governmental fund balances are reported in the following classifications:

Nonspendable fund balance includes amounts that are not in a spendable form, such as prepaid items or supplies inventories, or that are legally or contractually required to remain intact, such as principal endowments.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 6 - FUND EQUITY (concluded)

Restricted fund balance includes amounts that are subject to externally enforceable legal restrictions imposed by outside parties (i.e., creditors, grantors, contributors) or that are imposed by law through constitutional provisions or enabling legislation.

Committed fund balance includes amounts whose use is constrained by specific limitations that the government imposes upon itself, as determined by a formal action of the highest level of decision-making authority. The Commissioners serve as LAFCo's highest level of decision-making authority and have the authority to establish, modify or rescind a fund balance commitment via minutes action.

Assigned fund balance includes amounts intended to be used by LAFCo for specific purposes, subject to change, as established either directly by the Commissioners or by management officials to whom assignment authority has been delegated by the Commissioners.

Unassigned fund balance is the residual classification that includes spendable amounts in the General Fund that are available for any purpose.

When expenditures are incurred for purposes for which both restricted and unrestricted (committed, assigned or unassigned) fund balances are available, LAFCo specifies that restricted revenues will be applied first. When expenditures are incurred for purposes for which committed, assigned or unassigned fund balances are available, LAFCo's policy is to apply committed fund balance first, then assigned fund balance, and finally unassigned fund balance.

Net Position

Net Position is the excess of all LAFCo's assets over all its liabilities, regardless of fund. Net Position is divided into three captions under GASB Statement No. 34. These captions apply only to Net Position, which is determined only at the government-wide level, and are described below:

Invested in capital assets, net of related debt describes the portion of Net Position that is represented by the current net book value of LAFCo's capital assets, less the outstanding balance of any debt issued to finance these assets. *Restricted* describes the portion of Net Position that is restricted as to use by the terms and conditions of agreements with outside parties, governmental regulations, laws, or other restrictions that LAFCo cannot unilaterally alter. *Unrestricted* describes the portion of Net Position that is not restricted to use.

All of LAFCo's Net Position is unrestricted.

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN

A. Plan Description

LAFCo's retirement plan is administered by the Marin County Employees' Retirement Association (MCERA), a retirement system established in July 1950 and governed by the California Constitution; the County Employees Retirement Law of 1937 (CERL or 1937 Act, California government Code Section 31450 et seq.); the Public Employees' Pension Reform Act of 2013 (PEPRA, Government Code Section 7522); the provisions of California Government Code Section 7500 et seq; and the bylaws, procedures, and policies adopted by MCERA's Board of Retirement. The Marin County Board of Supervisors may also adopt resolutions, as permitted by the CERL and PEPRA, which may affect the benefits of MCERA members.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN (continued)

A. Plan Description (concluded)

MCERA operates as a cost-sharing multiple employer defined benefit plan for the County and eight other participating employers: City of San Rafael, Local Agency Formation Commission (LAFCo), Marin City Community Services District, Marin County Superior Court, Marin/Sonoma Mosquito and Vector Control District, Novato Fire Protection District, Southern Marin Fire Protection District, and Tamalpais Community Services District. Separate actuarial valuations are performed for these other agencies and districts, and the responsibility for funding their plans rest with those entities. Post-retirement benefits are administered by MCERA to qualified retirees.

Copies of MCERA's annual financial reports, which include required supplementary information (RSI) for the Plan may be obtained from their office at One McInnis Parkway, Suite 100, San Rafael, CA 94903 or online at www.mcera.org.

Administration

Retirement system administration is managed by the Retirement Board. All Retirement Board members, except the County Director of Finance, serve for a term of three years. By statute, retirement Board members include the following:

- The Director of Finance of the County (ex-officio).
- Four members who are qualified electors of the County and not connected with County government in any capacity, except one may be a County Supervisor. The Board of Supervisors appoints these members.
- Two General members of MCERA elected by the General membership.
- One Safety member and one Safety member alternative elected by the Safety membership.
- One retired member and one retired member alternate elected by the retired membership.

Membership

MCERA provides service retirement, disability, and death and survivor benefits to its general and safety members. Safety membership primarily includes law enforcement and firefighters of MCERA, as well as other classifications as allowed under the CERL and adopted by the employer. General membership is applicable to all other occupational classifications. The retirement benefits within the plan are tiered based on the participating employer and the date of the member's entry into MCERA membership.

