



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, June 8, 2023 ▪ 7:00 PM

Marin Wildfire Prevention Authority Meeting Room | Suite 335 | 1600 Los Gamos Drive, San Rafael, CA
(Please note this is a new location. You will also need to use the Main Lobby (Lobby A) entrance which is located on the freeway side of the building.)

CALL TO ORDER BY CHAIR

ROLL CALL BY DEPUTY 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 April 6, 2023, Regular Meeting
2. Commission Ratification of Payments from April 1, 2023, to May 31, 2023
3. Update and Approval of Marin LAFCo Meeting Location and Amend the Policy Handbook Accordingly
4. Approval of Legislative Committee Recommendations Related to LAFCo bills

CLOSED SESSION

Public Employee Performance Evaluation (Gov. Code 54957)

Title: Executive Officer

Conference with Labor Negotiators (Gov. Code 54957.6)

Agency Designated Representative: Chair Kious and Vice Chair Coler

Unrepresented employee: Jason Fried

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.

5. Election of Chair and Vice Chair
6. Approval of Proclamation for Tod Moody

7. Approval of Proclamation for Richard Savel
8. Accept and File MCERA Audit Report
9. Discussion and Possible approval of items related to CALAFCO Annual Conference
 - a) Nomination to CALAFCO Board of Directors
 - b) Nominations for CALAFCO Annual Awards
 - c) Nominations Of Marin LAFCo Voting Delegates to Annual Conference
10. Discussion and Possible Vote on SDRMA Board of Directors
11. Approval of Sixth Amendment to Executive Officer Employment Agreement

PUBLIC HEARING

12. Approval of Resolution 23-12, Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley (LAFCo File #1372) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319(a)
13. Approval of Resolution 23-13, Annexation of 10 Friendly Lane (APN: 141-101-23) to Novato Sanitary District (LAFCo File #1373) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319
14. Adoption of Final Operating Budget for Fiscal Year 2023-2024
15. Interview for LAFCo Regular and Alternate Public Member Seats and Possible Appointments

EXECUTIVE OFFICER REPORT (verbal report only)

- a) Budget Update FY 2022-2023
- b) Current and Pending Proposals
- c) CALAFCO Update (Verbal Report)
- d) Marin LAFCo Workshop (Verbal Report)

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

ADJOURNMENT TO NEXT MEETING

August 10, 2023| 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

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San Rafael California 94903

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Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 1 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Deputy Executive Officer

SUBJECT: **Approval of Minutes for April 6, 2023, 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 April 6, 2023 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 <https://www.marinlafco.org/meetings>

Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the April 6, 2023 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 April 6, 2023

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kious, Chair
Almonte Valley Sanitary District

Craig K. Murray, Regular
Las Gallinas Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire District

Vacant, Regular
Public Member

Richard Savel, 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, April 6, 2023

CALL TO ORDER

Chair Kious called the meeting to order at 7:02 P.M.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present:	Lew Kious, Chair Barbara Coler, Vice-Chair Eric Lucan Dennis Rodoni Craig Murray Steve Burdo (joined at 7:10 P.M.)
Alternate Commissioners Present:	Richard Savel (seated as a regular) Tod Moody
Marin LAFCo Staff Present:	Jason Fried, Executive Officer Jeren Seibel, Deputy Executive Officer
Marin LAFCo Counsel Present:	Malathy Subramanian
Commissioners Absent:	
Alternate Members Absent:	Stephanie Moulton-Peters Stephen Burke

AGENDA REVIEW

EO Fried Suggested that items 3 and 4 be reversed due to public being present for item 4.
Approved by the Chair.

PUBLIC OPEN TIME

Chair Kious opened the public open time period. Hearing no request to speak, Chair closed the public open time.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for February 9, 2022 Regular Meeting
2. Commission Ratification of Payments from February 1, 2023, to March 31, 2023

Approved: M/S by Commissioner Murray and Commissioner Lucan to approve the consent calendar
Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Murray, Rodoni, Savel
Nays: None
Abstain: None
Absent: Burdo
Motion approved unanimously.

PUBLIC HEARING ITEMS

3. Approval of Resolution 23-03, Annexation of 3606 Paradise Drive (APN: 058-011-13) to Sanitary District 5 (LAFCo File #1371) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15303, Class 3

Executive Officer Fried presented the application to the Commission and explained that the application, being in the unincorporated Paradise Drive area, included a signed dual annexation agreement. EO Fried recommended the application be approved as proposed.

Chair Kious opened up public comment. Recognizing no hands raised, Chair Kious closed public comment.

Approved: M/S by Vice-Chair Coler and Commissioner Lucan to approve the annexation of 3606 Paradise Drive with conditions.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Murray, Rodoni, Savel
Nays: None
Abstain: None
Absent: Burdo
Motion approved unanimously.

4. Approval of Resolution 23-02, Annexation of 255 Margarita Drive (APN: 016-011-29) to San Rafael Sanitation District (LAFCo File #1370) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

EO Fried explained to the Commission that this would be the third iteration of this particular application. EO Fried outlined a letter to the applicant from the Sanitary District explaining final steps needing to be completed. EO Fried went on to tell the Commission that the applicant had reached out requesting that the hearing be delayed due to being out of the country. He recommended the Commission deny the request to delay in order to avoid the Sanitary District disconnecting the property.

Commissioner Lucan announced that he would be recusing himself from this item due to receiving a campaign contribution from the applicant.

Chair Kious agreed with EO Fried that he would recommend denying the request to delay. Vice-Chair Coler concurred with the Chair. Commissioner Murray requested to hear from the representative from San Rafael Sanitation District, General Manager Doris Toy. GM Toy stated that the District had gone out to the property for an inspection. She outlined all that the property owner had done and that she believed the applicant would be able to meet the remaining conditions by the determined deadline.

Vice-Chair Coler asked if the District was committed to disconnecting the property if conditions weren't met by April 29th, to which GM Toy responded that yes, the District would disconnect.

Approved: M/S by Commissioner Rodoni and Commissioner Murray to approve the annexation of 255 Margarita Drive with conditions.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Burdo, Murray, Rodoni, Savel

Nays: None

Abstain: None

Absent: Lucan

Motion approved unanimously

5. Approval of the Golden Gate Corridor Region Municipal Service Review

Deputy EO Seibel outlined all of the items for approval before the Commission, including the final draft of the MSR, the updated work plan, as well as the resolutions for the spheres of influence for each of the agencies involved. He went on to tell the Commission that no additional public comments had been received on the draft since the previous meeting.

The Chair opened the item up for public comment. One member of the public, Clifford Waldeck made a short comment.

Approved: M/S by Commissioner Burdo and Vice-Chair Coler to approve the Final Draft of the Golden Gate Corridor MSR as well as all of the attached resolutions and work plan.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Murray, Rodoni, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

6. Adoption of Proposed Operating Draft Budget for Fiscal Year 2023-2024

EO Fried yielded to the Chair of the Budget Committee, Commissioner Rodoni, to begin the item. Commissioner Rodoni thanks Commissioners Moody and Burke for serving on the Committee and that the Committee was in agreement that Commission should move forward with the budget as proposed. EO Fried explained to the Commission that it would be a fairly "status quo" budget, save for the change for Marin LAFCo out of the Marin Map system. He went on to ask if, given the current state of inflation, if the Commission would be willing to go higher on a cost of living increase for staff that is higher than the 3% that Marin County had collectively bargained with its units. EO Fried requested a cost of living increase of 3.5%. He went on to state that, when all is said and done, he believes that the total requested increase in Agency Contributions would be around 5.5%. Commissioner Rodoni confirmed that all of this was consistent with what was discussed in the Committee meeting.

Commissioner Coler requested a reminder of what the cost of living increase for staff was the previous fiscal year, to which EO Fried informed her that it was 3.5%. Commissioner Coler suggested that this year's cost of living increase for staff should be 4% as there are only 2 staff members.

Chair Kious opened up the item for public comment. Seeing none, he brought the item back to the Commission.

Chair Kious asked for clarification on whether the cost of living increase should be discussed during closed session later or if it should be determined at that time. EO Fried and legal counsel confirmed that it should be determined during the discussion of this item.

Commissioner Burdo asked for more information on what the staff salary step scale looks like. EO Fried explained that positions are on 5-step scales.

Commissioner Rodoni added clarification that the Budget Committee recommended a cost of living increase of 3%, not 3.5%.

Approved: M/S by Vice Chair Coler and Commissioner Burdo to approve the budget as recommended with a 4% cost of living increase for staff.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Murray, Rodoni, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

7. Interview for LAFCo Regular and Alternate Public Member Seats and Possible Appointments

EO Fried requested that all of the applicants present take their seats at the table behind their name tags. Alternate Commissioner Savel announced that he would not be participating in the interview process as he had decided not to run for another term.

EO Fried explained that originally there had been eight total applicants, however, two (including Commissioner Savel) had dropped out. Of the 6 remaining applicants, two could not make it to the meeting: Larry Chu and the other, Veda Florez. EO Fried explained that the Commission could ask any number of questions they would like to, but all candidates would have to be asked each of the questions decided on.

Of the provided suggested questions, the Commission determined that questions one, three, four, and five would be asked of each candidate. Each of the four present candidates were asked each of the four chosen questions and given two minutes to respond to each question.

Following the answering of questions, Vice-Chair Coler spoke about the qualifications of candidate Larry Chu, who was unable to attend the meeting for in-person interviews. Commissioner Murray added additional information about candidate Chu.

Commissioner Rodoni spoke about the candidate, Veda Florez, who also could not be in attendance to be interviewed. Commissioner Rodoni went on to say that he was uncomfortable considering candidates who were not in attendance to be interviewed and that he would not vote for a candidate that was not present. He expressed that only candidates who were present to be interviewed should be considered, and if others felt differently then the recruitment should be reopened. Commissioner Lucan echoed Commissioner Rodoni's concerns.

Chair Kious requested advisement from staff and Legal Counsel on whether the item could be continued to the next meeting without requiring the four present candidates to return to be interviewed at the next meeting while allowing for the two missing candidates to show up to be interviewed with the same four questions before deliberation of candidates. Staff informed him that this was a possibility.

Approved: M/S by Vice Chair Coler and Commissioner Lucan to continue the item to the June meeting.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Murray, Rodoni, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

BUSINESS ITEMS

8. Review and Approval of Work Plan for Fiscal Year 2023-2024

EO Fried deferred to the Committee Chair, Commissioner Rodoni, who deferred back to the EO. The EO clarified a needed correction to the order of the MSRs. He requested clarification from the Commission on whether or not staff should continue to work on the fire and police studies while short-staffed. Commissioner Coler commented that those pieces of work felt more in line with the work that the Civil Grand Jury does and that staff should not continue to focus on those items at this time.

Commissioner Rodoni requested that additional information be listed on the plan in the future for what staff member is responsible for each item as well as a general idea of the time spent on the item.

While EO Fried requested that the Commission make a formal decision on whether or not to move forward with fire and police studies, Chair Kious commented that item would be held over and no decision on that would be made at that meeting.

Chair Kious opened the item up for public comment. Seeing none, the item returned to the Commission for deliberation.

Approved: M/S by Commissioner Murray and Commissioner Rodoni to approve the work plan as proposed.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Murray, Rodoni, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

9. Approval of Extension of Office Lease for 1401 Los Gamos Drive, Suite 220

EO Fried outlined the proposed office lease extension that he was recommending as well as explaining the different research he did through the process of considering other options.

The chair opened the item up for public comment. Seeing none, the item was returned to the Commission for deliberation.

Approved: M/S by Commissioner Murray and Vice Chair Coler approve the proposed lease agreement.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Murray, Burdo, Savel

Nays: None

Abstain: None

Absent: Rodoni

Motion approved unanimously

10. Accept and File Marin LAFCo Audit for Fiscal Year 2021-2022 and Authorization for Fiscal Year 2022-2023

EO Fried noted that the auditor had given Marin LAFCo a fairly clean billing as well as improvement from the previous year with only 1 item of closing process being flagged to be cleaned up for the following year's books closings.

Chair Kious opened up the item for public comment. Seeing none, he returned the item to the Commission for deliberation.

Approved: M/S by Commissioner Lucan and Commissioner Burdo to approve staff's recommendation to accept and file Marin LAFCo Audit for Fiscal Year 2021-2022 and Authorization for Fiscal Year 2022-2023

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Murray, Burdo, Savel, Rodoni

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

EXECUTIVE OFFICER REPORT (discussion and possible action)

- a) Budget Update FY 2022-2023
EO Fried reported that budget was looking on track and even a little under budget at this time. A few line items are over budget are minimally over.
- b) Current and Pending Proposals
Two new applications that will be heard at the June meeting with one in Mill Valley and the other in Novato.
- c) General Update Open Commission Seats 2023
CSDA has completed their elections with Chair Kious maintaining his seat and replacing Alternate Commissioner Moody will be Cathryn Hilliard from Southern Marin Fire Protection District.
- d) CALAFCO Update
Staff workshop coming up at the end of April that EO Fried will be attending where EO Fried will be the moderator for multiple round table discussions.

CLOSED SESSION

Public Employee Performance Evaluation (Gov. Code 54957)

Title: Executive Officer

Conference with Labor Negotiators (Gov. Code 54957.6)

Agency Designated Representative: Chair Kious and Vice Chair Coler

Unrepresented employee: Jason Fried

Chair Kious moved the Commission to closed session. Upon returning to open session, Chair Kious reported out that the items discussed in closed session will be continued to the June meeting.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

No announcements or requests were made.

Chair Kious adjourned the meeting at 9:35 P.M.

ADJOURNMENT TO NEXT MEETING

Thursday, June 8, 2023

Via Zoom

Attest: Jeren Seibel
Deputy Executive Officer

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Marin Local Agency Formation Commission

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AGENDA REPORT

June 8, 2023

Item No. 2 – (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Commission Ratification of Payments from April 1, 2023 to May 31, 2023

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.

The following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between April 1, 2023, and May 31, 2023, totaling \$70,736.60. The payments are detailed in the attachment.

Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between April 1, 2023, and May 31, 2023, 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 April 1, 2023, to May 31, 2023

Marin Local Agency Formation Commission
Expenses by Vendor Detail
 April through May 2023

05/24/23

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
BURDO, STEVE						
Check	04/12/2023	20883	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total BURDO, STEVE					125.00	125.00
CALAFCO						
Check	04/19/2023	20888	2023 CALAF...	10 · Conferences	360.00	360.00
Total CALAFCO					360.00	360.00
Cinquini & Passarino Inc						
Check	05/23/2023	10043	Invoice # 9868	55 · Professional Se...	3,699.50	3,699.50
Total Cinquini & Passarino Inc					3,699.50	3,699.50
Coler, Barbara						
Check	04/12/2023	20880	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total Coler, Barbara					125.00	125.00
COMCAST						
Check	04/25/2023	20889	Bill Date April ...	20 · IT & Communic...	111.70	111.70
Total COMCAST					111.70	111.70
COMCAST - ACH						
Check	04/10/2023	eft		20 · IT & Communic...	426.70	426.70
Total COMCAST - ACH					426.70	426.70
COMMUNITY MEDIA CENTER OF MARIN						
Check	04/04/2023	20877	Invoice # 190...	20 · IT & Communic...	150.00	150.00
Check	05/16/2023	20893	Invoice # 190...	20 · IT & Communic...	450.00	600.00
Total COMMUNITY MEDIA CENTER OF MARIN					600.00	600.00
CONNECT YOUR CARE						
Check	04/19/2023	eft	COBRA ADMIN	126 · Health Insuran...	1.11	1.11
Total CONNECT YOUR CARE					1.11	1.11
Davis Farr LLP						
Check	04/19/2023	10042	Invoice 14204	55 · Professional Se...	7,450.00	7,450.00
Total Davis Farr LLP					7,450.00	7,450.00
Delta Dental of California						
Check	04/11/2023	eft		122 · Dental Insuran...	48.62	48.62
Check	04/25/2023	eft		122 · Dental Insuran...	48.62	97.24
Total Delta Dental of California					97.24	97.24
KIOUS, LEWIS						
Check	04/12/2023	20879	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total KIOUS, LEWIS					125.00	125.00
LUCAN, ERIC						
Check	04/12/2023	20886	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total LUCAN, ERIC					125.00	125.00
MARIN INDEPENDENT JOURNAL						
Check	04/12/2023	20878	Invoice # 000...	60 · Publications/No...	98.38	98.38
Total MARIN INDEPENDENT JOURNAL					98.38	98.38
MOODY, TOD						
Check	04/12/2023	20885	April 2023 Co...	05 · Commissioner ...	250.00	250.00
Total MOODY, TOD					250.00	250.00

Marin Local Agency Formation Commission
Expenses by Vendor Detail
April through May 2023

05/24/23

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
MURRAY, CRAIG K						
Check	04/12/2023	20884	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total MURRAY, CRAIG K					125.00	125.00
PAYCHEX						
Check	04/14/2023	eft		35 · Misc Services	62.16	62.16
Deposit	04/20/2023		Deposit	111 · Medicare Tax	-104.99	-42.83
Check	04/28/2023	eft		35 · Misc Services	62.16	19.33
Check	05/12/2023	eft		35 · Misc Services	62.16	81.49
Check	05/26/2023	eft		35 · Misc Services	62.16	143.65
Total PAYCHEX					143.65	143.65
PAYROLL						
Check	04/14/2023	eft	3/19-4/1/23	105 · Sal - Regular ...	10,514.80	10,514.80
Check	04/14/2023	eft	3/19-4/1/23	124 · Auto Allowance	350.00	10,864.80
Check	04/14/2023	eft	3/19-4/1/23	121 · Life Insurance	-17.40	10,847.40
Check	04/14/2023	eft	3/19-4/1/23	131 · Co Ret Cont Ti...	1,222.87	12,070.27
Check	04/28/2023	eft	4/2-4/15/23	105 · Sal - Regular ...	10,514.80	22,585.07
Check	04/28/2023	eft	4/2-4/15/23	124 · Auto Allowance	0.00	22,585.07
Check	04/28/2023	eft	4/2-4/15/23	121 · Life Insurance	-17.40	22,567.67
Check	04/28/2023	eft	4/2-4/15/23	131 · Co Ret Cont Ti...	1,222.87	23,790.54
Check	05/12/2023	eft	4/16-4/29/23	105 · Sal - Regular ...	10,514.80	34,305.34
Check	05/12/2023	eft	4/16-4/29/23	124 · Auto Allowance	350.00	34,655.34
Check	05/12/2023	eft	4/16-4/29/23	121 · Life Insurance	-17.40	34,637.94
Check	05/12/2023	eft	4/16-4/29/23	131 · Co Ret Cont Ti...	1,222.87	35,860.81
Check	05/26/2023	eft	4/30-5/13/23	105 · Sal - Regular ...	10,514.80	46,375.61
Check	05/26/2023	eft	4/30-5/13/23	124 · Auto Allowance	0.00	46,375.61
Check	05/26/2023	eft	4/30-5/13/23	121 · Life Insurance	-17.40	46,358.21
Check	05/26/2023	eft	4/30-5/13/23	131 · Co Ret Cont Ti...	1,222.87	47,581.08
Total PAYROLL					47,581.08	47,581.08
PAYROLL TAXES						
Check	04/14/2023	eft	3/19-4/1/23	111 · Medicare Tax	158.10	158.10
Check	04/28/2023	eft	4/2-4/15/23	111 · Medicare Tax	153.03	311.13
Check	05/12/2023	eft	4/16-4/29/23	111 · Medicare Tax	158.10	469.23
Check	05/26/2023	eft	4/30-5/13/23	111 · Medicare Tax	153.03	622.26
Total PAYROLL TAXES					622.26	622.26
RICOH USA INC						
Check	05/16/2023	20894	Invoice # 506...	50 · Office Supplies ...	60.26	60.26
Total RICOH USA INC					60.26	60.26
RODONI, DENNIS JAMES						
Check	04/12/2023	20882	April 2023 Co...	05 · Commissioner ...	250.00	250.00
Total RODONI, DENNIS JAMES					250.00	250.00
Savel, Richard						
Check	04/12/2023	20881	April 2023 Co...	05 · Commissioner ...	125.00	125.00
Total Savel, Richard					125.00	125.00
SCHIFFMANN, ALYSSA						
Check	05/16/2023	20896	Invoice # 208	55 · Professional Se...	360.00	360.00
Total SCHIFFMANN, ALYSSA					360.00	360.00
SECURITY MORTGAGE GROUP 2						
Check	04/04/2023	20876	April 2023 Rent	45 · Office Lease/Rent	2,955.84	2,955.84
Check	05/01/2023	20890	May 2023 Rent	45 · Office Lease/Rent	2,955.84	5,911.68
Total SECURITY MORTGAGE GROUP 2					5,911.68	5,911.68

**Marin Local Agency Formation Commission
Expenses by Vendor Detail
April through May 2023**

05/24/23

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
Teamsters Local 856 Health & Welfare						
Check	05/16/2023	20895	Month Ending...	126 · Health Insuran...	899.12	899.12
Check	05/23/2023	20897	Month Ending...	126 · Health Insuran...	899.12	1,798.24
Total Teamsters Local 856 Health & Welfare					1,798.24	1,798.24
The Hartford						
Check	04/06/2023	eft		121 · Life Insurance	150.16	150.16
Total The Hartford					150.16	150.16
VSP						
Check	04/06/2023	eft		123 · Vision Service ...	4.88	4.88
Check	05/08/2023	eft		123 · Vision Service ...	9.76	14.64
Total VSP					14.64	14.64
TOTAL					70,736.60	70,736.60



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 3 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Update and Approval of Marin LAFCo Meeting Location and Amend the Policy Handbook

Background

Currently Marin LAFCo Policy 3.8 (COMMISSION MEETINGS) states:

Regular meetings of Marin LAFCo shall be calendared every 12 months by the Commission at its December meeting. Regular meetings may be held either monthly or every other month on the second Thursday and based on anticipated workload. Whenever a legal holiday falls on a regular meeting date, an alternate meeting date will be selected. All regular meetings shall be called to order at 7:00 P.M. and held in Marin Clean Energy's Board Room at 1125 Tamalpais Avenue, San Rafael, unless advertised differently. Notice of all regular meetings shall be provided no less than 72 hours in advance.