Vesting

Members become vested in retirement benefits upon completion of five years of credited service.

B. Benefit Provisions

Service Retirement

MCERA's service retirement benefits are based on the years of credited service, final average compensation, and age at retirement, according to the applicable statutory formula. Members who qualify for service retirement are entitled to receive monthly retirement benefits for life.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN (continued)

B. Benefit Provisions (continued)

General members hired prior to January 1, 2013 are eligible to retire once they attain the age of 50 (except tiers 3a and 4, whereby the minimum age is 55) and have acquired 10 or more years of retirement service credit. A member with 30 years of service is eligible to retire regardless of age. A member who is age 70 or older is eligible to retire regardless of service credit. General members who are first hired on or after January 1, 2013 are eligible to retire once they have attained the age of 52, and have acquired 5 years of retirement service credit, or age 70, regardless of service.

Disability Retirement

A member with five years of service, regardless of age, who becomes permanently incapacitated for the performance of duty is eligible to apply for a non-service connected disability retirement. Any member who becomes permanently incapacitated for the performance of duty as a result of injury or disease arising out of and in the course of employment is eligible to apply for a service-connected disability retirement, regardless of service length or age.

Death Benefits

MCERA provides specified death benefits to beneficiaries and members' survivors. The death benefits provided depend on whether the member is active or retired.

The basic active member death benefit consists of a members' retirement contributions plus interest plus one month's pay for each full year of service (up to a maximum of six month's pay). Retiring members may choose from five retirement benefit payment options. Most retirees elect to receive the unmodified allowance which provides the maximum benefit to the retiree and continuance of 60% of the retiree's allowance to the surviving spouse or registered domestic partner after the retiree's death. Other death benefits may be available based on the years of service, marital status, and whether the member has minor children.

Cost of Living Adjustment

Retirement allowances are indexed for inflation. Most retirees receive automatic basic cost of living adjustments (COLA's) based upon the Urban Consumer Price Index (UCPI) for the San Francisco Bay Area. These adjustments go into effect on April 1 of each year. Annual COLA increases are statutorily capped at 2%, 3%, or 4% depending upon the member's retirement tier. When the UCPI exceeds the maximum statutory COLA for the member's tier, the difference is accumulated for use in future years when the UCPI is less than the maximum statutory COLA. The accumulated percentage carryover is known as the COLA Bank.

For the year ended June 30, 2019, the contributions recognized as part of pension expense for the Plan were as follows:

Employer Contributions:	\$ 13,318
-------------------------	-----------

As of June 30, 2019, LAFCo's reported net pension liabilities for its proportionate shares of the net pension liability of the Miscellaneous Plan as follows:

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN (continued)

B. Benefit Provisions (continued)

	Proportionate Share of Net Pension Liability
Miscellaneous	\$ -
Total Net Pension Liability	<u>\$ -</u>

LAFCo's net pension liability for the Plan is measured as the proportionate share of the net pension liability. The net pension liability of the Plan is measured as of June 30, 2018, and the total pension liability for the Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2017 rolled forward to June 30, 2018 using standard update procedures. LAFCo's proportion of the net pension liability was based on a projection of LAFCo's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. LAFCo's proportionate share of the net pension liability for the Plan as of June 30, 2017 and 2018 was as follows:

<u>LAFCo Miscellaneous Plan</u>	
Proportion - June 30, 2017	.001%
Proportion - June 30, 2018	.000%
Change – Increase (Decrease)	.(001%)

For the year ended June 30, 2019, LAFCo recognized pension expense of \$31,207. At June 30, 2019, LAFCo reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Pension contributions subsequent to measurement date	\$ 13,318	\$ -
Differences between actual and expected experience	-	-
Changes in assumptions	-	-
Change in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions	-	-
Net differences between projected and actual earnings on plan investments	-	-
Total	<u>\$ 13,318</u>	<u>\$ -</u>

\$13,318 reported as deferred outflows of resources related to contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2020.

Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN (continued)

B. Benefit Provisions (concluded)

<u>Year Ended June 30</u>	<u>Inflows</u>
2020	\$ 13,444
2021	(2,933)
2022	(5,977)
2023	-
Thereafter	-

C. Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions

Actuarial Assumptions - The total pension liabilities in the June 30, 2018 actuarial valuations were determined using the following actuarial assumptions:

Valuation Date:	June 30, 2017 (to determine FY 2018-19 contributions)
Timing:	Actuarially determined contribution rates are calculated based on the actuarial valuation one year prior to the beginning of the plan year
Actuarial Cost Method:	Entry Age
Asset Valuation Method:	Market Value
Amortization Method:	Closed 17 year period (13 years remaining as of 6/30/17)
Discount Rate	7.00%
Price Inflation:	2.75%
Salary Increases:	3.00% plus merit component based on employee classification and years of service.
Administrative Expenses:	Administrative expenses in the actuarial valuation are assumed to be \$5.065 million for FY 2018-19, to be split between employees and employers based on their share of the overall contributions. Administrative expenses shown in this report are based on the actual FY 2018-19 amounts.
Postretirement COLA:	Post retirement COLAs are assumed at the rate of 2.7% for members with a 4% COLA cap, 2.6% for members with a 3% COLA cap, and 1.9% for members with a 2% COLA cap.
Mortality Rates for Healthy Members and Inactives:	Rates of mortality for active Members are specified by CalPERS 2017 Pre-Retirement Non-Industrial Death rates (plus Duty-Related Death rates for Safety Members), with the 20-year static projection used by CalPERS replaced by generational improvements from a base year of 2014 using Scale MP-2017.

A complete description of the methods and assumptions used to determine contribution rates for the year ended June 30, 2019 can be found in the June 30, 2019 actuarial report.

Discount Rate - The discount rate used to measure the total pension liability was 7.00% as of June 30, 2018. The projection of cash flows used to determine the discount rate assumed plan member contributions will be made at the current contribution rate and that employer contributions will be made at rates equal to the actuarially determined contribution rates. For this purpose, only employer contributions intended to fund benefits of current plan members and their beneficiaries are included.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 7 - LAFCO'S EMPLOYEES' RETIREMENT PLAN (concluded)

C. Pension Liabilities, Pension Expenses and Deferred Outflows/Inflows of Resources Related to Pensions (concluded)

Projected employer contributions that are intended to fund the service costs of future plan members and their beneficiaries, as well as projected contributions from future plan members, are not included. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments for current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability as of June 30, 2018.

The table below reflects the long-term expected real rate of return by asset class. The rate of return was calculated using the capital market assumptions applied to determine the discount rate and asset allocation. These rates of return are net of administrative expenses.

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>
Domestic Equity	32.0%	4.90%
Fixed Income	23.0%	1.50%
International Equity	22.0%	5.00%
Public Real Assets	7.0%	3.65%
Private Equity	8.0%	6.25%
Real Estate	<u>8.0%</u>	4.00%
Total	<u>100.0%</u>	

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate

The following presents LAFCo's proportionate share of the net pension liability for the Plan, calculated using the discount rate for the Plan, as well as what LAFCo's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage point lower or 1-percentage point higher than the current rate:

	<u>Miscellaneous</u>
1% Decrease	6.00%
Net Pension Liability	\$0
Current Discount Rate	7.00%
Net Pension Liability	\$0
1% Increase	8.00%
Net Pension Liability	\$0

Pension Plan Fiduciary Net Position

Detailed information about the pension plan's fiduciary net position is available in the separately issued MCERA financial reports.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 8 - OTHER POSTEMPLOYMENT BENEFIT (OPEB)

Plan Description

LAFCo provides a defined benefit healthcare plan (the "Retiree Health Plan"). The Retiree Health Plan provides lifetime healthcare insurance for eligible retirees through the CalPERS Health Benefit Program, which covers both active and retired members.

For retirees hired between October 1, 1993 and December 31, 2007 (Plan 3), LAFCo would pay a percentage of retirees' single-coverage premiums up to a dollar cap based on years of service at retirement, where the dollar cap is reviewed each year by the Board of Supervisors. Through January 1, 2007 the cap was increased to cover single Blue Cross Prudent Buyer Classic and Delta Dental premiums. The Board of Supervisors has implemented a policy to limit annual increases in the cap to no more than 3%, subject to annual approval regarding whether any increase will be granted and, if so, the amount of the increase. Cap increases were 3% effective January 1, 2008 and January 1, 2009. No cap increases have been adopted since that time. The dollar cap is currently \$442.65 per year of service up to \$8,853 per year.

For retirees hired on or after January 1, 2008 (Plan 4), LAFCo would pay \$150 per year of service up to \$3,000 per year for the retiree's single health plan premiums only.

Funding Policy

LAFCo's Board of Commissioners will not be funding the plan in the current year but will follow a pay-as-you-go approach. The Board will review the funding requirements and policy annually.

Membership of LAFCo as of the valuation date consisted of the following:

Active plan members	2
Inactive employees or beneficiaries currently receiving benefit payments	1
Total	3

Contribution

As of June 30, 2019, LAFCo has accumulated \$63,420 in an irrevocable trust toward this liability. With LAFCo's approval, the discount rate used in this valuation is 5.75% as of June 30, 2017; the long term expected return on trust assets.

Actuarial Methods and Assumptions

The total OPEB liability in the June 30, 2017 actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement, unless otherwise specified.

Funding method	Entry Age Normal Cost, level percent of pay
Asset valuation method	Market value of trust assets
Long term return on assets	5.75% as of June 30, 2017
Discount rates	5.75% as of June 30, 2017
Participants valued	Only current active employees and retired participants and covered dependents are valued. No future entrants are considered in this valuation.
Salary increase	Not applicable, there are no active plan members
Assumed wage inflation	Not applicable, there are no active plan members
General inflation	2.75% per year
Mortality improvements	MacLeod Watts Scale 2017 applied generationally
Healthcare trend	5.0% per year over the long term.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 8 - OTHER POSTEMPLOYMENT BENEFIT (OPEB) (continued)

Discount Rate

When the financing of OPEB liabilities is on a pay-as-you-go basis, GASB Statement No. 75 requires that the discount rate used for valuing liabilities be based on the yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher (or equivalent quality on another rating scale). When a plan sponsor makes regular, sufficient contributions to a trust in order to prefund the OPEB liabilities, GASB Statement No. 75 allows use of a rate up to the expected rate of return of the trust. Therefore, prefunding has an advantage of potentially being able to report overall lower liabilities due to future expected benefits being discounted at a higher rate. The discount rate as of June 30, 2017 and June 30, 2016 is 5.75%.

Change in the Net OPEB Liability

	Total OPEB Liability	Plan Fiduciary Net Position
Service cost	\$ -	\$ -
Interest	3,413	2,544
Contributions	-	21,071
Benefit payments, including refunds of employee contributions	(5,456)	(5,456)
Administrative expenses	-	(76)
Net change in total OPEB liability	(2,043)	18,083
Total OPEB liability – beginning of year	62,089	41,103
Total OPEB liability – end of year	\$ 60,046	\$ 59,186
		June 30, 2019
Total OPEB Liability		\$ 60,046
Fiduciary Net Position		(59,186)
Net OPEB Liability		\$ 860
Impact on Statement of Net Position, FYE 2017		\$ 74
OPEB Expense (Income)		692
Employer Contributions During the Fiscal Year		(4,552)
Impact on Statement of Net Position, FYE 2018		\$ (3,786)
<u>OPEB Expense</u>		
Employer Contributions During the Fiscal Year		\$ 4,552
Deterioration (Improvement) in Net Position		(3,860)
OPEB Expense (Income), FYE 2018		\$ 692

Sensitivity of Liabilities to Changes in the Discount Rate and Medical Cost Inflation

The discount rate used for the fiscal year end June 30, 2019 is 5.75%. Medical Cost Inflation was assumed to start at 7.50% and grade down to 5.00% for years 2024 and thereafter. The impact of a 1% increase or decrease in these assumptions is shown in the chart below.

Plan's Net OPEB Liability / (Asset)		
Discount Rate – 1% (4.75%)	Current Discount Rate (5.75%)	Discount Rate + 1% (6.75%)
\$ 5,779	\$ 860	\$ (3,441)

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 8 - OTHER POSTEMPLOYMENT BENEFIT (OPEB) (concluded)

Plan's Net OPEB Liability / (Asset)		
Medical Trend – 1% (6.50%)	Current Medical Trend (7.50%)	Medical Trend + 1% (8.50%)
\$ 807	\$ 860	\$ 876

Deferred Resources and Expected Future Recognition

For the fiscal year ended June 30, 2019, LAFCo recognized OPEB expense of \$1,809. At June 30, 2019, LAFCo reported deferred resources from OPEB from the following:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Pension contributions made subsequent to the measurement date	\$ 4,552	\$ -
Difference between expected and actual experience	-	-
Changes of assumptions	-	-
Net difference between projected and actual earnings on plan investments	94	-
Change in employer's proportion and differences between the employer's contributions and the employer's proportionate share of contributions	-	-
Total	\$ 4,646	\$ -

\$4,552 reported as the net deferred (outflows) / inflows of resources related to contributions subsequent to measurement date will be recognized as increase of the net OPEB liability in the year ended June 30, 2020.