Based on legal counsel's advice since we are no longer using the MCE offices we should change the above highlighted section of our Policy Handbook along with other places where we list our meeting location to our new location at 1600 Los Gamos.

Staff Recommendation for Action

1. Staff recommendation – Authorize the Executive to edit Policy 3.8 to reflect the new meeting location and make changes in other places where meeting location is mentioned.
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.

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Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Valley Sanitary District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hillard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 4 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Deputy Executive Officer
(On behalf of Committee Chair Murray, Commissioners Coler, and Hilliard)

SUBJECT: Approval of Legislative Committee Recommendations Related to LAFCo Bills

Background

On May 23rd, 2023, the Legislative Committee met to discuss the current pieces of LAFCo-related legislation being tracked by CALAFCO that are making their way through Sacramento right now. The 9 bills, AB 805, AB 918, SB 360, AB 557, AB 817, AB1379, SB 411, SB 537, and AB 1753. The Committee discussed each of the bills, their impacts specifically on Marin LAFCo, as well as the current position that CALAFCO has taken on each. AB 1753 is the annual Omnibus bill that is sponsored by CALAFCO to make edits to CKH. CALAFCO requested letters of support that were needed prior to the Marin LAFCo Legislative Committee being able to meet. Per Marin LAFCo Policy section 3.15(D), the Commission Chair authorized staff to send the letter of support on that item.

Marin LAFCo Policy section 3.15 gives the Commission the option to take positions and assign priority to any legislation moving through the process in Sacramento. At the May 23rd meeting, the Legislative Committee agreed on staff's recommendation of taking the alignment with CALAFCO position at the priority 3 level on all of the tracked and reviewed bills.

Recommendation

1. Committee Recommendation – Adopt the Committee's recommendation of alignment with CALAFCO at the priority 3 level on all bills.
2. Alternative Option - Continue this to a future meeting of the Commission or ask the Committee to take another look at it.

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) CALAFCO Daily Leg Report for 5/30/2023
- 2) Marin LAFCo Letter of Support for AB 1753

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Craig K. Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

CALAFCO Daily Legislative Report as of Tuesday, May 30, 2023

[AB 828](#) (Connolly D) Sustainable groundwater management: managed wetlands.

Current Text: Amended: 4/17/2023 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amended: 4/17/2023

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/2/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law defines various terms for purposes of the act. This bill would add various defined terms for purposes of the act, including the term "managed wetland."

Position: None at this time

Subject: Water

CALAFCO Comments: Adds definitions for Managed Wetlands, and Small community water system to Water Code Section 10721.

4/17/2023: Amended to define agencies and entities required or excluded from existing 10726.4 (a)(4). Amends Water Code section 10730.2 to add language regarding fees, and amends Water Code section 10733 to address groundwater sustainability plans.

[AB 930](#) (Friedman D) Local government: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts.

Current Text: Amended: 4/26/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amended: 4/26/2023

Status: 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/25/2023)(May be acted upon Jan 2024)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as defined, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Current law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more cities or counties to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would authorize a special district to join a RISE district, by resolution, as specified.

Position: Neutral

Subject: Special District Principle Acts

CALAFCO Comments: This bill has a similar overtone to SB 852 Dodd in 2022 regarding the formation of climate resilience districts outside of the LAFCo process.

As introduced, this bill (AB 930) is focused on the generation of funding and the governance of the expenditure of those funds. However, it should be carefully tracked in case that mission is expanded.

AB 1460 (Bennett D) Local government.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2023)(May be acted upon Jan 2024)

2 year	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. This bill would make a nonsubstantive change to the provision naming the act.

Position: Neutral

Subject: CKH General Procedures, Other

CALAFCO Comments: As introduced, this bill makes only a minor nonsubstantive change to CKH in that it would merely add commas to Section 56000 so that it would read: "This division shall be known, and may be cited, as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000."

3/24/2023: No change since introduction.

SB 768 (Caballero D) California Environmental Quality Act: vehicle miles traveled: statement of overriding consideration.

Current Text: Amended: 3/22/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amended: 3/22/2023

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/29/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA prohibits a public agency from approving or carrying out a project for which a certified EIR has identified one or more significant effects on the environment that would occur if the project is approved or carried out unless the public agency finds either (1) changes or alterations have been required in, or incorporated into, the project that mitigate or avoid the significant effects on the environment, (2) those changes or alterations are within the jurisdiction of another public agency and have been, or can and should be, adopted by the other agency, or (3) specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR and the public agency finds that those specific considerations outweigh the significant effects on the environment, commonly known as a statement of overriding consideration. This bill would provide that a public agency, in approving or carrying out a housing development project, as defined, a commercial project, or an industrial project, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled or similar metrics if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project..

Position: Neutral

Subject: CEQA

CALAFCO Comments: Introduced as a spotholder bill that noted an intent to enact subsequent legislation that would create a new transportation impact analysis for rural areas for purposes of the California Environmental Quality Act.

3/22/2023: The bill was amended and would add language into the Public Resource Code to provide that a public agency, in approving or carrying out certain types of projects, is not required to issue a statement of overriding consideration for significant effects on the environment identified by a project's vehicle miles traveled if the lead agency has imposed all feasible mitigation measures on the project and it finds no feasible alternatives to the project.

[SB 865](#) (Laird D) Municipal water districts: automatic exclusion of cities.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 3/1/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes a governing body of a municipal water district to adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, if the territory is annexed prior to the effective date of the formation of the municipal water district. Current law requires the Secretary of State to issue a certificate reciting the passage of the ordinance and the exclusion of the area from the municipal water district within 10 days of receiving a certified copy of the ordinance. This bill would extend the number of days the Secretary of State has to issue a certificate to 14 days.

Position: Neutral

Subject: Annexation Proceedings

CALAFCO Comments: Existing law authorizes a governing body of a municipal water district may adopt an ordinance excluding any territory annexed to a metropolitan water district organized under the Metropolitan Water District Act, providing that the territory is annexed prior to the effective date of the formation of the municipal water district. If that happens, the Secretary of State must, within 10 days of receiving a certified copy, issue a certificate reciting the passage of the ordinance that excludes the area from the municipal water district. This bill would extend the Secretary of State's window to issue that certificate from 10 to 14 days.

[AB 530](#) (Boerner D) County Water Authority Act: exclusion of territory: procedure.

Current Text: Amended: 5/15/2023 [html](#) [pdf](#)

Introduced: 2/8/2023

Last Amended: 5/15/2023

Status: 5/16/2023-Re-referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The County Water Authority Act provides for the formation of county water authorities and grants to those authorities specified powers with regards to providing water service. The act provides 2 methods of excluding territory from any county water authority, one of which is that a public agency whose corporate area as a unit is part of a county water authority may obtain exclusion of the area by submitting to the electors within the public agency, at any general or special election, the proposition of excluding the public agency's corporate area from the county water authority. Current law requires that, if a majority of the electors approve the proposition, specified actions take place to implement the exclusion. This bill would additionally require the public entity to submit the proposition of excluding the public agency's corporate area from the county water authority to the electors within the territory of the county water authority. The bill would require the 2 elections to be separate; however, the bill authorizes both elections to run concurrently.

Position: Watch

Subject: Water

CALAFCO Comments: As introduced, this bill was relative to greenhouse emissions. However, it was gutted and amended on 5/15/2023 and now addresses county water authorities. Under existing law, a county water authority has an option to submit to the voters any proposition to exclude the corporate area of a public agency. This bill would specify the procedure under which that optional election would be conducted. Specifically, notice would be required in the manner already defined within subdivision (c) of Section 10. The election is to be conducted and returns canvassed as provided by law for the elections in the public agency, and a majority of electors within county water authority territory is needed for passage. The new procedure would also require that these elections will be separate elections but may run with another election.

AB 68 (Ward D) Land use: streamlined housing approvals: density, subdivision, and utility approvals.**Current Text:** Amended: 4/12/2023 [html](#) [pdf](#)**Introduced:** 12/8/2022**Last Amended:** 4/12/2023**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was H. & C.D. on 3/16/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require a local government to approve a proposed housing development pursuant to a streamlined, ministerial approval process if the development meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel, as described, or be included in the applicable region's sustainable communities strategy as a priority development area. The bill would set forth procedures for approving these developments and would set forth various limitations for these developments. The bill would authorize the Department of Housing and Community Development to review, adopt, amend, and repeal guidelines, rules, and regulations to implement uniform standards or criteria that supplement or clarify the terms, references, or standards set forth by this process.

Position: Watch**Subject:** Planning**CALAFCO Comments:** This bill was introduced as a spot holder in December, 2022, then was gutted and amended on March 16, 2023.

It now seeks to set up ministerial approvals for developments and certain water and sewer service extensions for developments that meet certain parameters. Parameters include that the parcel must be in a high or moderate resource area as categorized by the opportunity maps maintained by the California Tax Credit Allocation Committee, be located within one-mile of transit but be in a very low vehicle travel area, and within one mile of assorted restaurants, bars, coffee shops, etc. Additionally, types of locations that do not qualify are also enumerated. Those include farmlands, wetlands, high fire hazard severity zones (as determined by Cal Fire), in proximity to a hazardous waste site, within a delineated earthquake fault zone, within a special flood hazard area or within a regulatory floodway, lands identified for conservation, protected habitat, and lands under a conservation easement.

3/31/2023: Watch position taken by Leg Committee.

4/21/2023: CALAFCO received word from the Assembly Housing and Community Development Committee, that this bill will not be heard this year.

Under the procedure that would be established by this bill, a minimum of 30 days notice to LAFCo would be required for the public hearing should a county seek to amend its general plan to increase the planned density on climate resilient lands.

AB 918 (Garcia D) Health care district: County of Imperial.**Current Text:** Amended: 5/1/2023 [html](#) [pdf](#)**Introduced:** 2/14/2023**Last Amended:** 5/1/2023**Status:** 5/23/2023-In Senate. Read first time. To Com. on RLS. for assignment.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would rename the Pioneers Memorial Healthcare District as the Imperial Valley Healthcare District. The bill would authorize the expansion of the district to include all of the County of Imperial. The bill would require the district to submit a resolution of application to the Imperial County Local Agency Formation Commission to initiate proceedings to expand the district. The bill would require the commission to order the expansion of the district subject to a vote of the registered voters residing within the territory to be annexed at an election following the completion of those proceedings. The bill would require the Board of Supervisors of the County of Imperial, upon direction by the commission, to place approval of district expansion on the ballot at the next countywide election

following the completion of commission proceedings, including a public hearing. The bill would provide for expansion of the district upon voter approval, if a funding source sufficient to support the operations of the expanded district is, if required, approved, as specified. The bill would require the district to pay for election costs, as specified. The bill, following expansion, would dissolve the Heffernan Memorial Healthcare District and would transfer the assets, rights, and responsibilities of that district to the Imperial Valley Healthcare District. The bill would require the board of directors of the Imperial Valley Healthcare District, following expansion, to adopt a resolution to increase the number of members of the district's board of directors from 5 to 7, and to appoint 2 members who are residents of the territory annexed by the district to fill the vacant positions, as specified. Following the expansion of the board of directors, the bill would require the board of directors to adopt a resolution to divide the Imperial Valley Healthcare District into voting districts for the purpose of electing members of the board of directors from and by the electors of those voting districts beginning with the next district election, as specified.

Attachments:

[CALAFCO Letter in Opposition to 4-17-2023 bill amendment](#)
[CALAFCO Oppose Letter](#)

Position: Oppose

Subject: Other

CALAFCO Comments: As introduced, this bill was merely a spotholder that stated an intent to create a countywide healthcare district in Imperial County.

March 23, 2023, the bill was amended with specifics. It now seeks to rename the Pioneer Memorial Healthcare District to the Imperial County Healthcare District (ICHHD) and then sets up what, in essence, is a ministerial process for the countywide expansion of the ICHHD. The expansion process is first initiated by the ICHHD Resolution of Application, which is required to be filed with LAFCo no later than January 5, 2024. The LAFCo then has 150 days to complete the entire process, including the vote. Protest proceedings for that expansion would be waived under this bill. The bill also does not allow the LAFCo to deny the application. The bill also notes that future changes of organization or reorganization of the resulting districts would need to follow the normal provisions of CKH. A copy of CALAFCO's letter in opposition can be found in the attachments section.

4/17/2023: the bill was amended to entirely remove LAFCo involvement. CALAFCO's second letter of opposition that addresses this amended version can be found in the attachments section.

SB 360 (Blakespear D) California Coastal Commission: member voting.

Current Text: Amended: 4/18/2023 [html](#) [pdf](#)

Introduced: 2/8/2023

Last Amended: 4/18/2023

Status: 5/18/2023-Referred to Com. on NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The California Coastal Act of 1976 establishes the California Coastal Commission and prescribes the membership and duties of the commission. The act provides that its provisions do not preclude or prevent any member or employee of the commission who is also an employee of another public agency, a county supervisor or city councilperson, or a member of specified associations or organizations, and who has in that designated capacity voted or acted upon a particular matter, from voting or otherwise acting upon that matter as a member or employee of the commission. This bill would apply the latter provision to members of a joint powers authority and members of the local agency formation commission.

Attachments:

[SB 360 Fact Sheet](#)
[SB 360 CALAFCO Letter of Support](#)

Position: Support

Subject: Other

CALAFCO Comments: PRC 30318 currently holds a provision that allows members or employees of certain entities to sit on the California Coastal Commission. This bill would add members or employees of JPAs and LAFCos into that list.

3/24/2023: No change since introduction.

3/31/2023: Position changed to support. The Fact Sheet and a copy of CALAFCO's Support letter can be found in the attachments.

AB 557 (Hart D) Open meetings: local agencies: teleconferences.**Current Text:** Introduced: 2/8/2023 [html](#) [pdf](#)**Introduced:** 2/8/2023**Status:** 5/24/2023-Referred to Coms. on GOV. & F. and JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, current law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.

Position: Watch**Subject:** Brown Act

CALAFCO Comments: Similar in scope to SB 411, this bill is follow-on legislation to AB 361 (2022) and seeks to return some of the pandemic-era teleconferencing provisions to the Brown Act and would change the timeline for legislative bodies to reaffirm an emergency from the current 30 days to 45 days. This bill is sponsored by CSDA.

AB 805 (Arambula D) Drinking water consolidation: sewer service.**Current Text:** Amended: 3/9/2023 [html](#) [pdf](#)**Introduced:** 2/13/2023**Last Amended:** 3/9/2023**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the State Water Resources Control Board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities, including, but not limited to, consulting with the relevant regional water board and the receiving water system and conducting outreach to ratepayers and residents served by the receiving and subsumed water systems, as provided.

Position: Watch With Concerns**Subject:** Water

CALAFCO Comments: This bill would authorize the state board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities. Under existing section (b)(3) LAFcos must be consulted and their input considered in regards to the provision of water service but sewer systems seem to be lacking.

AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.

Current Text: Amended: 3/16/2023 [html](#) [pdf](#)

Introduced: 2/13/2023

Last Amended: 3/16/2023

Status: 5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/16/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill appears to be a spot holder in that it currently only makes minor grammatical changes. The lack of substance raises concern regarding future changes to this bill.

3/16/2023: The bill was amended to speak specifically to teleconferenced meetings of subsidiary bodies, defined as a body that serves exclusively in an advisory capacity, and is not authorized to take final action on legislation, regulations, contracts, licenses, permits, or any other entitlements. For qualifying bodies, this bill would remove the requirement to post an agenda at the location of the subsidiary body member who was participating from off site- providing that the legislative body that formed the subsidiary body has previously made findings noting that teleconferenced meetings of the subsidiary body would enhance public access, and would promote the attractions, retention and diversity of the subsidiary body. The superior legislative body would need to revisit the matter and repeat those finding every 12 months thereafter. This bill also reaffirms that other provisions of the Brown Act are applicable to subsidiary bodies.

AB 1379 (Papan D) Open meetings: local agencies: teleconferences.

Current Text: Amended: 3/23/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amended: 3/23/2023

Status: 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/23/2023)(May be acted upon Jan 2024)

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body

electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

Position: Watch

Subject: Brown Act

CALAFCO Comments: Originally introduced as a spotholder to address "Local agencies: financial affairs", this bill was gutted and amended on March 23, 2023, and now seeks amendment of the Brown Act's teleconferencing provisions. If successful, GC Section 54953 (b)(3) would be amended to remove the requirement to post agendas for teleconferenced meetings at all locations, and would instead limit the posting to a newly defined "singular designated physical meeting location", which is required to have either two-way audiovisual capabilities, or two-way telephone service for the public to remotely hear and address the body. Additionally, the body would have to hold at least two meetings in person each year.

[AB 1637](#) (Irwin D) Local government: internet websites and email addresses.

Current Text: Amended: 5/18/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Last Amended: 5/18/2023

Status: 5/22/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/30/2023 #420 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS

Summary:

The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws. This bill, no later than January 1, 2027, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2027, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: LAFCo Administration

[AB 1753](#) (Committee on Local Government) Local government: reorganization.

Current Text: Introduced: 3/2/2023 [html](#) [pdf](#)

Introduced: 3/2/2023

Status: 5/10/2023-Referred to Com. on GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. The act requires a petitioner or legislative body desiring to initiate proceedings for a change of organization or reorganization to submit an application to the executive officer of the principal county. The act specifies when an application is complete and acceptable for filing, and requires the executive officer to immediately issue a certificate of filing when an application is accepted for filing, as specified. Upon the filing of an application or a resolution pursuant to the act, but prior to the issuance of a certificate of filing,

current law requires the executive officer to give notice of the filing to the assessor and auditor of each county within which the territory subject to the jurisdiction change is located, as specified. Current law prohibits the executive officer from issuing a certificate pursuant to the provisions described above until resolutions are adopted by specified counties and cities in which they agree to accept the exchange of property tax revenues. Current law authorizes a county and any local agency within the county to develop and adopt a master property tax transfer agreement, as specified. This bill would, if applicable, prohibit the executive officer from accepting for filing an application for change or organization or reorganization and issuing a certificate of filing pursuant to the provisions described above, and would provide that an application is not deemed accepted for filing pursuant to the provisions described above, if an agreement for the exchange of property tax revenues has not been adopted pursuant to the provisions described above.

Attachments:

[AB 1753 CALAFCO Letter of Support, 03-28-23](#)

Position: Support

Subject: CKH General Procedures

CALAFCO Comments: This is CALAFCO's Omnibus bill. It seeks to add two new provisions to CKH. The first, would add section (d)(1) to Government Code Section 56658 and would note that R&T Section 99(d)(b)(6) requires an property tax agreement for an application to be considered complete. The second adds language to GC Sec. 56882 allowing transmission of commission determination by email, providing that the executive officer confirms receipt through an electronic read receipt of other means.

CALAFCO's letter of support can be found in the attachments.

SB 411 (Portantino D) Open meetings: teleconferences: neighborhood councils.

Current Text: Amended: 4/24/2023 [html](#) [pdf](#)

Introduced: 2/9/2023

Last Amended: 4/24/2023

Status: 5/26/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define "eligible legislative body" for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This bill would permanently add back provisions to Section 54953.4 of the Brown Act that had been temporarily enacted during the COVID-19 pandemic. The amendment would allow a legislative body to use teleconferencing provisions, and would define the proper procedure for conducting such a meeting, would require the legislative body to take no further action in the event of a broadcasting disruption within the local agency's control until the broadcast can be resumed, would require time public comment periods to remain open until the public comment time has elapsed, and would not only prevent requiring comments in advance but would also require that the public be afforded the chance to comment in real time.

[SB 537](#) (Becker D) Open meetings: multijurisdictional, cross-county agencies: teleconferences.

Current Text: Amended: 4/24/2023 [html](#) [pdf](#)

Introduced: 2/14/2023

Last Amended: 4/24/2023

Status: 5/4/2023-Read second time. Ordered to third reading.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

5/30/2023 #4 SENATE SENATE BILLS -THIRD READING FILE

Summary:

Current law, under the Ralph M. Brown Act, requires that, during a teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.

Position: Watch

Subject: Brown Act

CALAFCO Comments: This is a spotholder bill that states an intent to expand local government’s access to hold public meetings through teleconferencing and remote access.

3/22/2023: was amended and fleshed out to add teleconferencing provisions to allow legislative bodies of multijurisdictional agencies to meet remotely. Multijurisdictional agencies are defined as boards, commissions, or advisory bodies of a multijurisdictional, cross county agency, which is composed of appointed representatives from more than one county, city, city and county, special district, or a joint powers entity.

The bill is sponsored bu Peninsula Clean Energy, a community choice aggregator with a board comprised of local elected officials from the County of San Mateo and its 20 cities, as well as the City of Los Banos.

[SB 878](#) (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/7/2023 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, CECILIA, Chair

Summary:

Would enact the First Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[Annual Validations Joint Letter of Support](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is the first of three annual validating acts. The joint letter of support is in the attachments section.

SB 879 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/7/2023 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, CECILIA, Chair

Summary:

Would enact the Second Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

[Annual Validations Joint Letter of Support](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts. The joint letter of support is in the attachments section.

SB 880 (Committee on Governance and Finance) Validations.

Current Text: Introduced: 2/17/2023 [html](#) [pdf](#)

Introduced: 2/17/2023

Status: 5/4/2023-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar:

6/7/2023 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, CECILIA, Chair

Summary:

Would enact the Third Validating Act of 2023, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Attachments:

[Annual Validations Joint Letter of Support](#)

Position: Support

Subject: LAFCo Administration

CALAFCO Comments: This is one of three annual validating acts. The joint letter of support is in the attachments section.

Total Measures: 20

Total Tracking Forms: 20

5/30/2023 9:25:18 AM



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

April 13, 2023

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
1021 O St.
Ste. 6350
Sacramento, CA 95814

RE: **SUPPORT of AB 1753, Local Government: Reorganization Omnibus Bill**

Dear Chair Aguiar-Curry:

The Marin Local Agency Formation Commission (LAFCo) is pleased to support the Assembly Local Government Committee Bill AB 1753, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the Act).

This annual bill includes technical changes to the Act which governs the work of LAFCos. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 1753 currently makes minor technical corrections to language used in the Act. The Marin LAFCo is grateful to your Committee, staff, and CALAFCO, all of whom worked diligently on this language to ensure there are no substantive changes while creating a significant increase in the clarity of the Act for all stakeholders.

This legislation helps insure the Cortese-Knox-Hertzberg Act remains a vital and practical law that is consistently applied around the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCos.

Yours sincerely,

Jason Fried
Executive Officer

cc: Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
René LaRoche, Executive Director, CALAFCO

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Dennis Rodoni, Regular
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Eric Lucan, Regular
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Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax
Steve Burdo, Regular
Town of San Anselmo
Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Valley Sanitary District
Craig K. Murray, Regular
Las Gallinas Sanitary District
Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member
Richard Savel, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 5 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Election of Chair and Vice-Chair

Background

Marin LAFCo's policy 3.5 directs the election of Chair and Vice-Chair to one-year terms at the first regular meeting in or immediately following May of each year.

The Chair shall also serve as the immediate supervisor to the Executive Officer and is responsible for making committee appointments. The Vice-Chair shall have all the powers and duties of the Chair during their absence or inability to act. Both the Chair and Vice-Chair can sign checks on behalf of LAFCo.

The voting members retain full discretion in proceeding with the selection process as collectively deemed appropriate, and compliant with the Brown Act.

Staff does not take a position on this subject matter and leaves it to the discretion of the Commission as a whole to decide.

Staff Recommendation for Action

1. Option 1 – Elect by a majority of voting members (a) Chair and (b) Vice-Chair to one-year terms commencing immediately and extending to May 2024, and/or until successors are elected.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

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County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 6 (Business Item)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Deputy Executive Officer

SUBJECT: Approval of Proclamation for Commissioner Tod Moody

Background

The Commission will recognize the contributions of Commissioner Tod Moody whose individual contributions and collaborative efforts with fellow Commission Members have served the County of Marin dutifully.

Staff Recommendation for Action

- 1) Staff recommendation – Approve and present Commissioner Tod Moody with the attached proclamation.

Attachment:

1. Proclamation for Tod Moody

**MARIN LOCAL AGENCY FORMATION COMMISSION
RESOLUTION OF COMMENDATION FOR**

Tod Moody

EXPRESSING GRATITUDE FOR HIS SERVICE



WHEREAS Tod Moody served the citizens of Marin County from 2019 to 2023 as the Alternate Special District Member of the Marin Local Agency Formation Commission; and

WHEREAS during his service as the Alternate Special District Member of this Commission, Tod's dedicated sense of responsibility toward the people of Marin County and the mission of the Marin Local Agency Formation Commission contributed greatly to the effectiveness of this Commission; and

WHEREAS his ability to offer a unique perspective and willingness to assist whenever and however needed; and

WHEREAS as a member of this Commission, Tod earned the respect of his colleagues, representatives of other public agencies, and the general public due to the keen sense of objectivity, integrity, and humanity with which he discharged his responsibilities; and

WHEREAS his work on the Marin LAFCo Legislative Committee aided in guiding the Marin Local Agency Formation Commission's overarching legislative positions; and

NOW, THEREFORE, BE IT PROCLAIMED that the members of this Commission, wish to express their deep appreciation and sincere thanks for Tod Moody's service on the Marin Local Agency Formation Commission and lasting contributions to the people of Marin County.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 8th day of June 2023.

Lew Kious, Chairperson

Attest:

Jason Fried, Executive Officer



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 7 (Business Item)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Deputy Executive Officer

SUBJECT: Approval of Proclamation for Commissioner Richard Savel

Background

The Commission will recognize the contributions of Commissioner Richard Savel whose individual contributions and collaborative efforts with fellow Commission Members have served the County of Marin dutifully.

Staff Recommendation for Action

- 1) Staff recommendation – Approve and present Commissioner Richard Savel with the attached proclamation.

Attachment:

1. Proclamation for Richard Savel

**MARIN LOCAL AGENCY FORMATION COMMISSION
RESOLUTION OF COMMENDATION FOR**

Richard Savel

EXPRESSING GRATITUDE FOR HIS SERVICE



WHEREAS Richard Savel served the citizens of Marin County from 2021 to 2023 as the Alternate Special District Member of the Marin Local Agency Formation Commission; and

WHEREAS during his service as the Alternate Public Member of this Commission, Richard's dedicated sense of responsibility toward the people of Marin County and the mission of the Marin Local Agency Formation Commission contributed greatly to the effectiveness of this Commission; and

WHEREAS his unwavering dedication to accuracy and detail in combination with his wealth of knowledge and experience in related areas; and

WHEREAS as a member of this Commission, Richard earned the respect of his colleagues, representatives of other public agencies, and the general public due to the keen sense of objectivity, integrity, and humanity with which he discharged his responsibilities; and

WHEREAS his work on the Marin LAFCo Legislative Committee aided in guiding the Marin Local Agency Formation Commission's overarching legislative positions; and

NOW, THEREFORE, BE IT PROCLAIMED that the members of this Commission, wish to express their deep appreciation and sincere thanks for Richard Savel's service on the Marin Local Agency Formation Commission and lasting contributions to the people of Marin County.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 8th day of June 2023.

Lew Kious, Chairperson

Attest:

Jason Fried, Executive Officer



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 8 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: **Accept and File MCERA Audit Report**

Background

In December 2021 MCERA asked LAFCo staff if we would mind being the first agency that they do an audit of to make sure MCERA, and therefore LAFCo, was in compliance. They wanted to start with us given our small size and their desire to establish a good review process for audits of all other accounts. In April we received the final version of the report which includes staff response to an earlier draft of the report. Throughout the report, the audit mentions various items they notice. Four items get called out as items that need remediation. In section 5.2.3 two of the items (issues 2 and 3) occurred when the County was running our payroll. Section 6 the audit mentions "It should be noted that some of the items identified in Section 5.2.3 above occurred when the Commission was not managing their payroll process internally. Since the Commission took over its payroll processing the reporting of active members has met MCERA's reporting requirements."

The other two items staff addressed in the management response which is included at the end of the Audit. On the issue addressed in section 5.1.3 around filling out the form, it is staff's understanding that MCERA has updated its forms to better clarify items since other non-LAFCo agencies also seem to have had the same issue as us. The other issue is in section 5.2.3 deals with an issue of payment. Senior leadership at MCERA agreed to allow us to use a system that it turns out is outside of MCERA policy. Since we learned of this we have been working with MCERA to try to become in line with policy. Having said that staff is not sure we will ever be able to fully comply with the policy as written since it does not take into account agencies that work outside of the County system. Staff will continue to work with MCERA staff to try to rectify the situation.

LAFCo staff would like to thank the MCERA auditor for all the hard work they put into this process.

Staff Recommendation for Action

1. Option 1 – Accept and file MCERA Audit report.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

Attachment:

1. MCERA Audit Report of Marin LAFCo

Administrative Office

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Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Local Agency Formation Commission

Final Employer Audit Report

Audit Period:

January 1, 2021 through December 31, 2021

Prepared By



Marin County Employees' Retirement Association

Internal Audit Unit

One McInnis Parkway, Suite 100

San Rafael, CA 94903

Lisa Jackson, Senior Accountant/Auditor

Michelle Hardesty, Assistant Retirement Administrator

Marin County Employees' Retirement Association
Final Employer Audit Report
Local Agency Formation Commission

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1 BACKGROUND

The Marin County Employees' Retirement Association (MCERA) is a multiple-employer governmental pension plan established by the County of Marin on July 1, 1950, under the County Employees Retirement Law of 1937 (California State Government Code Section 31450 et. seq., also referred to as the CERL). MCERA is also governed by the California Constitution and the regulations, procedures and policies adopted by MCERA's Retirement Board. The Marin County Board of Supervisors and the governing bodies of other participating employers may also adopt resolutions, as permitted by the 1937 Act, which may affect the benefits of MCERA members.

Local Agency Formation Commission (LAFCo, or the Commission) is a subdivision of the State of California. The Commission is responsible for administering the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. In carrying out its duties, the Commission is required to balance orderly development with the competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently extending government services, and providing housing for persons and families of all incomes (Government Code §56001). The Commission contracted with MCERA effective August 1, 1979, to provide retirement benefits for its employees.

MCERA is responsible for auditing each of its participating employers to ensure compliance with the requirements of the CERL, the Public Employees' Pension Reform Act of 2013 (PEPRA), MCERA bylaws and policies as well as the employer's own contracts and policies regarding retirement. These audits are mandated by PEPRA and necessary to ensure that MCERA is managing the retirement plan as required under Section 401a of the United States Internal Revenue Code. The goal is to improve the quality of the member data reported to MCERA, reduce administrative errors, and increase efficiencies for both the employers and the retirement plan.

2 OBJECTIVES

This audit seeks to provide the Commission and MCERA with reasonable assurance, based on the testing performed, of the adequacy of the systems and management controls currently in effect for the audit areas. The objectives were to obtain and review the Commission's current policies, procedures, and backup documentation to determine:

- How the employer manages retirement membership eligibility to verify that all eligible employees have been reported to MCERA and that no ineligible employees have been reported.
- The accuracy and completeness of the employer's reporting of retirement information through their payroll processes, including but not limited to pensionable hours and compensation, entry date, entry age and contributions.

Marin County Employees' Retirement Association
Final Employer Audit Report
Local Agency Formation Commission

- The accuracy and completeness of the employer's reporting of pensionable compensation through their payroll processes for retired members' Highest Average Compensation (HAC) periods.
- The employer's compliance with regulations for rehiring MCERA retired annuitants. The accuracy and completeness of the employer's compliance with reporting the hours worked by rehired MCERA retired annuitants.

3 SCOPE

The scope of the audit included review of the Commission's employment records, payroll reports, individual payee records, and data submitted to MCERA from January 1, 2021 through December 31, 2021, on a sample basis. To the extent necessary, records outside of this period were reviewed.

4 EXECUTIVE SUMMARY

MCERA noted the following findings during the audit. More information is provided in section 5 of this report, Detailed Audit Results.

- **Membership Eligibility**
One minor issue was identified related to the completion of the final section of one Membership Enrollment Form.
- **Active Member Reporting – Timing**
Payroll reporting is currently provided on a quarterly basis by agreement. The Commission should work toward payment of required contributions and reporting of required member information no later than two business days after each payroll date.
- **Active Member Reporting - Contributions**
Two issues were identified with contributions reported incorrectly for two members.

MCERA recommends that the Commission work with appropriate MCERA staff to resolve the issues outlined in this report. Where applicable, changes required for specific member records have been provided to the employer in a separate confidential document.

5 DETAILED AUDIT RESULTS

5.1 Membership Eligibility

Marin County Employees' Retirement Association
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5.1.1 Statutory Criteria

Employers are responsible for determining eligibility for MCERA membership for all employees of the Commission, ensuring each new member has completed a Membership Enrollment Form, and that members are reported with the correct retirement tier, age of entry, and contribution rate.

5.1.2 Testing

The Commission was asked to provide a list of all individuals and vendors who provided services that were paid through their payroll and issued a Form W-2 or paid through accounts payable and were issued a Form 1099, during the 2021 calendar year. MCERA received a list of three employees who were issued a Form W-2 for the year (employees), and a list of eight Form 1099s that were issued for the year. Of the eight Form 1099s, five were issued to LAFCo commissioners, one was issued to a business, and two were issued to contractors. The three employees were full-time employees reported to MCERA and all three were selected for review, and one contractor was selected for review.

The testing included review of the following:

- **Contractors.** Determine if any of the contractors to whom the employer issued a Form 1099 were treated as employees.

- **Employees**
 - Step 1 – Determine whether the employee met the requirements of membership in MCERA:
 - In a full-time allocated budgeted position,
 - Regularly scheduled to work at least 75% of the full-time hours in that position, and
 - Did not have an allowable membership exemption.

 - Step 2 – If eligible based on Step 1, verify that:
 - The member was reported to MCERA on the Commission's payroll uploads,
 - A Membership Enrollment Form is on file with MCERA with the Employer Section completed,
 - The member was reported in the correct retirement tier, and
 - Contributions were correctly calculated, withheld and reported for the member.

 - Step 3 – If ineligible based on Step 1, verify that:
 - The employee was not reported to MCERA on the Commission's payroll uploads, and
 - The employee was not in a full-time allocated budgeted position, or
 - The employee was scheduled to work less than 75% of the full-time hours in a full-time allocated budgeted position, or
 - The employee had an allowable membership exemption.

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5.1.3 Results

Satisfactory Items

- An Independent Contractor Status Questionnaire was completed for the contractor who was issued a Form 1099-NEC. The contractor was correctly classified as an independent contractor and was correctly not reported to MCERA.
- The three full-time employees tested were eligible for membership and correctly included in the payroll reporting to MCERA. All three members had the required Membership Enrollment Form on file and were reported in the correct tier.

Issues Identified and Required Remediation

Issue	Remediation
1. While all three eligible members reviewed had Membership Enrollment Forms on file, the Employer Section on one form was not completed.	The Commission must complete the Employer Section on the Membership Enrollment Form for all new members.

5.2 Active Member Reporting

5.2.1 Statutory Criteria

Employers are responsible for reporting all required payroll data for MCERA-eligible employees, ensuring all pensionable pay items included in the data meet the definition of Compensation Earnable for Classic members and Pensionable Compensation for PEPRA members. Employers are also responsible for reporting the correct contributions for all Compensation Earnable and Pensionable Compensation reported.

5.2.2 Testing

The Commission was asked to provide copies of all contracts, memorandums of understanding, policies and/or guidelines regarding employment practices and payment types made to all workers, that were in effect during the audit year. The Commission was also asked to provide the Enrollment forms, bargaining agreements, and payroll records for calendar year 2021 for specific employees to be tested. MCERA received payroll information for the three members selected for review. Of the three members reviewed, all three were PEPRA members.

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The testing and review included determination of whether:

- The members' reported compensation matches publicly available pay schedules.
- All pensionable compensation was reported for members.
- All compensation that was reported was pensionable.
- The correct contributions were paid for all reported compensation.
- The correct wage types were reported in members' detail records.
- The correct payroll information was uploaded to MCERA.
- The payroll uploads were completed, and contributions were remitted in a timely manner.

5.2.3 Results

Satisfactory Items

- The Commission's Board passed Resolution 21-12 adopting the Marin LAFCo Publicly Available Pay Schedule that included the creation of staff job classifications and salary ranges. The resolution included a Class Code for five positions and the salary ranges for four of the five positions. The salary for the Executive Officer was not listed but stated "as agreed to by contract". The Commission has since amended the pay schedule published on their website to include the current contract salary range for the Executive Officer position.
- The Commission's reported earnings matched the members' publicly available pay schedules.
- The Commission reported multiple pay types for members. The Commission correctly reported only payments that met the definition of pensionable compensation, including pay increases for their members.

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Issues Identified and Required Remediation

Issue	Remediation
<p>1. Employee and employer contributions are not being remitted and required member payroll information is not reported after each payroll as required by MCERA.</p>	<p>Prior to the audit period, the Commission's payroll and MCERA reporting was managed by the County of Marin. In January 2020 the Commission converted to a new payroll system. At that time the Commission and MCERA management agreed that the Commission would remit contributions and report member payroll information on a quarterly basis while exploring an automated payment method. Once an automated method is established, the Commission must remit payment for the required employee and employer contributions no later than two business days after each payroll date, and at the same time upload the required payroll information into the employer reporting portal.</p>
<p>2. The Commission paid some of the required employee contributions for one PEPR member for the period of 3/24/2019 through 12/14/2019, and from 1/13/19 through 12/28/2019 for a second PEPR member. Review of payroll remuneration statements for these members shows corrections for one individual may have been made by withholding contributions from the employee's pay after-tax.</p>	<p>PEPRA members are required to pay at least 50% of normal costs and employers may not pay any of the required employee contributions. During this time period, the County of Marin was responsible for processing the Commission's payroll. The Commission made corrections for the two members; however, the contributions were withheld as Post-Tax but reported to MCERA as Pre-tax contributions. Based on the Commission's documentation, MCERA reclassified the reported contributions in members' records. After June 30, 2020, contributions were withheld and reported correctly.</p>

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Issue	Remediation
3. The incorrect employee contribution rate was used for determining the required employee contributions from 7/14/2019 through 12/14/2019 for two members.	The Commission has made corrections for the two members After June 30, 2020, when the Commission separated from the County of Marin's financial system, this was no longer an issue.

5.3 Retired Member HAC Reporting

5.3.1 Statutory Criteria

Employers are responsible for reporting all required payroll data for eligible employees, ensuring all pay items included in the data as pensionable meet the definition of Compensation Earnable for Classic members and Pensionable Compensation for PEPRA members. Employers are also responsible for reporting the correct contributions for all pensionable compensation reported.

5.3.2 Testing

The Commission did not have any members who retired during the 2021 calendar year, so no testing was performed.

5.4 Post-Retirement Employment Certification

5.4.1 Statutory Criteria

MCERA retirees cannot serve, be employed by, or be employed through a contract directly by any MCERA employer without reinstatement from retirement, except as permitted by state law and Board of Retirement regulations. Employers are responsible for determining the eligibility of an MCERA retiree for post-retirement employment and providing that determination to MCERA prior to the retiree beginning their new period of employment.

5.4.2 Testing

The Commission did not employ any retired members during the 2021 calendar year, so no testing was performed.

5.5 Post-Retirement Employment Hours Reporting

5.5.1 Statutory Criteria

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MCERA retirees who are eligible for post-retirement employment may not work more than 960 hours in each fiscal year for any MCERA employer. Employers must report to MCERA the hours worked by all MCERA retirees, working in any capacity, on a monthly basis. Once a retiree reaches the 960-hour limit the retiree's employment must stop.

5.5.2 Testing

The Commission did not employ any retired members during the 2021 calendar year, so no testing was performed.

6 CONCLUSION

We conducted this audit in accordance with generally accepted government auditing standards. This audit is limited to the scope and objectives specified in this report. We limited our testing to samples of the employer's payroll reports and personnel records, and the results outlined in this report are based on information made available or otherwise obtained at the time this report was prepared. It should be noted that some of the items identified in Section 5.2.3 above occurred when the Commission was not managing their payroll process internally. Since the Commission took over its payroll processing the reporting of active members has met MCERA's reporting requirements.

We believe that the procedures followed, and evidence obtained provide a reasonable basis for our findings and recommendations, as well as reasonable assurance that the audited transactions complied with relevant California Government Code sections and other applicable statutes and agreements, except as noted.

Marin County Employees' Retirement Association
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7 EMPLOYER RESPONSE



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

March 8, 2023

Via Email Delivery
Lisa Jackson, Senior Accountant/Auditor
ljackson@marincounty.org

Re: Management Response to MCERA Audit Report

Dear Lisa,

Thank you for all the hard work that you have put into the MCERA Audit of Marin LAFCo. Overall, I found the report to be informative and correct in nature. There are three areas that I wanted to call out specifically.