LAFCo will recognize the Contributions Made Subsequent to the Measurement Date in the next fiscal year. In addition, future recognition of these deferred resources is shown below.

Fiscal Year Ending June 30,	Recognized Net Deferred Outflows (Inflows) of Resources
2020	\$ 13
2021	13
2022	14
2023	54
Thereafter	-

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
 June 30, 2019

NOTE 9 - RECONCILIATION OF GOVERNMENTAL FUNDS BALANCE SHEET WITH THE STATEMENT OF NET POSITION

Reconciling adjustments are as follows:

Non-current portion of compensated absences	\$ (5,969)
Other post-employment benefits	(860)
Deferred outflows	17,964
Total fund balances – governmental funds	<u>352,071</u>
Net position of governmental activities	<u>\$ 363,206</u>

NOTE 10 - RECONCILIATION OF GOVERNMENTAL FUND STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES WITH THE STATEMENT OF ACTIVITIES

Reconciling adjustments are as follows:

Net change in fund balance – total governmental funds	\$ 88,054
---	-----------

The amounts below included in the statement of activities do not provide (require) the use of current financial resources and, therefore, are not reported as revenues or expenditures in governmental funds (net change):

Compensated absences	(5,969)
Other post-employment benefits	3,860
Pension expense	<u>50,461</u>
Change in net position of governmental activities	<u>\$ 136,406</u>

NOTE 11 - OPERATING LEASE COMMITMENTS

LAFCo has an operating lease for office space expiring in May during the fiscal year ending June 30, 2023. The total expense for office rent was \$29,103 for the fiscal year ended June 30, 2019. The minimum future rental payments under non-cancelable operating leases for each of the next five years and in the aggregate are:

For the year ended June 30, 2020	\$ 32,653
For the year ended June 30, 2021	33,589
For the year ended June 30, 2022	34,559
For the year ended June 30, 2023	<u>32,514</u>
Total	<u>\$ 133,315</u>

NOTE 12 - SUBSEQUENT EVENT - CORONAVIRUS PANDEMIC

In December 2019, an outbreak of a novel strain of coronavirus (COVID-19) began to spread among various countries, including the United States. On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic. In addition, multiple jurisdictions in the U.S., including California, have declared a state of emergency and issued shelter-in-place orders in response to the outbreak. Since all LAFCO staff are considered “essential”, the immediate impact to the LAFCO’s operations includes new restrictions on employees’ work location and planning heightened sanitation awareness requirements on office staff. It is anticipated that the impacts from this pandemic will continue for some time. As of the report date, the financial impact of the coronavirus outbreak cannot be measured.

Marin Local Agency Formation Commission
NOTES TO BASIC FINANCIAL STATEMENTS
June 30, 2019

NOTE 13 - COMPENSATED ABSENCES

Unpaid vacation is recorded as a liability as the employees accrue vested benefits. Total accumulated accrued vacation payable at June 30, 2019 was \$5,969.

REQUIRED SUPPLEMENTARY INFORMATION

Marin Local Agency Formation Commission
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE

Required Supplemental Information
 Budget and Actual
 General Fund (Unaudited)
 For the period ended June 30, 2019

	Original Budget	Final Budget	Actual	Variance with Final Budget
Revenue:				
Intergovernmental	\$ 559,875	\$ 559,875	\$ 559,875	\$ -
Charges for services	30,000	30,000	31,068	1,068
Interest income	2,000	2,000	6,856	4,856
Total revenue	591,875	591,875	597,799	5,924
Expenditures:				
Salaries and benefits	278,375	278,375	160,628	117,747
Services and supplies	414,000	414,000	349,117	64,883
Total expenditures	692,375	692,375	509,745	182,630
Excess (deficit) of revenue over expenditures	\$ (100,500)	\$ (100,500)	88,054	\$ 188,554
Fund balance, beginning of period			264,017	
Fund balance, end of period			\$ 352,071	

Marin Local Agency Formation Commission

As of June 30, 2019

Last 5 Years

SCHEDULE OF THE COMMISSION'S PROPORTIONATE SHARE
OF THE NET PENSION LIABILITY

<u>Measurement Date</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>
Proportion of the net pension liability	0.00%	0.01%	.0088%	0.00%	0.00%
Proportionate share of the net pension liability	\$ -	\$ 34,351	\$ 32,451	\$ -	\$ 185,355
Covered - employee payroll	N/A	\$ 123,490	\$ 206,613	\$ 173,394	\$ 192,619
Proportionate share of the net pension liability as a percentage of covered-employee payroll	N/A	28%	15.7%	0%	96%
Plan fiduciary net position as a percentage of the total pension liability	N/A	88.3%	86.3%	84.3%	89.0%