First is in section 5.1.3. While we now understand that the section titled "THIS SECTION FOR HUMAN RESOURCES AND MCERA USE ONLY" is meant for us to fill out the title of this section is not clear. Given LAFCo has no HR department, and we are not MCERA we assumed this section was not for us to fill out. We will fill out this section in the future but should note that of the 6 items to be filled out that only 2 of the 6 can really be done by us. 2 others we would need MCERA to fill out. The other two I am guessing are for those with bargaining units which we don't have. I will add we recently heard that another agency started their review and they had similarly not filled this out. We would encourage MCERA the next time it updates its form to better clarify that we should fill out that section and perhaps break the section into two parts: one for the employer to fill out and the other for MCERA to fill out.

Second is section 5.2.3. We do not agree with the audit's issue 1 mentioned. We get that larger employers within MCERA have full time HR and Benefits staff in which the MCERA system is geared towards. For smaller agencies, like us, the quick turnaround is not realistic. LAFCo staff greatly appreciated that MCERA staff recognized this and came up with a solution that would work for both our agencies that we have been using. We of course will work with MCERA to find ways to make payment and reporting as quick as reasonably possible.

Third is also within section 5.2.3. Since your first drafted of this report we have gotten the reimbursement needed and provided you with the pay stub. We would request that issue 2 and 3 be updated to reflect this if possible.

Should you have any questions or want to talk more about this please let us know.

Jason Fried
Executive Officer
Marin Local Agency Formation Commission

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Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Klous, Chair
Almonte Valley Sanitary District

Craig K. Murray, Regular
Las Gallinas Sanitary District

Tod Moody, Alternate
Sanitary District #5

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 9 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Discussion and Possible Approval of Items Related to CALAFCO Conference

Background

The California Association of Local Agency Formation Commissions (CALAFCO) is holding its annual conference from October 18-20 in Monterey at the Hyatt Regency. Each year CALAFCO holds the elections for half of the seats on its Board of Directors. The Board is broken into 4 regions with each region having 4 seats, one representing each type of LAFCo member (County, City/Town, Special District, and Public Member), with 2 of the seats up for election in any given year. Marin LAFCo is part of the Coastal Region which this cycle will be electing members who serve as City/Town and Public Member seats. CALAFCO has sent out the nomination forms for its board members. Staff has forwarded that information to our City/Town members to let them know and will inform the new Public members when the Commission selects them. The Commission can nominate a candidate to serve in one of these seats. Nominations can also be made at the conference during the regional breakout session but will not be included on the printed ballots.

As part of the CALAFCO annual conference, they host an awards banquet dinner. The Commission should review all categories and determine if it wishes to make any nominations this year. Staff would recommend we consider jointly nominating the shared services agreement we created with Santa Cruz under one of the two categories for the Mike Gotch Award. The Executive Officer for Santa Cruz is planning to take this matter to an upcoming commission meeting with the same recommendation.

In addition, Marin LAFCo will need to designate who our voting delegate and alternate delegate at the conference will be. The voting delegate needs to be present at the regional and business meeting to vote which takes place during the conference. In recent history, Marin LAFCo has used the following order: Chair, Vice-Chair, Regular Member, Alternate Member, Staff, to determine voting delegate and alternate voting delegate status. The Commission in the past has also given authority to the Chair to make any needed adjustments to the voting and alternate delegate based on changes on who will be able to attend.

Finally, each Commissioner will need to decide if they wish to attend. Should any Commissioner plan to attend, please let staff know so proper reservations can be made on your behalf.

Recommendation for Action

Staff Recommendation – Staff views these matters as a decision for the Commission. Should the Commission wish to make nominations for the CALAFCO Board of Directors or Awards nominations they should do so tonight. In addition, the Commission should decide on who the voting and alternate delegate(s) will be for the Conference and give the Chair the authority to change voting delegates if needed.

Attachment:

- 1) CALAFCO Board of Directors Nomination packet
- 2) Awards Nomination packet

Administrative Office

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Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Date: May 9, 2023

To: CALAFCO Members
LAFCo Commissioners and Staff
Other Interested Organizations

From: Anita Paque, Committee Chair
CALAFCO Achievement Awards Committee
CALAFCO Board of Directors



Subject: 2023 CALAFCO Achievement Award Nominations Period Open

Deadline: 5:00 p.m., Friday, August 18, 2023

On behalf of the Association, I am pleased to announce that the nomination period for the 2023 CALAFCO Achievement Awards is now open!

Each year, CALAFCO is honored to recognize outstanding achievements by dedicated and committed individuals and/or organizations from throughout the state at its Annual Conference Achievement Awards Ceremony. This year's ceremony will be held on October 19 at the Hyatt Regency Monterey, during the awards banquet.

Recognizing individual and organizational achievements is an important responsibility. It provides visible recognition and support to those who have gone **above and beyond** over the last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act. We invite you to use this opportunity to nominate the individuals and organizations you feel deserve this important recognition based on the criteria outlined.

Before submitting a nomination, *please carefully review the nomination instructions and the criteria for each award as incomplete nominations, and nominations that do not adhere to the submission guidelines, will not be considered by the Committee.*

ACHIEVEMENT AWARDS NOMINATION PROCEDURE:

1. Nominations may be made by an individual, a LAFCo, a CALAFCO Associate Member, or any other organization.
2. Each nomination must meet the specific award category criteria for consideration. The Committee will not consider any nomination for an award for any category other than the one for which it was submitted. Duplicate nominations *will not be considered by the Committee.*
3. Nominations **must be submitted with a completed nomination form.** Please use a separate form for each nomination. The form is your opportunity to highlight the most important points of your nomination.
4. Nomination *Executive Summaries* must be *limited to no more than 250 words in length.* Nomination *Summaries* must be *limited to no more than 1,000 words or 2 pages in length maximum.* You are encouraged to write them in a clear, concise and understandable manner. If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount *will not be considered by the Committee.*

5. All supporting information (e.g. reports, news articles, etc.) must be submitted with the nomination. ***Limit supporting documentation to no more than 3 pages.*** If the Awards Committee members require additional information, you will be contacted with that request. Any nomination received that exceeds this amount ***will not be considered by the Committee.***
6. All nomination materials must be submitted at one time and must be received by the deadline. No late nominations will be accepted – no exceptions. Electronic submittals are required and must be submitted as pdf document, using the fillable pdf document provided.
7. **Nominations and supporting materials must be received no later than 5:00 p.m., Friday, August 18, 2023.** Send nominations via e-mail to:

Stephen Lucas, CALAFCO Executive Officer
slucas@buttecounty.net

You may contact Steve Lucas, CALAFCO Executive Officer, at slucas@buttecounty.net or (530) 538-7784 with any questions.

Members of the 2023 CALAFCO Board of Directors Awards Committee

Board Members:

<i>Anita Paque</i> , Committee Chair (Calaveras LAFCo, Central Region)	apaque@calafco.org
<i>Michael Kelley</i> (Imperial LAFCo, Southern Region)	mkelley@calafco.org
<i>Debra Lake</i> (Humboldt LAFCo, Northern Region)	dlake@calafco.org
<i>Margie Mohler</i> (Napa LAFCo, Coastal Region)	mmohler@calafco.org
<i>Shane Stark</i> (Santa Barbara LAFCo, Coastal Region)	sstark@calafco.org

Regional Officer Members:

<i>Steve Lucas</i> , CALAFCO Executive Officer (Northern Region)	slucas@buttecounty.net
<i>José Henriquez</i> , CALAFCO Deputy Executive Officer (Central Region)	henriquezj@saccounty.net
<i>Dawn Longoria</i> , CALAFCO Deputy Executive Officer (Coastal Region)	dlongoria@napa.lafco.ca.gov
<i>Gary Thompson</i> , CALAFCO Deputy Executive Officer (Southern Region)	gthompson@lafco.org

Attachments:

- 2023 Achievement Award nomination form
- Achievement Award categories, nomination and selection criteria
- Listing of prior Achievement Award recipients





CALAFCO ACHIEVEMENT AWARD CATEGORIES, NOMINATION & SELECTION CRITERIA

CALAFCO recognizes excellence within the LAFCo community and the full membership by presenting the *Achievement Awards* at the CALAFCO Annual Conference. Nominations are now open and being accepted until **5:00 p.m., Friday, August 18, 2023** in the following categories:

OUTSTANDING CALAFCO VOLUNTEER

Award Summary:

Recognizes a CALAFCO volunteer who has provided exemplary service during the past year. Exemplary service is service which clearly goes above and beyond that which is asked or expected in the charge of their responsibilities. This category may include a CALAFCO Board member, regional officer, program volunteer, or any other requested volunteer.

Nomination criteria:

1. Nominee must have volunteered for the Association during the year in which the nomination is being made.
2. Nominee does not have to be a CALAFCO member.
3. Volunteer efforts must have demonstrated the individual going above and beyond what was asked/expected with positive and effective results.
4. Nominee can be a CALAFCO Board member, regional officer, program volunteer or any other volunteer.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee, regardless of their position or role as a volunteer. Only the contributions and outcomes shall be considered, not the individual's position.
3. The extent of the volunteerism and the overall impact to the statewide Association and membership based on that volunteerism shall be considered.
4. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING CALAFCO ASSOCIATE MEMBER

Award Summary:

Presented to an active CALAFCO Associate Member (person or agency) that has advanced or promoted the cause of LAFCos by consistently producing distinguished work that upholds the mission and goals of LAFCos and has helped elevate the role and mission of LAFCos through its work. Recipient consistently demonstrates a collaborative approach to LAFCo stakeholder engagement. Further, the individual or firm has a proven commitment to the Association membership through volunteering time and resources to further the cause of LAFCo and CALAFCO.

Nomination criteria:

1. Nominee must be a CALAFCO Associate Member in good standing with the Association.
2. Nominee shall be an Associate Member for the full year in which the nomination is being made.
3. The Associate Member nominated shall have been an Associate Member in good standing with the Association for at least one year prior to the year for which the nomination is being made.
4. As an Associate Member, the nominee may be an individual, firm or agency.
5. The nominee may be an individual within an Associate Member firm or agency.
6. Nominee shall demonstrate that through their work as an Associate Member, the role and mission of LAFCo has been upheld and furthered.
7. Nominee must have proven cooperative and collaborative approaches to situations and

solutions that affect LAFCo statewide as an Associate Member.

8. Proven commitment to the Association's membership as an Associate Member by volunteering resources to the Association during the year in which the nomination is made.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. The level of volunteering time and resources to the Association shall be a consideration with all other nomination criteria.

OUTSTANDING COMMISSIONER

Award Summary:

Presented to an individual Commissioner for extraordinary service to his or her Commission. Extraordinary service is considered actions above and beyond those required in the course of fulfilling their statutory responsibilities as a Commissioner. It requires consistently demonstrating independent judgment on behalf of the interest of the entire county, developing innovative and collaborative solutions to local issues, and leading the commission and community by example.

Nomination criteria:

1. Nominee must be a Commissioner of a LAFCo in good standing with the Association.
2. Nominee shall be a Commissioner for the full year in which the nomination is being made.
3. Proven demonstration of consistently exercising independent judgment for the greater good of the County is required.
4. Proven leadership of the commission and the community through collaborative, innovative and creative solutions to local issues is required.
5. Proven effective results and outcomes shall be demonstrated in the nomination.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Representation type (city-county-district-public) shall not be a consideration nor shall be the size or geographic area of the LAFCo on which the Commissioner serves.
4. The overall impact of the leadership of the Commissioner shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

OUTSTANDING LAFCo PROFESSIONAL

Award Summary:

Recognizes an Executive Officer, Staff Analyst, Clerk, Legal Counsel or any other LAFCo staff person for exemplary service during the past year. Exemplary service is considered actions which clearly go above and beyond that which is asked, expected, or required in the charge of their LAFCo responsibilities.

Nomination criteria:

1. Nominee must be a staff person of a LAFCo in good standing with the Association.
2. Nominee shall be a staff person for the full year in which the nomination is being made.
3. As a staff person, the nominee can be either an employee of the LAFCo or a contractor providing employee-type services to the LAFCo.
4. Efforts must be demonstrated that the individual has consistently gone above and beyond or outside the scope of their role or job responsibilities, with proven results that otherwise would not have occurred.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to all nominees that meet the nominating criteria.
3. Position within a LAFCo shall not be a consideration, nor shall be the size or geographic area of the LAFCo.

4. The overall impact of the LAFCo professional to their LAFCo and the greater community shall be considered.
5. Preference may be given to individuals who have not previously received this award and meet all the required criteria.

LIFETIME ACHIEVEMENT AWARD

Award Summary:

Recognizes any individual who has made extraordinary contributions to the statewide LAFCo community in terms of longevity of service, exemplary advocacy of LAFCo-related legislation, proven leadership in approaching a particular issue or issues, and demonstrated support in developing and implementing innovative and creative ways to support the goals of LAFCos throughout California. At a minimum, the individual should be involved in the LAFCo community for at least twenty (20) years.

Nomination criteria:

1. Nomination must be received from a member LAFCo or Associate Member in good standing with the Association.
2. A minimum of 20 years direct involvement with the LAFCo community is required for consideration.
3. During that time, nominee shall have a proven positive impact and effect on the support and evolution of LAFCos statewide.
4. This includes advocacy of LAFCos statewide through legislation, developing creative and innovative solutions to LAFCo issues that serve beyond their LAFCo to the greater good, and collaborative stakeholder approaches to issues and opportunities to further the cause and mission of LAFCo.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Preference may be given to nominees who also have proven experience volunteering for CALAFCO through a regional officer role, serving on committees, serving on the CALAFCO Board, or any other method of volunteering for the Association that serves to promote and support the mission and work of LAFCos throughout the state.

LEGISLATOR OF THE YEAR

Award Summary:

Presented to a member of the California State Senate or Assembly in recognition of leadership and valued contributions in support of LAFCo goals that have a statewide effect. The recipient shall have demonstrated clear support and effort to further the cause and ability of LAFCos to fulfill their statutory mission. Selected by CALAFCO Board by super majority.

Nomination criteria:

1. Nominee shall be a California State legislator during the full year in which the nomination was made.
2. Nominee must have demonstrated extraordinary leadership in the Legislature on behalf of LAFCos statewide, with efforts resulting in a positive impact for all LAFCos.

Selection criteria:

1. Must meet all nomination criteria requirements for consideration.
2. All Legislator of the Year nominations shall be forwarded by the Achievement Awards Committee to the Board for consideration.
3. Selection of the recipient of this award shall be done with a super majority approval of the Board (present at the time of the vote).

MIKE GOTCH EXCELLENCE IN PUBLIC SERVICE AWARD

Award Summary:

Awarded to an individual, group or agency for actions that rise above expected or common functions or

actions that are LAFCo-related; *and* reduce or eliminate common institutional roadblocks; *and* result in a truly extraordinary public service outcome. Individuals, a LAFCo, or collaborative effort among multiple LAFCos or a LAFCo with other entities are eligible. Other entities shall be decision-making bodies at the local, regional or state level. This award has two distinct categories, each focusing on a specific area:

1. *Protection of agricultural and open space lands and prevention of sprawl*
2. *Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*

Award categories:

• **Protection of agricultural and open space lands and prevention of sprawl**

Includes the development and implementation of programs or other actions associated with agriculture, water, flood control, parks and recreation, habitat conservation plans and public lands. Demonstrates the recipient has identified, encouraged and ensured the preservation of agricultural and open space lands. Proven actions that encourage cities, counties and special districts to direct development away from all types of agricultural lands, including prime agricultural lands and open space lands. Includes demonstrated consideration given in decisions to Regional Transportation Plans, including sustainable communities strategies and other growth plans to ensure reliable services, orderly growth, and sustainable communities.

• **Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services**

Includes the development and implementation of innovate support and systems within internal LAFCo operations in the support of local agencies. Actions produce systemic and sustainable improvements and innovation of local government. Proven facilitation of constructive discussions with local and regional agencies and proactive outreach to local and regional agencies as well as local stakeholders and communities to identify issues and solutions and demonstrated action as a coordinating agency in offering and supporting unique local solutions to meet local challenges. Successful demonstration of development of capacities and abilities of local agencies. Provide tools and resources to local agencies to address aging infrastructure, fiscal challenges and the maintenance of existing services. Demonstrated action to streamline the provision of local services with proven results that services are consistent or have been improved as a result, with little to no increased cost to the consumer. Focused efforts and proven results to ensure delivery of services to all communities, especially disadvantaged communities.

Nomination criteria:

1. Clear demonstration that the actions rise above expected or common functions or actions.
2. The actions reduced or eliminated common institutional roadblocks.
3. The actions clearly proven a truly extraordinary public service outcome that is systemic and sustainable.
4. Identified unique circumstances and factors leading to the solution/project.
5. The innovative steps taken by the LAFCo or entity/entities/individual to solve the problem, overcome the situation, or to take action.
6. Clear description of the results/outcomes of the work and the short- and long-term effects.
7. How this work can be promoted as a LAFCo best practice.
8. Clear demonstration how this nomination meets all criteria.

Selection Criteria:

1. Must meet all nomination criteria requirements for consideration.
2. Equal consideration shall be given to each nominee within each category. The size or geographic area of the LAFCo within a given category shall not be a consideration.
3. The overall impact of the actions and outcomes to the greater community being served shall be considered.
4. The level of impact based on the required nomination criteria shall be considered.



PREVIOUS CALAFCO ACHIEVEMENT AWARD RECIPIENTS

2022

Outstanding Commissioner	Don Saylor , Yolo LAFCo
Outstanding LAFCo Professional	Carolyn Emery , Orange LAFCo
Mike Gotch Award - Innovation, Collaboration, And Outreach	Two-Way Tie: Yolo LAFCo , and El Dorado LAFCo & South Fork Consulting, LLC

2020 – 2021 (2 year period due to the pandemic)

Outstanding Associate Member	Planwest Partners
Outstanding Commissioner	Olin Woods , Yolo LAFCo
Outstanding LAFCo Professional	Crystal Craig , Riverside LAFCo
Mike Gotch Protection of Ag and Open Space Lands & Prevention of Urban Sprawl	Napa LAFCo
Mike Gotch Courage & Innovation in Local Government Leadership Award	Yolo LAFCo
Lifetime Achievement Award	Jerry Glabach , Los Angeles LAFCo

2019

Distinguished Service Award	Charley Wilson , Orange LAFCo
Most Effective Commission	Contra Costa LAFCo
Outstanding Commissioner	Jim DeMartini , Stanislaus LAFCo
Outstanding LAFCo Professional	David Church , San Luis Obispo LAFCo
Project of the Year	Orange LAFCo , for <i>San Juan Capistrano Utilities MSR</i>
Government Leadership Award	CA State Water Resources Control Board, Los Angeles County and Los Angeles LAFCo , for <i>Sativa Water District</i>
Mike Gotch Courage & Innovation in Local Government Leadership Award	Butte LAFCo
Legislator of the Year	Assembly Member Mike Gipson
Lifetime Achievement Award	John Benoit , various LAFCos, Jurg Heuberger , Imperial LAFCo

2018

Distinguished Service Award	John Withers , Orange LAFCo
Most Effective Commission	Santa Clara LAFCo
Outstanding Commissioner	Margie Mohler , Napa LAFCo
Outstanding LAFCo Professional	George Williamson , Del Norte LAFCo
Outstanding LAFCo Clerk	Elizabeth Valdez , Riverside LAFCo
Outstanding CALAFCO Associate Member	Best Best & Krieger
Project of the Year	Lake LAFCo , water services consolidation
Government Leadership Award	City of Porterville, County of Tulare, Dept. of Water Resources, State Water Resources Control Board,

<p>Mike Gotch Courage & Innovation in Local Government Leadership Award</p> <p>Legislator of the Year Lifetime Achievement Award</p>	<p>Governor's Office of Emergency Services, Self Help Enterprises, Community Water Center for East Porterville water supply project</p> <p>Mike Ott, San Diego LAFCo</p> <p>Assembly Member Anna Caballero</p> <p>Pat McCormick, Santa Cruz LAFCo, George Spiliotis, Riverside LAFCo</p>
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2017

<p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Outstanding CALAFCo Associate Member Project of the Year</p> <p>Government Leadership Award Lifetime Achievement Award</p>	<p>Los Angeles LAFCo</p> <p>Sblend Sblendorio, Alameda LAFCo</p> <p>John Marchand, Alameda LAFCo</p> <p>Paul Novak, Los Angeles LAFCo</p> <p>Richelle Beltran, Ventura LAFCo</p> <p>Policy Consulting Associates County Services MSR, Butte LAFCo, and Santa Rosa Annexation, Sonoma LAFCo</p> <p>San Luis Obispo County Public Works Dept. Kathy Rollings McDonald (San Bernardino)</p>
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2016

<p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p> <p>Government Leadership Award Lifetime Achievement Award</p>	<p>Peter Brundage, Sacramento LAFCo</p> <p>San Luis Obispo LAFCo</p> <p>John Leopold, Santa Cruz LAFCo</p> <p>Don Tatzin, Contra Costa LAFCo</p> <p>Steve Lucas, Butte LAFCo</p> <p>Cheryl Carter-Benjamin, Orange LAFCo</p> <p>Countywide Water Study, (Marin LAFCo)</p> <p>Southern Region of CALAFCo Bob Braitman (retired Executive Officer)</p>
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2015

<p>Mike Gotch Courage & Innovation in Local Government Leadership Award</p> <p>Distinguished Service Award</p> <p>Most Effective Commission</p> <p>Outstanding CALAFCo Member</p> <p>Outstanding Commissioner</p> <p>Outstanding LAFCo Professional</p> <p>Outstanding LAFCo Clerk</p> <p>Project of the Year</p>	<p>Yuba County Water Agency</p> <p>Mary Jane Griego, Yuba LAFCo</p> <p>Butte LAFCo</p> <p>Marjorie Blom, formerly of Stanislaus LAFCo</p> <p>Matthew Beekman, formerly of Stanislaus LAFCo</p> <p>Sam Martinez, San Bernardino LAFCo</p> <p>Terri Tuck, Yolo LAFCo</p> <p>Formation of the Ventura County Waterworks District No. 38 (Ventura LAFCo) and 2015 San Diego County Health Care Services five-year sphere of influence and service review report (San Diego LAFCo)</p>
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Government Leadership Award

The Cities of Dublin, Pleasanton, Livermore and San Ramon, the Dublin San Ramon Services District and the Zone 7 Water Agency

CALAFCO Associate Member of the Year

Michael Colantuono of Colantuono, Highsmith & Whatley

Legislators of the Year Award

Assembly member Chad Mayes

Lifetime Achievement Award

Jim Chapman (Lassen LAFCo) and **Chris Tooker** (formerly of Sacramento LAFCo)

2014

Mike Gotch Courage & Innovation in Local Government Leadership Award

David Church, San Luis Obispo LAFCo

Distinguished Service Award

Kate McKenna, Monterey LAFCo

Most Effective Commission

Santa Clara LAFCo

Outstanding CALAFCO Member

Stephen Lucas, Butte LAFCo

Outstanding Commissioner

Paul Norsell, Nevada LAFCo

Outstanding LAFCo Professional

Kate McKenna, Monterey LAFCo

Outstanding LAFCo Clerk

Paige Hensley, Yuba LAFCo

Project of the Year

LAFCo Procedures Guide: 50th Year Special Edition, San Diego LAFCo

Government Leadership Award

Orange County Water District, City of Anaheim, Irvine Ranch Water District, and Yorba Linda Water District

Legislators of the Year Award

Assembly member Katcho Achadjian

Lifetime Achievement Award

Susan Wilson, Orange LAFCo

2013

Mike Gotch Courage & Innovation in Local Government Leadership Award

Simón Salinas, Commissioner, Monterey LAFCo

Distinguished Service Award

Roseanne Chamberlain, Amador LAFCo

Most Effective Commission

Stanislaus LAFCo

Outstanding CALAFCO Member

Harry Ehrlich, San Diego LAFCo

Outstanding Commissioner

Jerry Gladbach, Los Angeles LAFCo

Outstanding LAFCo Professional

Lou Ann Texeira, Contra Costa

LAFCo Outstanding LAFCo Clerk

Kate Sibley, Contra Costa LAFCo

Project of the Year

Plan for Agricultural Preservation, Stanislaus LAFCo

Government Leadership Award

Orange County LAFCo Community Islands Taskforce, Orange LAFCo

Legislators of the Year Award

Senators Bill Emerson and Richard Roth

Lifetime Achievement Award

H. Peter Faye, Yolo LAFCo; **Henry Pellissier**, Los Angeles LAFCo; **Carl Leverenz**, Butte LAFCo; **Susan Vicklund-Wilson**, Santa Clara LAFCo.

2012

Mike Gotch Courage & Innovation in Local Government Leadership Award

Bill Chiat, CALAFCO Executive Director

Distinguished Service Award

Marty McClelland, Commissioner, Humboldt LAFCo

Most Effective Commission

Sonoma LAFCo

Outstanding CALAFCO Member

Stephen A. Souza, Commissioner, Yolo LAFCo and CALAFCO Board of Directors

Outstanding Commissioner
LAFCo Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

Government Leadership Award
Lifetime Achievement Award

Sherwood Darington, Monterey
Carole Cooper, Sonoma LAFCo
Gwenna MacDonald, Lassen LAFCo
Countywide Service Review & SOI Update, Santa Clara LAFCo
North Orange County Coalition of Cities, Orange LAFCo
P. Scott Browne, Legal Counsel LAFCos

2011

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award
LAFCo Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Martin Tuttle, Deputy Director for Planning, Caltrans
Mike McKeever, Executive Director, SACOG
Carl Leverenz, Commissioner and Chair, Butte
San Bernardino LAFCo
Keene Simonds, Executive Officer, Napa LAFCo
Louis R. Calcagno, Monterey LAFCo
June Savala, Deputy Executive Officer, Los Angeles LAFCo
Debbie Shubert, Ventura LAFCo

Cortese-Knox-Hertzberg Definitions Revision
Bob Braitman, Scott Browne, Clark Alsop, Carole Cooper,
and George Spiliotis
Contra Costa Sanitary District
**Elsinore Water District and Elsinore Valley Municipal Water
District**

2010

Mike Gotch Courage & Innovation in
Local Government Leadership Award
Distinguished Service Award

Most Effective Commission
Outstanding CALAFCO Member
Outstanding Commissioner
Outstanding LAFCo Professional

Outstanding LAFCo Clerk

Project of the Year

Government Leadership Award

Special Achievement

Helen Thompson, Commissioner, Yolo LAFCo

Kathleen Rollings-McDonald, Executive Officer, San
Bernardino LAFCo
Bob Braitman, Executive Officer, Santa Barbara LAFCo
Tulare LAFCo
Roger Anderson, Ph.D., CALAFCO Chair, Santa Cruz LAFCo
George Lange, Ventura LAFCo
Harry Ehrlich, Government Consultant, San Diego LAFCo

Candie Fleming, Fresno LAFCo

Butte LAFCo
Sewer Commission - Oroville Region Municipal Service
Review

Nipomo Community Services District and the **County of San
Luis Obispo**

Chris Tooker, Sacramento LAFCo and CALAFCO Board of
Directors

2009

Mike Gotch Courage & Innovation in
Local Government Leadership Award

Paul Hood, Executive Officer, San Luis Obispo LAFCo

Distinguished Service Award
Most Effective Commission
Outstanding CALAFCO Member

Outstanding Commissioner
Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year
Government Leadership Award

Legislator of the Year Award

William Zumwalt, Executive Officer, Kings LAFCo
Napa LAFCo

Susan Vicklund Wilson, CALAFCO Vice Chair
Jerry Gladbach, CALAFCO Treasurer
Larry M. Fortune, Fresno LAFCo
Pat McCormick, Santa Cruz LAFCo Executive Officer
Emmanuel Abello, Santa Clara LAFCo

Orange LAFCo Boundary Report
Cities of Amador City, Jackson, Ione, Plymouth & Sutter Creek; Amador County; Amador Water Agency; Pine Grove CSD – Countywide MSR Project
Assembly Member Jim Silva

2008

Distinguished Service Award

Most Effective Commission
Outstanding Commissioner
Outstanding LAFCo Professional

Outstanding LAFCo Clerk
Project of the Year

Government Leadership Award
Legislator of the Year Award

Peter M. Detwiler, Senate Local Government Committee
Chief Consultant

Yuba LAFCo

Dennis Hansberger, San Bernardino LAFCo
Michael Ott, San Diego LAFCo Executive Officer
Martha Poyatos, San Mateo Executive Officer

Wilda Turner, Los Angeles LAFCo

Kings LAFCo

City and Community District MSR and SOI Update

San Bernardino Board of Supervisors

Assembly Member Anna M. Caballero

2007

Outstanding CALAFCO Member
Distinguished Service Award
Counsel Most Effective Commission
Outstanding Commissioner

Outstanding LAFCo Professional
Outstanding LAFCo Clerk
Project of the Year

Government Leadership Award
Lifetime Achievement

Kathy Long, Board Chair, Ventura LAFCo

William D. Smith, San Diego Legal

Santa Clara LAFCo

Gayle Uilkema, Contra Costa LAFCo

Joyce Crosthwaite, Orange LAFCo Executive Officer

Debby Chamberlin, San Bernardino LAFCo

San Bernardino LAFCo and City of Fontana
Islands Annexation Program

City of Fontana - Islands Annexation Program

John T. "Jack" Knox

2006

Outstanding CALAFCO Member

Distinguished Service Award
Most Effective Commission Award
Outstanding Commissioner Award

Outstanding LAFCo Professional Award
Outstanding LAFCo Clerk Award

Everett Millais, CALAFCO Executive Officer and Executive
Officer of Ventura LAFCo

Clark Alsop, CALAFCO Legal Counsel

Alameda LAFCo

Ted Grandsen, Ventura LAFCo

Chris Tooker, Sacramento LAFCo

Larry Calemine, Los Angeles LAFCo Executive Officer

Janice Bryson, San Diego LAFCo

Marilyn Flemmer, Sacramento LAFCo

Project of the Year Award	Sacramento Municipal Utility District Sphere of Influence Amendment and Annexation; Sacramento LAFCo
Outstanding Government Leadership Award	Cities of Porterville, Tulare, and Visalia and Tulare LAFCo Island Annexation Program
Legislator of the Year Award	Senator Christine Kehoe

2005

Outstanding CALAFCO Member	Peter Herzog , CALAFCO Board, Orange LAFCo
Distinguished Service Award	Elizabeth Castro Kemper , Yolo LAFCo
Most Effective Commission Award	Ventura LAFCo
Outstanding Commissioner Award	Art Aseltine , Yuba LAFCo Henri Pellissier , Los Angeles LAFCo
Outstanding LAFCo Professional Award	Bruce Baracco , San Joaquin LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Diego LAFCo MSR of Fire Protection and Emergency Medical Services
Outstanding Government Leadership Award	Sacramento Area Council of Governments (SACOG)

2004

Outstanding CALAFCO Member	Scott Harvey , CALAFCO Executive Director
Distinguished Service Award	Julie Howard , Shasta LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Commissioner Award	Edith Johnsen , Monterey LAFCo
Outstanding LAFCo Professional Award	David Kindig , Santa Cruz LAFCo
Project of the Year Award	San Luis Obispo LAFCo Nipomo CSD SOI Update, MSR, and EIR

2003

Outstanding CALAFCO Member	Michael P. Ryan , CALAFCO Board Member
Distinguished Service Award	Henri F. Pellissier , Los Angeles LAFCo
Most Effective Commission Award	San Luis Obispo LAFCo
Outstanding Commissioner Award	Bob Salazar , El Dorado LAFCo
Outstanding LAFCo Professional Award	Shirley Anderson , San Diego LAFCo
Outstanding LAFCo Clerk Award	Lori Fleck , Siskiyou LAFCo
Project of the Year Award	Napa LAFCo Comprehensive Water Service Study
Special Achievement Award	James M. Roddy

2002

Outstanding CALAFCO Member	Ken Lee , CALAFCo Legislative Committee Chair
Most Effective Commission Award	San Diego LAFCo Outstanding
Commissioner Award	Ed Snively , Imperial LAFCo
Outstanding LAFCo Professional Award	Paul Hood , San Luis Obispo LAFCo
Outstanding LAFCo Clerk Award	Danielle Ball , Orange LAFCo
Project of the Year Award	San Luis Obispo LAFCo
Outstanding Government Leadership Award	Napa LAFCo, Napa County Farm Bureau, Napa Valley Vintners Association, Napa Valley Housing Authority, Napa County Agricultural Commissioner's Office, Napa County Counsel Office, and Assembly Member Patricia Wiggins

2001

Outstanding CALAFCO Member	SR Jones , CALAFCO Executive Officer
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Distinguished Service Award	David Martin , Tax Area Services Section, State Board of Equalization
Outstanding Commissioner Award	H. Peter Faye , Yolo LAFCo
Outstanding LAFCo Professional Award	Ingrid Hansen , San Diego LAFCo
Project of the Year Award	Santa Barbara LAFCo
Outstanding Government Leadership Award	Alameda County Board of Supervisors, Livermore City Council, Pleasanton City Council
Legislator of the Year Award	Senator Jack O'Connell

2000

Outstanding CALAFCO Member	Ron Wootton , CALAFCO Board Chair
Distinguished Service Award	Ben Williams , Commission on Local Governance for the 21st Century
Most Effective Commission Award	Yolo LAFCo
Outstanding Commissioner	Rich Gordon , San Mateo LAFCo
Outstanding LAFCo Professional Award	Annamaria Perrella , Contra Costa LAFCo
Outstanding LAFCo Clerk Award	Susan Stahmann , El Dorado LAFCo
Project of the Year Award	San Diego LAFCo
Legislator of the Year Award	Robert Hertzberg , Assembly Member

1999

Distinguished Service Award	Marilyn Ann Flemmer-Rodgers , Sacramento LAFCo
Most Effective Commission Award	Orange LAFCo
Outstanding Executive Officer Award	Don Graff , Alameda LAFCo
Outstanding LAFCo Clerk Award	Dory Adams , Marin LAFCo
Most Creative Solution to a Multi-Jurisdictional Problem	San Diego LAFCo
Outstanding Government Leadership Award	Assembly Member John Longville
Legislator of the Year Award	Assembly Member Robert Hertzberg

1998

Outstanding CALAFCO Member	Dana Smith , Orange LAFCo
Distinguished Service Award	Marvin Panter , Fresno LAFCo
Most Effective Commission Award	San Diego LAFCo
Outstanding Executive Officer Award	George Spiliotis , Riverside LAFCo
Outstanding Staff Analysis	Joe Convery , San Diego LAFCo Joyce Crosthwaite , Orange LAFCo
Outstanding Government Leadership Award	Santa Clara County Planning Department

1997

Most Effective Commission Award	Orange LAFCo
Outstanding Executive Officer Award	George Finney , Tulare LAFCo
Outstanding Staff Analysis	Annamaria Perrella , Contra Costa LAFCo
Outstanding Government Leadership Award	South County Issues Discussion Group
Most Creative Solution to a Multi-Jurisdictional Problem	Alameda LAFCo and Contra Costa LAFCo
Legislator of the Year Award	Assembly Member Tom Torlakson



May 5, 2023

To: Local Agency Formation Commission
Members and Alternate Members

From: Wendy Root Askew, Committee Chair
CALAFCO Board Election Committee
CALAFCO Board of Directors



RE: Nomination Period Now Open for 2023/2024 CALAFCO Board of Directors

Nominations are now open for the fall elections of the CALAFCO Board of Directors for the following seats:

CENTRAL REGION	COASTAL REGION	NORTHERN REGION	SOUTHERN REGION
City Member	City Member	County Member	County Member
Public Member	Public Member	District Member	District Member

Please inform your Commission that the CALAFCO Election Committee will be accepting nominations for the above-cited seats until:

MONDAY, SEPTEMBER 18, 2023 at 5:00 PM

Serving on the CALAFCO Board is a unique opportunity to work with other commissioners throughout the state on legislative, fiscal, and operational issues that affect us all. The Board meets four to five times each year, with half of the meetings currently held virtually and the rest being held at alternate sites around the state.

Board seats span a two-year term, with no term limits, and any LAFCo commissioner or alternate commissioner is eligible to run for a Board seat. Elections are conducted during Regional Caucuses at the CALAFCO Annual Conference prior to the Annual Membership Meeting on Thursday, October 19, 2023 at the Hyatt Regency Hotel in Monterey, California.

Should your Commission nominate a candidate, please return a completed Nomination Form and Candidate's Résumé Form by the deadline.



Please note that completed nomination forms and all materials must be RECEIVED by the CALAFCO Executive Director no later than **Monday, September 18, 2023 at 5:00 p.m.**

Returning the completed nomination and resume forms prior to the deadline ensures your nominee is placed on the ballot. Names will be listed in the order nominations were received.

Electronic filing of nomination forms is **highly encouraged** to facilitate the recruitment process (please email to info@calafco.org). However, hard copy forms and materials may also be mailed to:

CALAFCO Election Committee c/o Executive Director
California Association of Local Agency Formation Commissions
1129 Firehouse Alley
Sacramento, CA 9581

Nominations received by the September 18th deadline will be included in the Election Committee's Report and will be on the ballot. The Report will be distributed to LAFCo members no later than October 5, 2023, with ballots made available to Voting Delegates at the Annual Conference.

Nominations received after the deadline will be returned; however, nominations may be made from the floor during the Regional Caucuses or during at-large elections, if required, at the Annual Membership Meeting.

For those member LAFCos who cannot send a representative to the Annual Meeting, an electronic ballot will be made available *if requested in advance*. **Ballot requests must also be received no later than 5:00 pm on Monday, September 18, 2023, with completed absentee ballots returned by 5:00 p.m. on Thursday, October 12, 2023.**

NOMINATION/ELECTION PROCESS DEADLINES AND TIMELINES

- **May 5** – Nomination Announcement and packet sent to LAFCo membership and posted on the CALAFCO website.
- **September 18** – Completed Nomination packet due
- **September 18** – Request for an absentee/electronic ballot due
- **September 18** – Voting delegate name due to CALAFCO
- **October 5** – Distribution of the Election Committee Report (includes all completed/submitted nomination papers)
- **October 5** – Distribution of requested absentee/electronic ballots.
- **October 12** – Absentee ballots due to CALAFCO
- **October 19** - Elections

If you have any questions about the election process, please contact CALAFCO Executive Director René LaRoche at rlaroche@calafco.org or by calling 916-442-6536.

Members of the 2023/2024 CALAFCO Election Committee are:

Wendy Root Askew, Chair
district4@co.monterey.ca.us

Monterey LAFCo (Coastal Region)
831-883-7570

Rodrigo Espinosa
Rodrigo.Espinosa@countyofmerced.com

Merced LAFCo (Central Region)
209-398-4340

Derek McGregor
dmcgregor@dmceng.com

Orange Co. LAFCo (Southern Region)
530-538-6834

Josh Susman
jsusman@calafco.org

Nevada LAFCo (Northern Region)
530-559-1725

Additionally, you will also find attached for your reference a copy of the CALAFCO Board of Directors Nomination and Election Procedures, as well as the current listing of Board Members and corresponding terms of office.

I sincerely hope that you will consider joining us!

Enclosures

Board of Directors Nomination and Election Procedures and Forms

The procedures for nominations and election of the CALAFCO Board of Directors [Board] are designed to assure full, fair and open consideration of all candidates, provide confidential balloting for contested positions and avoid excessive demands on the time of those participating in the CALAFCO Annual Conference.

The Board nomination and election procedures shall be:

1. APPOINTMENT OF AN ELECTION COMMITTEE:

- a. Following the Annual Membership Meeting the Board shall appoint an Election Committee of four members of the Board. The Election Committee shall consist of one member from each region whose term is not ending.
- b. The Board Chair shall appoint one of the members of the Election Committee to serve as Committee Chair. The CALAFCO Executive Director shall either serve as staff to the Election Committee or appoint a CALAFCO regional officer to serve as staff in cooperation with the Executive Director.
- c. Each regional officer shall serve as staff liaison to the Election Committee specifically to assist in conducting the election as directed by the Executive Director and Committee.
- d. Goals of the Committee are to encourage and solicit candidates by region who represent member LAFCoS across the spectrum of geography, size, and urban-suburban-rural population, and to provide oversight of the elections process.

2. ANNOUNCEMENT TO ALL MEMBER LAFCoS:

- a. No later than four months prior to the Annual Membership Meeting, the Election Committee Chair shall send an announcement to each LAFCo for distribution to each commissioner and alternate. The announcement shall include the following:
 - i. A statement clearly indicating which offices are subject to the election.
 - ii. A regional map including LAFCoS listed by region.
 - iii. The specific date by which all nominations must be received by the Election Committee. The deadline shall be no later than 30 days prior to the opening of the Annual Conference. Nominations received after the closing date shall be returned to the proposing LAFCo marked "Received too late for Election Committee action."
 - iv. The names of the Election Committee members and the name of their LAFCo, regional representation, email address and phone number. The name, email address and phone number of the Executive Director shall also be included.
 - v. The email address and physical address to send the nominations forms.
 - vi. A form for a Commission to use to nominate a candidate and a candidate resume form of no more than one page each to be completed for each nominee.
 - vii. The specific date by which all voting delegate names are due.
 - viii. The specific date by which absentee ballots must be requested, the date CALAFCO will

**Key Timeframes for
Nominations Process**

<u>Days*</u>	
120	Nomination announcement
30	Nomination deadline
14	Committee report released

**Days prior to annual membership meeting*

distribute the absentee ballots, and the date by which they must be received by the Executive Director.

- b. A copy of these procedures shall be posted on the web site.