*Schedule is intended to show information for 10 years. Additional years will be displayed as they become

Marin Local Agency Formation Commission

As of June 30, 2019

Last 5 Years

SCHEDULE OF CONTRIBUTIONS

<u>Fiscal Year Ending June 30</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>
Contractually required contribution (actuarially determined)	\$ 13,318	\$ 14,430	\$ 46,997	\$ 48,485	\$ 43,313
Contributions in relation to the actuarially determined contributions	<u>(13,318)</u>	<u>(14,430)</u>	<u>(46,997)</u>	<u>(48,485)</u>	<u>(43,313)</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
 Covered-employee payroll during the fiscal year	 \$ 113,308	 \$ 123,490	 \$ 206,613	 \$ 173,394	 \$ 192,619
Contributions as a percentage of covered-employee payroll	11.70%	11.70%	22.70%	27.96%	22.49%

Marin Local Agency Formation Commission
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGE IN THE NET OPEB LIABILITY AND RELATED RATIOS
For the period ended June 30, 2019

Total OPEB Liability	2019	2018
Service cost	\$ -	\$ -
Interest	3,413	3,529
Change of benefit terms	-	-
Difference between expected and actual experience	-	-
Change of assumptions	-	-
Benefit payments, included refunds of employee contributions	(5,456)	(5,615)
Total OPEB liability - beginning of year	62,089	64,175
Total OPEB liability - end of year	\$ 60,046	\$ 62,089
 Plan Fiduciary Net Position		
Net investment income	\$ 2,544	\$ 1,894
Contributions		
Employer	21,071	25,102
Benefit payments, included refunds of employee contributions	(5,456)	(5,615)
Administrative expense	(76)	(15)
Net change in plan fiduciary net position	18,083	21,366
Plan fiduciary net position - beginning of year	41,103	19,737
Plan fiduciary net position - end of year	\$ 59,186	\$ 41,103
Commission's net OPEB liability - end of year	\$ 860	\$ 20,986
 Covered-employee payroll	 \$ -	 \$ 217,782
Net OPEB liability as a percentage of covered-employee payroll	N/A	9.64%

Notes to Schedule:

The schedules present information to illustrate the changes in Marin LAFCO's net OPEB liability over a ten year period when the information is available. Marin LAFCO adopted GASB 75 for the fiscal year ending June 30, 2018.

Marin Local Agency Formation Commission
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CONTRIBUTIONS - OPEB
For the period ended June 30, 2019

	2019	2018
Actuarial Determined Contribution	\$ 1,526	\$ 15,615
Contributions in relation to the actuarially determined contribution	(4,552)	(21,071)
	\$ (3,026)	\$ (5,456)
 Covered payroll	 \$ -	 \$ -
 Contributions as a percentage of covered payroll	 N/A	 N/A

Notes to Schedule:

The schedules present information to illustrate changes in Marin LAFCO's contributions over a ten year period when the information is available.

GASB 75 requires this information for plans funding with OPEB trusts to be reported in the employer's Required Supplemental Information for 10 years or as many years as are available upon implementation. The plan was not funded with an OPEB trust prior to June 30, 2018. Marin LAFCO adopted GASB 75 for the fiscal year ending June 30, 2018.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Executive Officer Report – Section A

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Budget Update FY 2020-2021

Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2020-2021 totaling \$566,577.88. From July 1, 2020, through January 31, 2021, LAFCo has spent \$307,519.95. This report covers 7 months, which is about 58% of the year. We have spent about 54% of our budget this year.

As previously reported only two items (Line items 15 and 30) are substantially over the 58% threshold. Both items cover areas where we make large annual payments and both items should stay the same for the rest of the year.

Staff has noticed a higher than normal increase since the last report in the Salary line item so is working with our bookkeeper on this to make sure all entries are correct.

Professional Services line item is also above the 58% amount in part due to a recent bill for our audit being conducted as well some additional work that was needed by Alyssa around helping correct issues in the ADP system when we transferred to Paychex.

Finally, it looks like an item was mistagged in our system under the Conference line item. Staff will work to correct that in the system.