3. THE ELECTION COMMITTEE:

- a. The Election Committee and the Executive Director have the responsibility to monitor nominations and help assure that there are adequate nominations from each region for each seat up for election. No later than two weeks prior to the Annual Conference, the Election Committee Chair shall distribute to the members the Committee Report organized by regions, including copies of all nominations and resumes, which are received prior to the end of the nomination period.
- b. At the close of the nomination period, the Election Committee shall prepare regional ballots. Each region will receive a ballot specific to that region. Each region shall conduct a caucus at the Annual Conference for the purpose of electing their designated representatives. Caucus elections must be held prior to the annual membership meeting at the Conference. The assigned regional officers along with a member of the Election Committee shall tally ballots at each caucus and provide the Election Committee the names of the elected Board members and any open seats. In the event of a tie, the regional officer and Election Committee member shall immediately conduct a run-off ballot of the tied candidates.
- c. Make available sufficient copies of the Committee Report for each Voting Delegate by the beginning of the Annual Conference. Only the designated Voting Delegate, or the designated Alternate Voting Delegate shall be allowed to pick up the ballot packet at the Annual Conference.
- d. Make available blank copies of the nomination forms and resume forms to accommodate nominations from the floor at either the caucuses or the annual meeting (if an at-large election is required).
- e. Advise the Executive Director to provide "CANDIDATE" ribbons to all candidates attending the Annual Conference.
- f. Advise the Executive Director to provide "VOTING DELEGATE" ribbons to all voting delegates attending the Annual Conference.
- g. Post the candidate statements/resumes organized by region on a bulletin board or other easily accessible location near the registration desk.
- h. Regional elections shall be conducted as described in Section 4 below. The representative from the Election Committee shall serve as the Presiding Officer for the purpose of the caucus election and shall be assisted by a regional officer from a region other than their own, as assigned by the Executive Director
- i. Following the regional elections, in the event that there are open seats for any offices subject to the election, the Election Committee Chair shall notify the Chair of the Board of Directors that an at-large election will be required at the annual membership meeting and to provide a list of the number and category of seats requiring an at-large election.

4. ELECTRONIC BALLOT FOR LAFCO IN GOOD STANDING NOT ATTENDING ANNUAL MEETING

Limited to the elections of the Board of Directors

- a. Any LAFCo in good standing shall have the option to request an electronic ballot if there will be no representative attending the annual meeting.
- b. LAFCos requesting an electronic ballot shall do so in writing to the Executive Director no later than 30 days prior to the annual meeting.

- c. The Executive Director shall distribute the electronic ballot no later than two weeks prior to the annual meeting.
- d. LAFCo must return the ballot electronically to the Executive Director no later than three working days prior to the annual meeting.
- e. LAFCos voting by electronic ballot may discard their electronic ballot if a representative is able to attend the annual meeting.
- f. LAFCos voting under this provision may only vote for the candidates nominated by the Election Committee as noted on the ballot and may not vote in any run-off elections.

5. AT THE TIME FOR ELECTIONS DURING THE REGIONAL CAUCUSES OR ANNUAL MEMBERSHIP MEETING:

- a. The Presiding Officer shall:
 - i. Review the election procedure with the membership of their region.
 - ii. Present the Election Committee Report (previously distributed).
 - iii. Call for nominations from the floor by category for those seats subject to this election:
 - 1. For city member.
 - 2. For county member.
 - 3. For public member.
 - 4. For special district member.
- b. To make a nomination from the floor, a LAFCo, which is in good standing, shall identify itself and then name the category of vacancy and individual being nominated. The nominator may make a presentation not to exceed two minutes in support of the nomination.
- c. When there are no further nominations for a category, the Presiding Officer shall close the nominations for that category.
- d. The Presiding Officer shall conduct a "Candidates Forum". Each candidate shall be given time to make a brief statement for their candidacy. If a candidate is absent from the regional caucus, they may ask someone in their region to make a brief statement on their behalf.
- e. The Presiding Officer shall then conduct the election:
 - i. For categories where there are the same number of candidates as vacancies, the Presiding Officer shall:
 - 1. Name the nominees and offices for which they are nominated.
 - 2. Call for a voice vote on all nominees and thereafter declare those unopposed candidates duly elected.
 - ii. For categories where there are more candidates than vacancies, the Presiding Officer shall:
 - 1. Poll the LAFCos in good standing by written ballot.
 - 2. Each LAFCo in good standing may cast its vote for as many nominees as there are vacancies to be filled. The vote shall be recorded on a tally sheet.

3. Any ballots submitted electronically for candidates included in the Election Committee Report shall be added to the tally.
 4. With assistance from the regional officer, tally the votes cast and announce the results.
- iii. Election to the Board shall occur as follows:
1. A majority of the total number of LAFCos in a given region are required for a quorum. Returned absentee ballots shall count towards the total required for a quorum.
 2. The nominee receiving the majority of votes cast is elected.
 3. In the case of no majority, the two nominees receiving the two highest number of votes cast shall face each other in a run-off election. Electronic ballots are not included in the tally for any run-off election(s).
 4. In case of tie votes:
 - a. A second run-off election shall be held with the same two nominees.
 - b. If there remains a tie after the second run-off, the winner shall be determined by a draw of lots.

6. ADDITIONAL PROCEDURES

- a. For categories where there are more candidates than vacancies, names shall be listed on the ballot in the order the nomination was received and deemed complete.
- b. The Election Committee Chair shall announce and introduce all Board Members elected during the Regional Caucuses at the annual business meeting.
- c. In the event that Board seats remain unfilled after a Regional Caucus, an election will be held immediately at the annual business meeting to fill the position at-large. Nominations will be taken from the floor and the election process will follow the procedures described in Section 4 above. Any commissioner or alternate from a member LAFCo may be nominated for at-large seats.
- d. Seats elected at-large become subject to regional election at the expiration of the term. Only representatives from the region may be nominated for the seat.
- e. As required by the Bylaws, the members of the Board shall meet as soon as possible after election of new Board members for the purpose of electing officers, determining meeting places and times for the coming year, and conducting any other necessary business.

7. LOSS OF ELECTION IN HOME LAFCO

Board Members and candidates who lose elections in their home office shall notify the Executive Director within 15 days of the certification of the election.

8. FILLING BOARD VACANCIES

Vacancies on the Board of Directors may be filled by appointment by the Board for the balance of the unexpired term. Appointees must be from the same category as the vacancy, and should be from the same region.

CALAFCO's Four Regions



The counties in each of the four regions consist of the following:

Northern Region

Butte
Colusa
Del Norte
Glenn
Humboldt
Lake
Lassen
Mendocino
Modoc
Nevada
Plumas
Shasta
Sierra
Siskiyou
Sutter
Tehama
Trinity
Yuba

CONTACT: Steve Lucas
Butte LAFCo
slucas@buttecounty.net

Southern Region

Orange
Los Angeles
Imperial
Riverside
San Bernardino
San Diego

CONTACT: Gary Thompson
Riverside LAFCo
gthompson@lafco.org

Coastal Region

Alameda
Contra Costa
Marin
Monterey
Napa
San Benito
San Francisco
San Luis Obispo
San Mateo
Santa Barbara
Santa Clara
Santa Cruz
Solano
Sonoma
Ventura

CONTACT: Dawn Longoria
Napa LAFCo
dlongori@napa.lafco.ca.gov

Central Region

Alpine
Amador
Calaveras
El Dorado
Fresno
Inyo
Kings
Madera
Mariposa
Merced
Mono
Placer
Sacramento
San Joaquin
Stanislaus
Tulare
Tuolumne
Yolo

CONTACT: José Henriquez
Sacramento LAFCo
henriquezj@saccounty.net

CURRENT BOARD MEMBERS AND TERMS

NAME	REGION	TYPE & TERM
Bill Connelly, Chair	Butte <i>Northern</i>	County (2023)
Rodrigo Espinosa	Merced <i>Central</i>	County (2024)
Blake Inscore	Del Norte <i>North</i>	City (2024)
Gay Jones	Sacramento <i>Central</i>	District (2024)
Michael Kelley	Imperial <i>Southern</i>	County (2023)
Debra Lake	Humboldt <i>Northern</i>	District (2023)
Jo MacKenzie	San Diego <i>Southern</i>	District (2023)
Michael McGill	Contra Costa <i>Coastal</i>	District (2024)
Derek McGregor	Orange <i>Southern</i>	Public (2024)
Margie Mohler, Vice Chair	Napa <i>Coastal</i>	City (2023)
Anita Paque	Calaveras <i>Central</i>	Public (2023)
Daniel Parra	Fresno <i>Central</i>	City (2023)
Wendy Root Askew	Monterey <i>Coastal</i>	County (2024)
Shane Stark	Santa Barbara <i>Coastal</i>	Public (2023)
Josh Susman	Nevada <i>Northern</i>	Public (2024)
Acquanetta Warren, Treasurer	San Bernardino <i>Southern</i>	City (2024)

Date Received

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS



Board of Directors

2023/2024 Nomination Form

(Must accompany the Candidate Résumé Form)

Nomination to the CALAFCO Board of Directors

In accordance with the Nominations and Election Procedures of CALAFCO,

_____ LAFCo of the _____ Region

Nominates _____

for the (check one) City County Special District Public

Position on the CALAFCO Board of Directors to be filled by election at the next Annual Membership Meeting of the Association.

LAFCo Chair

Date

NOTICE OF DEADLINE

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to
info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1129 Firehouse Alley
Sacramento, CA 95814

Date Received

CALIFORNIA ASSOCIATION OF
LOCAL AGENCY FORMATION
COMMISSIONS



Board of Directors 2023/2024 Candidate Résumé Form

(Complete both pages)

Nominated By: _____ LAFCo Date: _____

Region (please check one): Northern Coastal Central Southern

Category (please check one): City County Special District Public

Candidate Name _____

Address _____

Phone Office _____ Mobile _____

e-mail _____

Personal and Professional Background:

LAFCo Experience:

CALAFCO or State-level Experience:

Availability:

Other Related Activities and Comments:

NOTICE OF DEADLINE

Nomination Packets must be received by **September 18, 2023 at 5:00 p.m.** to be considered by the Election Committee.

Send completed nominations to
info@calafco.org

Or, mail to:

CALAFCO Election Committee
CALAFCO
1129 Firehouse Alley
Sacramento, CA 95814



Nominations are now open for the 2023 **CALAFCO Achievement Awards**

Recognizing those who have gone above and beyond this last year to advance the principles and goals of the Cortese-Knox-Hertzberg Act

NOMINATION CATEGORIES:

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional
- Lifetime Achievement Award
- Legislator Of The Year



Mike Gotch Excellence In Public Service Award

AWARD CATEGORIES:



Protection of agricultural and open space lands and prevention of sprawl



Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services

For nomination and selection criteria and the nomination form, please visit bit.ly/23AAwards. For questions, please contact Steve Lucas at slucas@buttecounty.net.

Nomination deadline: Friday, August 18, 2023 · 5 p.m.

For most categories, nominations may be made by any individual, LAFCo, CALAFCO Associate Member, or any other organization. The Lifetime Achievement Award may only be nominated by a member LAFCo or an Associate Member in good standing with the Association.

Winners will be announced at the CALAFCO Awards Banquet to be held during the Annual Conference on October 19, 2023, at the Hyatt Regency Hotel in Monterey, California.



2023 Achievement Award Nominations
Due by Friday, August 18, 2023 at 5:00 p.m.

Achievement Award Nomination Form

NOMINEE - Person or Agency Being Nominated

Name: _____

Organization: _____

Address: _____

Phone: _____

E-mail: _____

NOMINATION CATEGORY (check one – see category criteria on attached sheet)

- Outstanding CALAFCO Volunteer
- Outstanding CALAFCO Associate Member
- Outstanding Commissioner
- Outstanding LAFCo Professional

Mike Gotch Excellence in Public Service (choose one category below)

- Protection of agricultural and open space lands and prevention of sprawl*
- Innovation, collaboration, outreach and effective support of the evolution and viability of local agencies, promotion of efficient and effective delivery of municipal services*
- Legislator of the Year (must be approved by the full CALAFCO Board)
- Lifetime Achievement Award

NOMINATION SUBMITTED BY:

Name: _____

Organization: _____

Address: _____

Phone: _____

E-mail: _____



**2023 Achievement Award Nominations
Due by Friday, August 18, 2023 at 5:00 p.m.**

EXECUTIVE SUMMARY

In no more than 250 words, summarize why this recipient is the most deserving of this award.



2023 Achievement Award Nominations
Due by Friday, August 18, 2023 at 5:00 p.m.

NOMINATION SUMMARY

Please indicate the reasons why this person or agency deserves to be recognized (this section must be no more than 1,000 words or 2 pages maximum).



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item No. 10 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Discussion and Possible Vote on SDRMA Board of Directors

Background

The Special Districts Risk Management Authority (SDRMA) has its annual Board of Directors elections occurring. Attached is the election packet which includes background on the election and candidate statements. Based on SDRMA voting requirements if LAFCo wishes to vote on this matter it must do so in an open meeting of the Commission. This meeting fits this requirement.

The Commission can vote for up to 3 candidates but is not required to vote for 3 candidates.

Recommendation for Action

Staff Recommendation – Staff views these matters as a decision for the Commission. Should the Commission wish to vote on this matter it should make a motion of the candidate(s) it wishes to vote for.

Attachment:

- 1) SDRMA Board Election 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
www.marinlafco.org

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member



SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY

2023 BOARD OF DIRECTORS ELECTION

OFFICIAL ELECTION BALLOT ATTACHED

This is an official election packet that contains items that require ACTION by your Agency's governing body for the selection of up to three (3) candidates to the SDRMA Board of Directors.

ELECTION PACKET ENCLOSURES

- Election Ballot Instructions
- Official Election Ballot (Action Required)
- Candidate's Statements of Qualifications (4)



SDRMA'S BOARD OF DIRECTORS ELECTION BALLOT INSTRUCTIONS

Notification of nominations for three (3) seats on the Special District Risk Management Authority's (SDRMA's) Board of Directors was mailed to the membership in January 2023.

On May 11, 2023, SDRMA's Election Committee reviewed the nomination documents submitted by the candidates in accordance with SDRMA's Policy No. 2022-06 Establishing Guidelines for Director Elections. The Election Committee confirmed that (4) candidates met the qualification requirements, and those names are included on the Official Election Ballot.

The Official Election Ballot along with a Statement of Qualifications as submitted by each candidate is posted to the SDRMA MemberPlus portal along with these instructions. Election instructions are as follows:

1. The Official Election Ballot must be used to ensure the integrity of the balloting process.
2. Print a copy of this ballot, then select up to three (3) candidates. Your agency's governing body must approve the Official Election Ballot at a public meeting. **Ballots containing more than four (4) candidate selections will be considered invalid and not counted.**
3. The signed Official Election Ballot MUST be sealed and received by mail or hand delivery at SDRMA's office on or before 4:30 p.m. on Tuesday, August 8, 2023 to the address below. Faxes or electronic transmissions are NOT acceptable.
Special District Risk Management Authority
Election Committee
1112 "I" Street, Suite 300
Sacramento, California 95814
4. The four-year terms for newly elected Directors will begin on January 1, 2024, and terminate on December 31, 2027.
5. Important balloting and election dates are:
 - **August 8, 2023: Deadline for members to return the signed Official Election Ballot.**
 - **August 9-11, 2023:** Ballots are opened and counted.
 - **August 10-11, 2023:** Election results are announced, and candidates notified.
 - **November 1-2, 2023:** Newly elected Directors are invited to attend SDRMA board meeting (Sacramento).
 - **January 2024:** Newly elected Directors are seated, and Board officer elections are held.

Please do not hesitate to contact SDRMA's Management Analyst Candice Richardson at crichardson@sdrma.org or 800-537-7790 if you have any questions regarding the election and balloting process.

OFFICIAL 2023 ELECTION BALLOT
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY
BOARD OF DIRECTORS

VOTE FOR ONLY THREE (3) CANDIDATES

Mark each selection directly onto the ballot, voting for no more than three (3) candidates. Each candidate may receive only one (1) vote per ballot. A ballot received with more than three (3) candidates selected will be considered invalid and not counted. All ballots must be sealed and received by mail or hand delivery at SDRMA on or before 4:30 p.m., Tuesday August 8, 2023. Faxes or electronic transmissions are NOT acceptable.

- ROBERT SWAN** (INCUMBENT)
Director, Groveland Community Services District

- ACQUANETTA WARREN**
Vice Chair, Local Agency Formation Commission for San Bernardino County

- JESSE CLAYPOOL** (INCUMBENT)
Board Chair, Honey Lake Valley Resource Conservation District

- SANDY SEIFERT-RAFFELSON** (INCUMBENT)
General Manager, Herlong Public Utility District

ADOPTED this ____ day of _____, 2023 by the:

at a public meeting by the following votes:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

APPROVED:

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Bob Swan
District/Agency Groveland Community Services District (GCSD)
Work Address P.O. Box 350, Groveland CA 95321
Work Phone (209) 962-7131 Cell Phone (408) 398-4731

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I have been a member of the SDRMA Board for two terms. I would like to be elected to a third term because:

1. As a board member of Groveland CSD, I am very aware of the great value that smaller districts get from their membership in SDRMA, and I'd like to continue to support the Authority's great member services.
2. While the organization continues to operate well, thanks to its experienced and motivated staff, we are once again going through a period of management change. I believe that Board continuity is particularly important at such a time.
3. The California re-insurance market continues to be challenging. I believe that my eight years of board experience will be helpful as we negotiate the potentially tricky economic future.
4. Personally, I feel that we have a very well-functioning and collegial Board, and I find it both challenging and enjoyable to be part of it.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

1. SDRMA Board: Member since 2016, presently Vice President. I am our representative on the CSDA Legislative Committee (and a member in my own right), and on the Alliance Executive Council.
2. Groveland CSD Board: Member since appointment in June 2013. I was Board President 2014-2018.
3. Member of Board of Southside Community Connections, which is a 501(c)(3) nonprofit in Groveland that provides transportation, educational, social and recreational services to seniors and differently-abled folks in the Groveland area. I was on this Board from 2018 through 2022, mostly as Treasurer.
4. Board Member (Treasurer) of Pine Cone Performers, a local community choral and acting group, since 2010.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

Background: BS Physics, MS Computer Science. 3 years in USAF. 30 years in the semiconductor industry as engineer, engineering manager, business unit director.

Skills, etc.: Very familiar with financial reports and cost accounting. Working knowledge of computer and communications technology. In my work life, I managed geographically distributed organizations with up to 150 technical personnel and up to \$120 million in annual sales. I'm pretty good at helping groups work together to achieve consensus (or, failing that, acceptable compromise).

In recent years, most of my volunteer work has been in driving folks (who can't drive themselves) to medical appointments, shopping, and the like. This is one of the services of Southside Community Connections.

I'm also a pretty decent choral singer, but that's not relevant to this application.

What is your overall vision for SDRMA? (Response Required)

Our vision statement is "To be the exemplary public agency risk pool of choice for California special districts and other public agencies". To achieve this vision, I believe we must focus on:

(1) maintaining long-term financial stability, by ensuring that there is a fair allocation of cost versus risk across the membership, continuously evaluating the appropriate level of risk retention, and using creative ideas like our "captive" reinsurance agency to enhance our cash position.

(2) continue to expand our risk management training and assistance services. We have made significant improvements in this area by bring it internal to the Authority.

(3) continue to emphasize services to our core membership: small to mid-sized districts with limited options for insurance.

(4) ensure that SDRMA remains a desirable workplace, and maintain our highly-qualified and responsive staff.

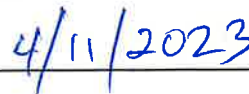
Above all, remember that this is an insurance pool, owned by its member agencies, and maintain an overarching focus on member service and support. Make certain that we will be here for our members.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature



Date



**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – **no attachments will be accepted**. No statements are endorsed by SDRMA.

Candidate* **ACQUANETTA WARREN**
District/Agency **Local Agency Formation Commission (LAFCO) for San Bernardino County**
Work Address **1170 W. Third Street, Unit 150, San Bernardino, CA 92415-0490**
Work Phone **(909)388-0480** Home Phone

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

As a City Mayor I have been fortunate to serve on regional boards that include special district representation: San Bernardino Countywide Oversight Board and Southern California Water Coalition's Board of Trustees. I realize that special districts, especially the smaller districts, are not included in the conversation for a variety of matters. Currently, I serve on San Bernardino LAFCO and the California Association of LAFCOs, which do have robust special district representation. I believe that my skills, experience, and understanding can contribute to SDRMA. Specifically, I want to contribute by developing programs that would help member agencies maximize their protection and minimize their risks.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

I currently serve as mayor for the City of Fontana. This is my fourth term, and my focus has been bolstering economic development, creating educational opportunities, improving public safety, and advocating for a healthier community. As mayor, I have been fortunate to serve on:

- San Bernardino LAFCO since 2014, serving currently as Vice Chair of the Commission. I am also a Board Member of the statewide organization of LAFCOs, CALAFCO, serving as Treasurer
- San Bernardino County Transportation Authority: Board of Directors, General Policy Committee, and Transit Committee
- San Bernardino County Racial Equity Committee for the San Bernardino Council of Governments
- San Bernardino Countywide Oversight Board

In addition, I am the current Chair for the Southern California Water Coalition's Board of Trustees as well as Co-Chair of its Task Force for Water Equity, Access, and Affordability.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

**What special skills, talents, or experience (including volunteer experience) do you have?
(Response Required)**


Aside from being Mayor for the City of Fontana, I am currently the District Director for the Second Supervisorial District for San Bernardino County and I coordinate district services and communications with constituents, I oversee community outreach efforts, as well as supervise district staff.

In addition to local-level involvement, I have served on the State Park Commission and as a trustee of the United States Conference of Mayors, an official non-partisan organization of cities in the United States with populations of 30,000 or more. I have also served in community organizations such as Water/Recycled Water Projects and Development Processing for New Communities, Casa Colina Rehabilitation Hospital Board of Directors, and the Upland YMCA Board of Directors.

What is your overall vision for SDRMA? (Response Required)

My vision for SDRMA is to ensure that it continues to be the best risk management agency, who will continue to listen and communicate with its member agencies. I would strive to make sure SDRMA continues to provide excellent service, provide educational and training programs that are beneficial to its member agencies, and offer more resources that add value to its members. Lastly, I want to make sure SDRMA operates in the highest ethical manner with complete transparency.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature  Date 4/25/2023

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – no attachments will be accepted. No statements are endorsed by SDRMA.

Candidate* Jesse D. Claypool
District/Agency Honey Lake Valley Resource Conservation District
Work Address USDA Service Center 170 Russell Avenue, Suite C, Susanville, CA 96130
Work Phone 530-257-7271 Cell Phone 530-310-0232

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

My interest for being on the SDRMA Board of Directors is because I believe it is imperative for there to be a knowledgeable and experienced voice on the Board with the perspective of the small to mid-size special district. In addition, I am eager to continue working with SDRMA staff and fellow Board members, providing relevant and affordable solutions, available to all special districts.

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

The vast amount of understanding and experience that I've gained as a current member of the SDRMA Board of Directors will undoubtedly aide as I continually strive to be an increasingly effective member of the SDRMA Board of Directors going forward.

In addition to being a current SDRMA Board member, I am currently Chairman of the Board for the Honey Lake Valley Resource Conversation District and a board member of a Regional Water Managment Group. Previously I have served on the following, Lassen County's Civil Grand Jury, two terms, CSDA Professional Development committee, two terms, Janesville Union School District trustee, Technical Advisory Committee for the prevention of violence against schools K-12, two terms, and CSDA Member Services committee, two terms.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**


What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

I have attended various board member trainings and completed leadership and governance classes, including the following; CSDA's Extraordinary Leadership Training and CSDA's Special District Leadership Academy. I have received CSDA's Recognition in Special District Governance certificate and successfully completed Executive Education in Public Policy at University of Southern California, Sol Price School of Public Policy.

What is your overall vision for SDRMA? (Response Required)

My continued vision for SDRMA is to be effective within the communities they serve. With focused attention to affordable solutions, administered by a team of highly dedicated professional staff, SDRMA will continue to be an industry leader providing affordable solutions to its members.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature  Date 4/20/2023

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

This information will be distributed to the membership with the ballot, "exactly as submitted" by the candidates – **no attachments will be accepted.** No statements are endorsed by SDRMA.

Candidate* Sandy Seifert-Raffelson
District/Agency Herlong Public Utility District
Work Address P O Box 115, Herlong CA 96113
Work Phone (530)827-3150 Cell Phone (530)310-4320

*The name or nickname and any designations (i.e. CPA, SDA, etc.) you enter here will be printed on the official ballot, exactly as submitted.

Why do you want to serve on the SDRMA Board of Directors? (Response Required)

I am a current Board member of SDRMA and feel that I have added my financial and general manager background to make a better-informed decision for SDRMA members. As a Board member, I continue to Improve my education of insurance issues and look forward to representing small District's and Northern California as a voice on the SDRMA Board. I feel I am an asset to the Board with my degree in Business and my 35 plus years' experience in accounting and special districts.

I understand the challenges that small District face every day when it comes to managing liability insurance, worker's compensation and health insurance for a few employees with limited revenue and staff. My experience in small districts give me an appreciation of the importance of risk management services and programs, especially for smaller District that lack expertise within.
I feel I am an asset to this Board, and would love a chance to stay on 4 more years!

What Board or committee experience do you have that would help you to be an effective Board Member? (SDRMA or any other organization) (Response Required)

While serving on the SDRMA Board, I have been privilege to be Secretary of the Board, Vice-President and currently President. I have served on CSDA's Audit and Financial committee's for several year; I have served on the SDFL Board and current President; Northeastern Rual Health Clinic Board; Fair Board; School and Church boards; 4-H Council and leader for 18 years; and UC Davis Equine Board. In the past 30 years, I have learn that there is no "I" in Board and it can be very rewarding to part of a team that makes a difference for others.

As part of my many duties working for Herlong PUD, I worked to form the District and was directly involved with LAFCo, Lassen County Board of Supervisors and County Clerk to establish the initial Board of Directors and first policies for HPUD. I have administered the financial portion of 2 large capital improvement projects with USDA as well as worked on the first ever successful water utility privatization project with the US Army and department of Defense. I am currently in the middle of a 14 million infrastructure project with SRF monies. I am also the primary administrator of two federal contract for utility services.

**Special District Risk Management Authority
Board of Directors
Candidate's Statement of Qualifications**

What special skills, talents, or experience (including volunteer experience) do you have? (Response Required)

I have my Bachelor's Degree in Business with a minor in Sociology. I have audit small districts and worked for a small district for almost 18 years. I am a good communicator and organizer. I have served on several Boards and feel I work well within groups or special committee. I am willing to go that extra mile to see things get completed.

I believe in recognition for jobs well done. I encourage incentive programs that get members motivated to participate and strive to do their very best to keep all losses at a minimum and reward those with no losses.

With HPUD and with SDRMA both boards and employees have worked hard to receive their District of Distinction and their District of Transparency.

I feel I am a good leader with people skills that can accomplish what is necessary to keep a District or JPA moving forward.

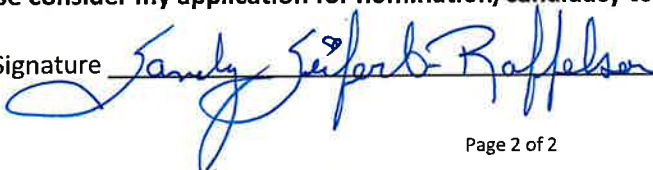
What is your overall vision for SDRMA? (Response Required)

SDRMA Staff and Board work together to bring Special Districts affordable insurance for the pool they serve. By

listening to the needs of all California Special Districts and meeting those needs at a reasonable price that Special Districts can afford. I would continue advocating for these continued efforts and rewarding continue education for all Districts and employees.

I see SDRMA pool continuing for centuries and serving those needs.

I certify that I meet the candidate qualifications as outlined in the SDRMA election policy. I further certify that I am willing to serve as a director on SDRMA's Board of Directors. I will commit the time and effort necessary to serve. Please consider my application for nomination/candidacy to the Board of Directors.

Candidate Signature  Date 4/17/2023



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 11 (Business)

TO: Local Agency Formation Commission

FROM: Mala Subramanian, General Counsel

SUBJECT: Approval of Sixth Amendment to Executive Officer Employment Agreement

Background

The Commission approved an Employment Agreement for Executive Officer's Services with Jason Fried effective January 2, 2019 ("Employment Agreement"). On June 13, 2019 the Commission approved a First Amendment to the Employment Agreement. On August 8, 2019, the Commission approved a Second Amendment to Employment Agreement. On June 11, 2020, the Commission approved a Third Amendment to Employment Agreement. On June 10, 2021, the Commission approved a Fourth Amendment to Employment Agreement and approved a Restated Fourth Amendment to Employment Agreement on August 12, 2021 to correct an error. On June 9, 2022, the Commission approved a Fifth Amendment to Employment Agreement.

Discussion

The Commission and the Executive Officer are in the process of negotiating revisions to the Agreement related to compensation and benefits and need additional time before the term of the Agreement expires. For your consideration is a Sixth Amendment to the Employment Agreement that extends the term of the Agreement until August 31, 2023.

Recommendation

Authorize the Chair to execute the Sixth Amendment to the Employment Agreement.

Attachments:

1. Sixth Amendment to Executive Officer Employment Agreement
2. Fifth Amendment to Executive Officer Employment Agreement
3. Restated Fourth Amendment to Executive Officer Employment Agreement
4. Third Amendment to Executive Officer Employment Agreement
5. Second Amendment to Executive Officer Employment Agreement
6. First Amendment to Executive Officer Employment Agreement
7. Executive Officer Employment Agreement

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Valley Sanitary District

Craig K. Murray, Regular
Las Gallinas Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

SIXTH AMENDMENT TO EMPLOYMENT AGREEMENT

This Sixth Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 8, 2023, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as “Commission”), and Jason Fried (hereinafter referred to as “Employee”).

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER (“Agreement”).

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation (“First Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective August 8, 2019 to adjust compensation to address a payroll issue related to the payment of his salary (“Second Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective June 11, 2020 to extend the term of the Agreement and provide for additional revisions (“Third Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective June 10, 2021 to increase compensation (“Fourth Amendment”).

The Commission and Employee entered into a Restated Fourth Amendment to correct an error in the Fourth Amendment (“Restated Fourth Amendment”).

The Commission and Employee entered into a Fifth Amendment to the Agreement effective June 9, 2022 to increase compensation (“Fifth Amendment”).

The Commission and Employee are in the process of negotiating revisions to the Agreement related to compensation and benefits and need additional time before the term of the Agreement expires.

The Commission and Employee desire to enter into an amendment to the Agreement effective June 8, 2023 to extend the term of the Agreement to allow for the negotiations to be completed (“Sixth Amendment”).

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Term, Termination and Potential Severance.** Section 12A is hereby amended as follows:

“A. This Agreement shall expire on August 31, 2023 unless terminated earlier in accordance with these provisions.”

2. Except as amended herein, all provisions of the Fifth Amendment, Restated Fourth Amendment, Third Amendment, Second Amendment, First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Sixth Amendment.

3. This Sixth Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Sixth Amendment as of the date first herein above written.

By: _____
LEW KIOUS, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN
COMMISSION COUNSEL

FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT

This Fifth Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 9, 2022, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as “Commission”), and Jason Fried (hereinafter referred to as “Employee”).

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER (“Agreement”).

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation (“First Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective August 8, 2019 to adjust compensation to address a payroll issue related to the payment of his salary (“Second Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective June 11, 2020 to extend the term of the Agreement and provide for additional revisions (“Third Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective June 10, 2021 to increase compensation (“Fourth Amendment”).

The Commission and Employee entered into a Restated Fourth Amendment to correct an error in the Fourth Amendment (“Restated Fourth Amendment”).

The Commission and Employee desire to enter into an amendment to the Agreement effective June 9, 2022 to increase compensation (“Fifth Amendment”).

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The first sentence of Section 2 is hereby amended as follows:
“Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$166,784.80 (ONE HUNDRED SIXTY-SIX THOUSAND SEVEN HUNDRED EIGHTY-FOUR DOLLARS AND EIGHTY CENTS), payable in accordance with the Commission’s standard payroll practices effective July 1, 2022.”
2. Except as amended herein, all provisions of the Restated Fourth Amendment, Third Amendment, Second Amendment, First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Fifth Amendment.
3. This Fifth Amendment may be signed in counterparts, each of which shall constitute an original.

[Signatures on the following page]

IN WITNESS WHEREOF, the parties hereto have executed this Fifth Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN
COMMISSION COUNSEL

FOURTH AMENDMENT TO EMPLOYMENT AGREEMENT

This Fourth Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 10, 2021, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as "Commission"), and Jason Fried (hereinafter referred to as "Employee").

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER ("Agreement").

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation ("First Amendment").

The Commission and Employee entered into an amendment to the Agreement effective August 8, 2019 to adjust compensation to address a payroll issue related to the payment of his salary ("Second Amendment").

The Commission and Employee entered into an amendment to the Agreement effective June 11, 2020 to extend the term of the Agreement and provide for additional revisions ("Third Amendment").

The Commission and Employee desire to further amend the Agreement to increase compensation ("Fourth Amendment").

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The first sentence of Section 2 is hereby amended as follows:

"Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$157,726 (ONE HUNDRED FIFTY-SEVEN THOUSAND SEVEN HUNDRED TWENTY-SIX DOLLARS), payable in accordance with the Commission's standard payroll practices effective July 1, 2021."

2. Except as amended herein, all provisions of the Third Amendment, Second Amendment, First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Fourth Amendment.

3. This Fourth Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN
COMMISSION COUNSEL

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 11, 2020, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as “Commission”), and Jason Fried (hereinafter referred to as “Employee”).

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER (“Agreement”).

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation (“First Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective August 8, 2019 to adjust compensation to address a payroll issue related to the payment of his salary (“Second Amendment”).

The Commission and Employee desire to further amend the Agreement to extend the term of the Agreement and provide for additional revisions (“Third Amendment”).

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The last sentence of Section 2 is hereby amended as follows:

“The Commission may otherwise grant cost of living salary adjustments or other merit increases as part of the annual performance evaluation.”

2. **Holidays and Personal Leave.** The first sentence of Section 7 is hereby amended as follows:

“Marin LAFCo shall observe the following holidays annually, namely July 4, Labor Day, Veteran’s Day, Thanksgiving Day, the day after Thanksgiving, one-half day on December 24, December 25 through and including New Year’s Day, Martin Luther King Jr. Day, Presidents’ Day, and Memorial Day. If New Year’s Day, Independence Day, Veterans Day or December 25 falls on a Sunday, the Monday following shall be treated as the holiday. If any of those holidays falls on a Saturday, the preceding work day shall be treated as the holiday.”

3. **Expenses, Phone and Mileage.** Section 10 is hereby revised in its entirety as follows:

“The Commission agrees to reimburse Employee for work-related expenses for purposes including, but not limited to, professional dues and subscriptions, professional development, meal expenses, travel to approved conferences or seminars, and general expenses of a job related and non-personal nature subject to reasonable control and budgetary approval by the

Commission. All reimbursements must be based on receipts and similar documentation. Commission shall provide, at its expense, a cell phone and cell phone service package to Employee for Commission business. Commission shall provide an auto allowance of \$350 per month, paid as wages and subject to appropriate withholdings and deductions, for expenses incurred for mileage due to job-related local travel.”

4. **Benefits and Paid Leave.** After adoption of updated personnel rules for Marin LAFCo (expected to occur in 2020), the Commission and Employee will enter into an appropriate amendment adopting changes to Employee’s Agreement to ensure that, from that point forward, Employee’s paid leave entitlements are consistent with those provided to Marin LAFCo employees.

5. **Term, Termination and Potential Severance.** Section 12A is hereby amended as follows:

“A. This Agreement shall expire on June 30, 2023 unless terminated earlier in accordance with these provisions.”

6. Except as amended herein, all provisions of the Second Amendment, First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Third Amendment.

7. This Third Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN,
COMMISSION COUNSEL

SECOND AMENDMENT TO EMPLOYMENT AGREEMENT

This Second Amendment to the Employment Agreement for Executive Officer is made and entered into as of August 8, 2019, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as "Commission"), and Jason Fried (hereinafter referred to as "Employee").

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER ("Agreement").

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation ("First Amendment").

The Commission and Employee now desire to amend the Agreement to adjust compensation to address a payroll issue to allow for an even hourly rate.

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The first sentence of Section 2 is hereby amended as follows:

"Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$150,009.60 (ONE HUNDRED FIFTY THOUSAND NINE DOLLARS AND SIXTY CENTS), payable in accordance with the Commission's standard payroll practices effective July 1, 2019."

2. Except as amended herein, all provisions of the First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Second Amendment.

4. This Second Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN,
COMMISSION COUNSEL

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

This First Amendment to the Employment Agreement for Executive Officer is made and entered into as of June ___, 2019, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as "Commission"), and Jason Fried (hereinafter referred to as "Employee").

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER ("Agreement").

The Commission and Employee now desire to amend the Agreement in order to extend the term of the Agreement to June 30, 2020 and increase compensation.

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The first sentence of Section 2 is hereby amended as follows:

"Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$150,000 (ONE HUNDRED FIFTY THOUSAND DOLLARS), payable in accordance with the Commission's standard payroll practices."

2. **Term, Termination and Potential Severance.** Section 12A is hereby amended as follows:

"A. This Agreement shall expire on June 30, 2020 unless terminated earlier in accordance with these provisions."

3. Except as amended herein, all provisions of the Agreement shall remain in full force and effect and shall govern the actions of the parties under this First Amendment.

4. This First Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN,
COMMISSION COUNSEL

AGREEMENT

This Agreement (hereinafter referred to as “Agreement”), made and entered into on the latest date of signature below by and between the Marin Local Agency Formation Commission, an Agency established by the State of California (hereinafter referred to as “Commission”) and Jason Fried (hereinafter referred to as “Employee”), to appoint Employee as the duly appointed EXECUTIVE OFFICER of the Commission.

RECITALS

1. Through action of its membership on December 13, 2018, the Commission voted to extend Employee appointment as EXECUTIVE OFFICER of the Commission effective January 2, 2019.
2. It is the desire of the Commission to provide certain benefits, establish certain conditions of employment, and set working conditions of said EXECUTIVE OFFICER.
3. It is the desire of the Commission to (1) retain the services of Employee and to provide inducement for him to continue in such employment; and (2) to provide an equitable means for terminating Employee’ services at such time as the Commission in its sole discretion may desire to terminate his employ.
4. In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. Duties.

The powers and duties of the EXECUTIVE OFFICER shall be as those described generally in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 codified at Section 56000 et seq. of the California Government Code, and any local standards, policies, guidelines or procedures adopted by the Commission. In addition the Commission may direct the EXECUTIVE OFFICER to perform other legally permissible and proper duties and functions as the Commission shall from time to time assign to carry out the functions of the Commission.

Section 2. Salary.

Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$142,000 (ONE HUNDRED FORTY-TWO THOUSAND DOLLARS), payable in accordance with the Commission’s standard payroll practices. The Commission may otherwise grant Employee cost-of-living salary adjustments as part of the annual performance evaluation.

Section 3. Hours of Work

Employee is expected to generally be working and available during regular business hours (Mon-Fri, 9am to 5pm), as well as at any other time needed to carry out the duties of the position. Employee's schedule of work each day and week may vary in accordance with the work required to be performed and in accordance with any specific direction provided by the Commission. Employee understands and agrees that he is an exempt executive management employee, and that he shall not be entitled to any additional compensation and/or time off as a result of working more than 40 hours in any given week. It is recognized that work in some weeks may exceed 40 hours and, conversely, work in other weeks may be less than 40 hours. Employee is expected to work the hours required to get the job done.

Section 4. Full Energy and Skills; Conflicts

Employee shall faithfully, diligently, and to the best of Employee's abilities, perform all duties that may be required under this Agreement. Employee agrees that Employee has a duty of loyalty and a general fiduciary duty to the Commission. Absent advance written permission from the Commission, Employee shall devote the whole of Employee's working time, skill, experience, knowledge, ability, labor, energy, attention, and best effort exclusively to the Commission's business and affairs.

Employee shall not engage in any employment, activity, consulting service, or other enterprise, for compensation or otherwise, which is actually or potentially in conflict with, inimical to, or which interferes with the performance of Employee's duties.

Section 5. Vacation Leave.

Employee shall accrue and have credited to his personal account, vacation which is accrued on a pro rata basis as hours are worked at the following schedule:

1. Commencing on the date of hire - 10 working days (.0385 hourly)
2. After 3 years of service - 15 working days (.0577 hourly)
3. After 10 years of service - 20 working days (.0770 hourly)
4. After 20 years of service - 25 working days (.0962 hourly)
5. After 30 years of service - 30 working days (.1154 hourly)

Employee may accumulate a maximum accrual cap of 300 hours of vacation leave, and Employee may not earn any further vacation leave until some vacation is used and the balance

falls below the cap. The cash value of all accrued, but unused vacation at time of Employee' separation from Commission service, for any reason, shall be paid to Employee in a lump sum payment unless another method of payment is mutually agreed upon.

Section 6. Sick Leave.

Employee shall accrue and have credited to his personal account, sick leave at the rate of 96 hours per year, accrued on a pro rata basis each pay period, and not subject to any accrual cap. Such sick leave is not discretionary leave, but may be used for personal illness/injury or the illness/injury of Employee's family members (in accordance with the Healthy Workplaces, Healthy Families Act of 2014), as well as for such time as is reasonably necessary or during otherwise unpaid medical leaves provided by law. Sick leave shall have no cash or other value at the time of Employee separation from Commission service for any reason.

Section 7. Holidays and Personal Leave.

Employee shall receive ten (10) paid holidays annually, namely July 4, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, December 25, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, and Memorial Day. He will also be allocated FORTY (40) hours of personal leave annually (accrued on a pro rata basis as hours are worked), which may be used in accordance with vacation leave use parameters. Any unused Personal Leave hours remaining at the conclusion of the calendar year will be cashed out with the next regularly scheduled payday. Any such cash payments will not be considered as "compensation earnable" for Marin County Employees' (MCERS or MCERA) Retirement System purposes.

Section 8. Benefits.