Attachment:

- 1) FY 2020-2021 Budget Reports as of 2/02/2021

Administrative Office

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Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiou, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Marin Local Agency Formation Commission

20/21 BUDGET REPORT

02/02/21

July 2020 through June 2021

Accrual Basis

	Jul '20 - Jun 21	Budget	\$ Over Budget	% of B...
Ordinary Income/Expense				
Income				
4700000 · Prior Year Carryover	63,007.60	63,007.60	0.00	100.0%
4710510 · Agency Contributions	503,570.28	503,570.28	0.00	100.0%
Total Income	566,577.88	566,577.88	0.00	100.0%
Expense				
Services and Supplies				
05 · Commissioner Per Diems	3,375.00	10,000.00	-6,625.00	33.8%
10 · Conferences	12.50	5,000.00	-4,987.50	0.3%
15 · General Insurance	7,032.73	8,000.00	-967.27	87.9%
20 · IT & Communications Services	8,314.86	16,000.00	-7,685.14	52.0%
25 · Legal Services	18,704.00	45,000.00	-26,296.00	41.6%
30 · Memberships & Dues	13,142.00	13,000.00	142.00	101.1%
35 · Misc Services	664.20	2,000.00	-1,335.80	33.2%
40 · Office Equipment Purchases	1,992.48	4,139.00	-2,146.52	48.1%
45 · Office Lease/Rent	19,546.45	33,588.88	-14,042.43	58.2%
50 · Office Supplies & Postage	1,269.80	4,000.00	-2,730.20	31.7%
55 · Professional Services	13,637.10	20,000.00	-6,362.90	68.2%
60 · Publications/Notices	431.20	3,000.00	-2,568.80	14.4%
65 · Rent - Storage	301.50	650.00	-348.50	46.4%
70 · Training	0.00	1,700.00	-1,700.00	0.0%
75 · Travel - Mileage	0.00	3,500.00	-3,500.00	0.0%
Total Services and Supplies	88,423.82	169,577.88	-81,154.06	52.1%
Salary and Benefit Costs				
5110109 · Salaries	189,309.95	307,000.00	-117,690.05	61.7%
5130120 · County of Marin - Group Health	12,546.47	45,000.00	-32,453.53	27.9%
5130500 · MCERA / Pension	17,239.71	39,000.00	-21,760.29	44.2%
5130525 · Retiree Health	0.00	6,000.00	-6,000.00	0.0%
Total Salary and Benefit Costs	219,096.13	397,000.00	-177,903.87	55.2%
Total Expense	307,519.95	566,577.88	-259,057.93	54.3%
Net Ordinary Income	259,057.93	0.00	259,057.93	100.0%
Other Income/Expense				
Other Income				
4410125 · Interest Earnings	2,114.07			
4640333 · Fees for Services	4,632.23			
Total Other Income	6,746.30			
Other Expense	-102.82			
Net Other Income	6,849.12			
Net Income	265,907.05	0.00	265,907.05	100.0%



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Executive Officer Report – Section B

TO: Local Agency Formation Commission

FROM: Olivia Gingold, Clerk/Junior Analyst

SUBJECT: **Current and Pending Proposals**

Background

The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and/or action.

LAFCo has received one new application since the last Commission meeting in October. It was received on February 2nd for an annexation into MMWD (File #1353). This application is entering its 30-day review period and will likely be heard at the next Commission meeting. Applications being considered at today's Commission meeting include the annexation of 2000 Point San Pedro Road (File #1352), as well as applications for the two inactive CSAs, CSAs 23 and 25 (Files# 1350 & 1351 respectively), which need to be dissolved. More information on LAFCo File numbers 1350, 1351, and 1352 can be found as part of the packet for each of their agenda items.

Attachment:

- 1) Chart of Current and Pending Proposals

Administrative Office

Jason Fried, Executive Officer
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Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1346	Approved by Commission and Awaiting Completion of Terms	Annexation of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requesting approval to annex one lot totaling 9.575 acres to the Town of Tiburon. The affected territory is near the Town of Tiburon with a situs address of 4576 Paradise Drive (038-142-02.)	Town of Tiburon	Terms must be completed by 12/12/21
1341	Emergency OSA and Future Application	Emergency OSA and awaiting application to annex into San Rafael Sanitation District	32 Fairway Dr, San Rafael, had a failed septic tank which they reported to Marin County Environmental Health Services Division and needs an OSA to connect into SRSD. The applicant also plans to annex permanently into SRSD but first needs to get all needed materials, such as legal description and legal maps produced. They should be submitting application in the near future.	San Rafael Sanitation District	In October 2020, applicant connected to the sewer line. Applicant is in conversation with LAFCo to proceed with a permanent application.
1350	On Today's Agenda	Dissolution of Inactive District	CSA 23 applying for dissolution following notification of inactive district from State Controller's Office in November 2020. This district has made no money and had no activity since the 1990's. The SCO's findings are consistent with past Marin LAFCo MSR findings.	CSA 23	At the December meeting, LAFCo initiated the proceedings to dissolve, the item will be heard today for final dissolution
1351	On Today's Agenda	Dissolution of Inactive District	CSA 25 applying for dissolution following notification of inactive district from State Controller's Office in November 2020. This district has made no money and had no activity since the 1990's. The SCO's findings are consistent with past Marin LAFCo MSR findings.	CSA 25	At the December meeting, LAFCo initiated the proceedings to dissolve, the item will be heard today for final dissolution

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1352	On Today's Agenda	Annexation of 2000 Point San Pedro Road	Landowner (Brendan Hickey) requesting annexation approval of 2000 Point San Pedro Road is in incorporated San Rafael and is looking to connect to the sewer. The territory is approximately 1.9 acres in size and currently undeveloped with plans to build a single family residence.	San Rafael Sanitation District	The application has gone through the 30-day review period with no objections from local agencies. It is on tonight's agenda.
1353	In 30-day review period	Annexation of 1499	Landowner (Michael J. Stone) requesting annexation approval of 1499 Lucas Valley Road to MMWD. This property has been serviced by Marin Municipal Water District since 1997 without ever being annexed into the district. The affected territory is approximately 8.979 acres in size and is zoned as Single Family Residential improved with 2 living units.	Marin Municipal Water District	The application was received on February 2, 2020 and is currently in the 30-day review period. Expected to be heard at the April meeting.
	Possible Future Item	San Quentin Village Sewer Maintenance District consolidation with Ross Valley Sanitary District	Based on past action of Marin LAFCo, discussion of possible consolidation between SQVSMD with RVSD has been deemed as seemingly in the best interest of the community of San Quentin Village customers.	SQVSMD and RVSD	Staff is currently reviewing outstanding issues with the staffs from both SQVSMD and RVSD.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1328	Deemed Terminated	Annexation of 255 Margarita Drive	Landowner (Paul Thompson) requesting annexation approval of 255 Margarita Drive (016-011-29) in the unincorporated island community of Country Club to the San Rafael Sanitation District. The affected territory is approximately 1.1 acres in size and currently developed with a single-family residence. It has also established service with the SRSD as part of a LAFCo approved outside service extension due to evidence of a failing septic system. The outside service extension was conditioned – among other items – on the applicant applying to LAFCo to annex the affected territory to the San Rafael Sanitation District as a permanent means to public wastewater service. The application remains incomplete at this time and awaits consent determination by SRSD.	San Rafael Sanitation District	Application is now deemed terminated and staff is working to get SRSD to disconnect or get the applicant to resubmit application.
1349	Withdrawn	Annexation of 200 Pacheco Ave	Landowner (Ian Murdock) requesting annexation approval of 200 Pacheco Ave (146-230-79) in the unincorporated island community of Indian Valley to the Novato Sanitation District. The affected territory is approximately 2 acres in size and currently has a single family home with an old septic system.	Novato Sanitary District	Withdrawn 8/13/20



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 11, 2021

Executive Officer Report – Section E

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: 2021 Committee Assignment

Background

In the Marin Local Agency Formation Commission (LAFCo) Policy Handbook section 3.5 (A)(iii) (Selection and Duties of the Chair) gives the LAFCo Chair the ability to, “Make appointments to committees as needed.”

In addition, LAFCo Policy Handbook section 3.9 (A) states “Marin LAFCo shall maintain the following three standing committees on an annual basis with appointments and/or reappointments made at the beginning of each calendar year.”

Chair McEntee has made the following 2021 committee assignments:

Budget and Work Plan Committee:

Commissioner Judy Arnold
Commissioner Barbara Coler
Commissioner Lew Kious

Legislative Committee:

Commissioner Larry Loder
Commissioner Craig Murray
Commissioner Chris Skelton

Policy and Personnel Committee:

Commissioner James Campbell
Commissioner Damon Connolly
Commissioner Sashi McEntee

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