The Commission agrees to provide to Employee a benefit package consistent with County of Marin unrepresented employees with a similar classification (bargaining group 21-01) to be used to pay the cost of benefits which include, but are not limited to disability, health, life, vision, and dental plans. Employee recognizes and agrees that Employee contributions to the dental, vision services and basic life insurance plans are mandatory. Health insurance contributions are also mandatory absent Employee providing annual documentation demonstrating qualifying alternative coverage.

Section 9. Pension and Retiree Health Care.

Employee is a mandatory member of the Marin County Employees Retirement System (MCERS or MCERA), in Tier 3 thereof, for the purposes of pension and retiree health care, as the terms and provisions of such Tier 3 exist upon the execution of this Agreement. Notwithstanding the preceding, it is anticipated that the Commission will explore the option of

enrolling Employee in a defined benefit plan administered by CalPERS in lieu of continued participation in MCERS or MCERA.

Section 10. Expenses, Phone and Mileage.

The Commission agrees to reimburse Employee for work-related expenses for purposes including, but not limited to, professional dues and subscriptions, professional development, job related travel and meal expenses and general expenses of a job related and non-personal nature subject to reasonable control and budgetary approval by the Commission. All reimbursements must be based on receipts and similar documentation. Commission shall provide, at its expense, a cell phone and cell phone service package to Employee for Commission business. Commission shall reimburse Employee for his business-related auto mileage at the applicable IRS rate.

Section 11. Performance Evaluation.

A. The Commission shall review and evaluate the performance of the Employee within six months, and thereafter at least once annually. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Commission and Employee, consistent with Commission's adopted Policies, Procedures and Guidelines. Said criteria may be added to or deleted from as the Commission may from time to time determine, in consultation with Employee. Further, the Chair of the Commission shall provide Employee with a written summary statement of findings of the Commission and provide an adequate opportunity for the Employee to discuss his evaluation with the Commission.

B. Annually, the Commission and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the Commission and shall further establish a relative priority among those various goals and objectives.

Section 12. Term, Termination, and Potential Severance.

A. This Agreement shall expire on June 30, 2019 unless terminated earlier in accordance with this provisions.

B. Employee recognizes and agrees that the position of EXECUTIVE OFFICER to the Commission is "at will," that he serves at the pleasure of the Commission, and that he has no property interest in such employment but rather may be terminated or asked to resign by the Commission at any time, with or without cause, and with or without advance notice. Either party may terminate this Agreement at any time upon two (2) weeks written notice to the other party in the sole discretion of the party seeking to terminate this agreement.

C. Subject to this subsection and subsection D below, should Employee be terminated or should he resign, in lieu of termination, in the first two (2) years of this Agreement he shall receive two (2) pay periods of salary and should Employee be terminated or should he resign, in lieu of termination, beginning in the third year and anytime thereafter of this Agreement he shall receive four (4) pay periods of salary. Any payments provided under this section are expressly conditioned on Employee's written release of any and all claims against the Commission, its Board members, officers and employees. Further, any payments under this section are subject to and must comply with the limitations set forth in Government Code Sections 53260 and 53243-53243.4.

D. If the termination of Employee is the result of gross mismanagement and/or an act or acts of moral turpitude, Employee shall not be eligible for or paid any severance pay. In such an instance, Employee's sole remedy shall be a judicial action in declaratory relief to determine whether there was substantial evidence of gross mismanagement and/or an act or acts of moral turpitude. If the court determines there was not substantial evidence, Employee shall receive the severance pay provided in this Section 12, but no other damages.

Section 13. Indemnification.

In accordance with statutory indemnification applicable to the EXECUTIVE OFFICER through Marin County Code and/or State and Federal statutes, the Commission, shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance by Employee of his duties. The Commission may, in its discretion, compromise and settle any such claim or suit, and will pay the amount of any settlement or final judgment rendered against Employee occurring in the performance of his duties as EXECUTIVE OFFICER.

Section 14. Other Terms and Conditions.

The Commission, with the mutual consent of Employee, may fix any such other terms and conditions of employment, as it may determine from time to time, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement or any law.

Section 15. Notices.

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, First Class postage prepaid, or by traceable overnight delivery service (FedEx or equivalent), addressed as follows:

A. COMMISSION:

Chair
Marin Local Agency Formation Commission
1401 Los Gamos Drive, Suite 220
San Rafael, CA 94903

B. EXECUTIVE OFFICER:

Jason Fried

Alternatively, notices required pursuant to this agreement may be personally served in the same manner as if applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service, or as of the date of deposit of such written notice with the United States Postal Service or overnight delivery service.

Section 16. General Provisions.

A. The text of this Agreement shall constitute the entire agreement between the parties, and it supersedes any and all prior or contemporaneous agreements, representations and understandings of the parties. This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, and signed by the parties.

B. Employee may not assign this Agreement in whole or in part.

C. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

D. This agreement shall become effective on the latest date of signature below.

E. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Employee and City agree that venue for any dispute shall be in Marin County, California.

F. If any provision or any portion thereof contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

G. The headings on each of the sections and subsections of this Agreement are for the convenience of the parties only and do not limit or expand the contents of any such section or subsection.

IN WITNESS WHEREOF, the Marin Local Agency Formation Commission has caused this agreement to be signed and executed on its behalf by its Chair.

SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

Date: _____

JASON FRIED, EMPLOYEE

Date: _____

Approved as to form:

MALA SUBRAMANIAN,
COMMISSION COUNSEL

Date: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item 12 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 23-12, Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley (LAFCo File #1372) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15378

Background

Marin LAFCo has received an application from the City of Mill Valley (“applicant”) requesting approval to annex a lot, approximately 0.54 acres, to simplify boundaries in the area for street maintenance purposes. The parcel is currently in unincorporated Marin County and within both Alto Sanitary District and Richardson Bay Sanitary District. Given that Mill Valley runs its own wastewater system as part of the application this parcel is being detached from both districts as part of the annexation into Mill Valley. Staff has requested comments from all impacted agencies, along with other interested agencies. All comments received were in support or neutral.

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested annexation of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive and approve the attached Resolution No. 23-12.

Alternate Option 2 – Continue consideration of the item to a future regular meeting, and provide direction to staff, as needed.

Alternate Option 3 – Deny the request.

Attachments:

1. Resolution #23-12
2. Application Packet
3. Section 56668 Checklist

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax

Steve Burdo, Alternate
Town of San Anselmo

Stephen Burke, Regular
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 23-12

**RESOLUTION APPROVING REORGANIZATION OF EAST BLITHEDALE RIGHT OF WAY
ADJACENT TO 2, 45, AND 55 KIPLING DRIVE ANNEXED TO THE CITY OF MILL VALLEY AND
DETACHED FROM ALTO SANITARY DISTRICT AND REICHARDSON BAY SANITARY DISTRICT,
WITH WAIVER OF NOTICE, HEARING, AND PROTEST PROCEEDINGS**

“Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley (LAFCo File #1372)

WHEREAS City of Mill Valley, hereinafter referred to as applicant, has filed on behalf of the City, a 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 reorganization proposal seeks Commission approval to annex approximately 0.54 acres of land in unincorporated Marin County into the City of Mill Valley as well as detach from Alto Sanitary District and Richardson Bay Sanitary District.

WHEREAS the affected territory represents developed land located at East Blithedale right of way adjacent to 2, 45, and 55 Kipling; 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 a reorganization of territory that is 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 Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the reorganization, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 0.54 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley (LAFCo File #1372)”

Section 3. The proposal is consistent with the adopted sphere of influence of the City of Mill Valley.

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

Section 5. As Lead Agency under CEQA for the proposed Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley , 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 June 8, 2023, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Lew Kious, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 23-12

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

Rev: 04/06/2023

Date: 08/23/2022

Project: 2200173

EXHIBIT "A"
LEGAL DESCRIPTION
LAFCO FILE # 1372
REORGANIZATION OF LANDS OF MARIN COUNTY
TO THE CITY OF MILL VALLEY

PARCEL ONE

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF MARIN, STATE OF CALIFORNIA, **BEING REORGANIZATION OF LANDS OF MARIN COUNTY TO THE CITY OF MILL VALLEY** OVER A PORTION OF THE LANDS OF ALTO SANITARY DISTRICT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE MOST NORTHEASTERLY CORNER OF LANDS OF THE CITY OF MILL VALLEY, BEING A POINT ON THE NORTHERLY LINE OF AN 80 FOOT WIDE RIGHT-OF WAY, AS DESCRIBED IN THE GRANT DEED RECORDED SEPTEMBER 19, 1928 IN LIBER 155 OF DEEDS AT PAGE 387 (**155 OR 387**), MARIN COUNTY RECORDS; THENCE LEAVING SAID NORTHERLY LINE OF SAID 80 FOOT WIDE RIGHT-OF-WAY, RUNNING ALONG THE EASTERLY LINE OF SAID LANDS OF THE CITY OF MILL VALLEY, SOUTH 07°06'27" WEST, A DISTANCE OF 29.46 FEET TO **THE POINT OF BEGINNING**;

1. THENCE, LEAVING SAID EASTERLY LINE OF SAID LANDS OF THE CITY OF MILL VALLEY, SOUTH 62°51'04" EAST, A DISTANCE OF 124.18 FEET;
2. THENCE, SOUTH 59°00'00" EAST, A DISTANCE OF 43.12 FEET TO A POINT ON A LINE, BEING A PROJECTION OF THE LINE SHOWN AS "NORTH 31°00'00" EAST 120.06 FEET" ON THAT CERTAIN RIGHT OF WAY RECORD MAP **R92A.7 (R92A009)** OF CALTRANS (CALIFORNIA DEPARTMENT OF TRANSPORTATION);
3. THENCE, ALONG SAID PROJECTED LINE, SOUTH 31°00'00" WEST, A DISTANCE OF 82.58 FEET TO A POINT ON THE COMMON LINE OF THE LANDS OF ALTO SANITARY DISTRICT AND RICHARDSON BAY SANITARY DISTRICT;
4. THENCE ALONG THE SAID COMMON LINE OF SAID DISTRICTS, NORTH 82°53'33" WEST, A DISTANCE OF 99.85 FEET TO A POINT ON A CURVE TO THE LEFT, WHOSE CENTER BEARS SOUTH 34°13'20" WEST; SAID CURVE IS BEING ALSO THE SOUTHERLY LINE OF ALTO SANITARY DISTRICT;
5. THENCE ALONG SAID SOUTHERLY LINE OF ALTO SANITARY DISTRICT AND SAID CURVE TO THE LEFT, HAVING A RADIUS OF 650.00 FEET, THROUGH A CENTRAL ANGLE OF 13°02'27", A DISTANCE OF 147.94 FEET TO THE WESTERLY LINE OF ALTO SANITARY DISTRICT;
6. THENCE ALONG SAID WESTERLY LINE OF SAID LANDS, NORTH 01°33'40" EAST, A DISTANCE OF 32.51 FEET TO A POINT ON A CURVE TO THE RIGHT, WHOSE CENTER BEARS SOUTH 06°25'32" WEST, BEING THE SOUTHERLY LINE OF SAID 80 FOOT WIDE RIGHT-OF-WAY (**155 OR 387**), BEING ALSO THE SOUTHERLY LINE OF LANDS OF THE CITY OF MILL VALLEY AND THE NORTHERLY LINE OF ALTO SANITARY DISTRICT;

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7. THENCE, ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 9959.30 FEET, THROUGH A CENTRAL ANGLE OF 00°40'55", A DISTANCE OF 118.55 FEET TO THE MOST SOUTHEASTERLY CORNER OF LANDS OF THE CITY OF MILL VALLEY;
8. THENCE, ALONG THE EASTERLY LINE OF SAID LANDS OF THE CITY OF MILL VALLEY, NORTH 07°06'27" EAST, A DISTANCE OF 50.54 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL ONE CONTAINING 21,218 SQUARE FEET OR 0.49 ACRES MORE OR LESS.

PARCEL TWO

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE UNINCORPORATED AREA OF THE COUNTY OF MARIN, STATE OF CALIFORNIA, **BEING REORGANIZATION OF LANDS OF MARIN COUNTY TO THE CITY OF MILL VALLEY** OVER A PORTION OF THE LANDS OF RICHARDSON BAY SANITARY DISTRICT, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION COURSES #3 AND #4 OF THE ABOVE MENTIONED PARCEL ONE, BEING A POINT ON THE COMMON LINE OF THE LANDS OF ALTO AND RICHARDSON BAY DISTRICTS;

4. THENCE ALONG THE SAID COMMON LINE OF SAID DISTRICTS, NORTH 82°53'33" WEST, A DISTANCE OF 99.85 FEET TO A POINT ON A CURVE TO THE RIGHT, WHOSE CENTER BEARS SOUTH 34°13'20" WEST; SAID CURVE IS BEING ALSO THE SOUTHERLY LINE OF RICHARDSON BAY SANITARY DISTRICT;
9. THENCE ALONG SAID SOUTHERLY LINE OF RICHARDSON BAY SANITARY DISTRICT AND SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 650.00 FEET, THROUGH A CENTRAL ANGLE OF 01°48'05", A DISTANCE OF 20.44 FEET;
10. THENCE SOUTH 46°37'00" EAST, A DISTANCE OF 72.60 FEET TO A POINT ON A LINE, BEING A PROJECTION OF THE LINE SHOWN AS "NORTH 31°00'00" EAST 120.06 FEET" ON THAT CERTAIN RIGHT OF WAY RECORD MAP **R92A.7 (R92A009)** OF CALTRANS (CALIFORNIA DEPARTMENT OF TRANSPORTATION);
11. THENCE, ALONG SAID PROJECTED LINE, NORTH 31°00'00" EAST, A DISTANCE OF 57.48 FEET TO A POINT ON THE COMMON LINE OF THE LANDS OF ALTO AND RICHARDSON BAY DISTRICTS AND **THE POINT OF BEGINNING**.

SAID PARCEL TWO CONTAINING 2,516 SQUARE FEET OR 0.06 ACRES MORE OR LESS.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON THAT CERTAIN RIGHT OF WAY RECORD MAP **R92A.7 (R92A009)** OF CALTRANS (CALIFORNIA DEPARTMENT OF TRANSPORTATION).

Rev: 04/06/2023

Date: 08/23/2022

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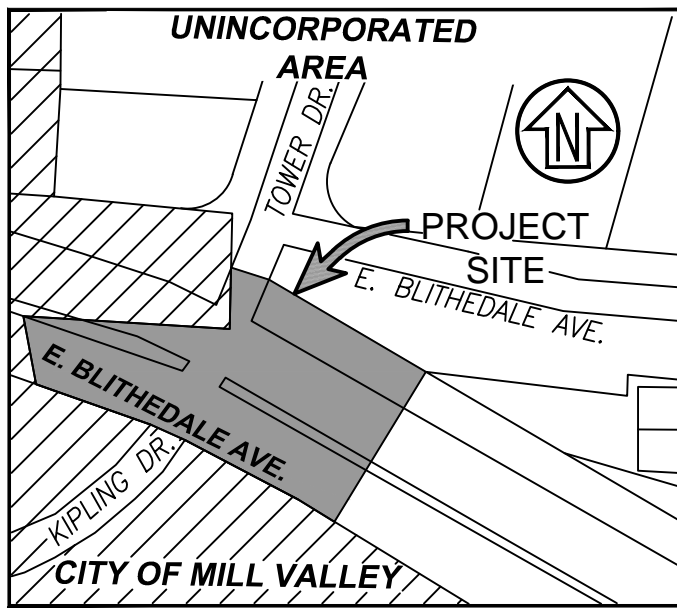
SITE FALLS WITHIN TOWNSHIP 1 NORTH, RANGE 6 WEST, SECTION 27, MOUNT DIABLO MERIDIAN.

PREPARED BY:

CSW/STUBER-STROEH ENGINEERING, INC.






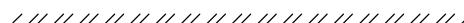


JOSH WOELBING, PLS 9387





VICINITY MAP
SCALE: NTS

LEGEND

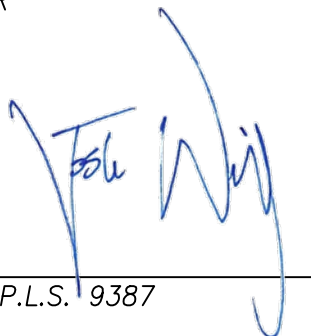
-  ANNEXATION BOUNDARY
-  ADJOINING BOUNDARY LINES
-  BOUNDARY TIE LINE
-  EXISTING CITY OF MILL VALLEY LIMITS
-  CENTER LINE
-  PARCEL ONE (REORGANIZATION HATCH)
-  PARCEL TWO (REORGANIZATION HATCH)
-  CITY OF MILL VALLEY HATCH
- POB** POINT OF BEGINNING
- POC** POINT OF COMMENCEMENT
- (R)** RADIAL BEARING
- (#)** COURSE NUMBER
- [#]** REFERENCE

APPROVED AS TO FORM AND SURVEY CONTENT.


 TRACY W. PARK, P.L.S. 8176
 COUNTY SURVEYOR

05/26/2023
 DATE




 JOSH WOELBING, P.L.S. 9387

05/26/23
 DATE



CSW | ST2

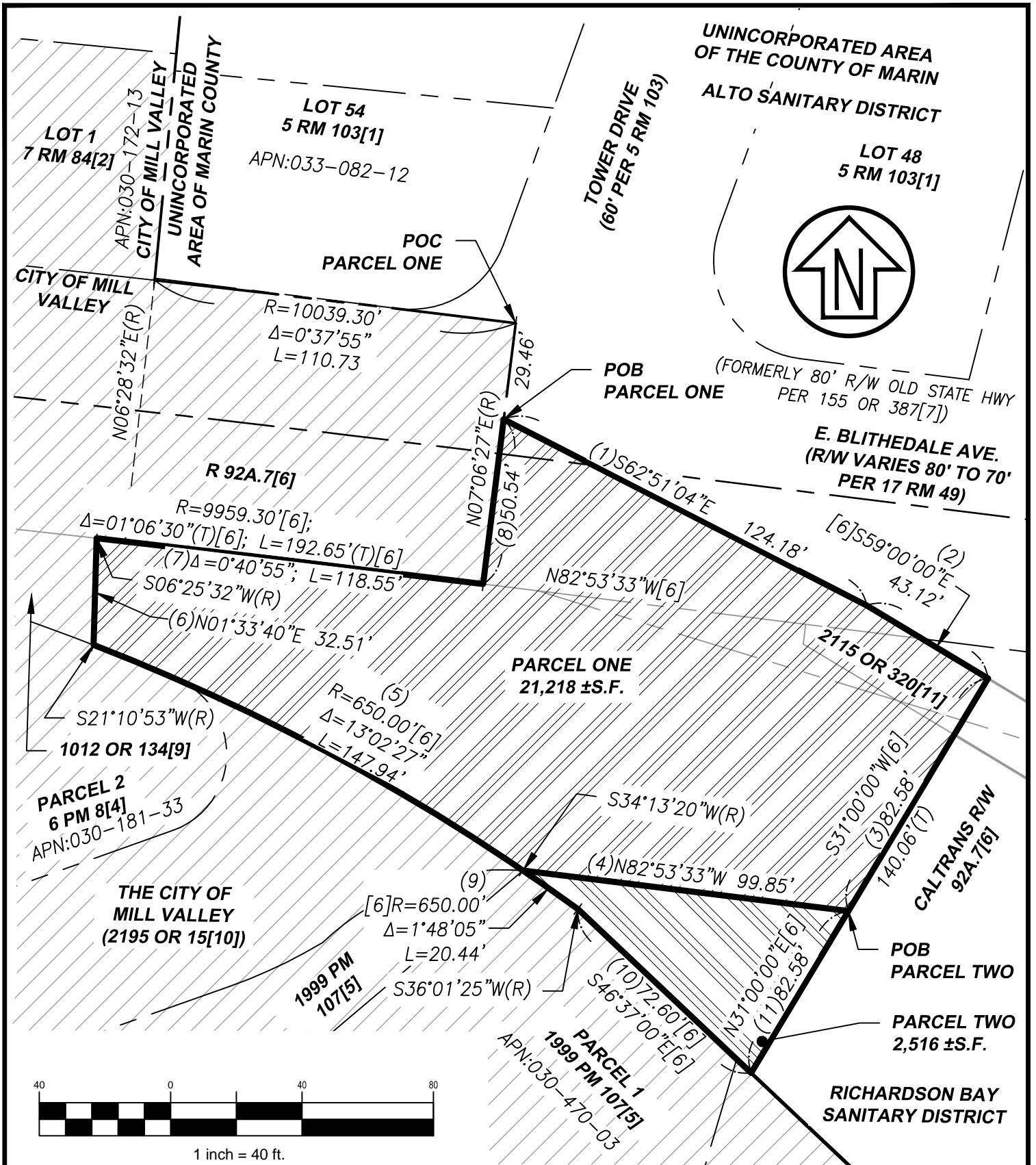
CSW/Stuber-Stroch Engineering Group, Inc.
 Civil & Structural Engineers | Surveying & Mapping | Environmental Planning
 Land Planning | Construction Management
 504 Redwood Blvd, Suite 310 tel: 415.883.9850
 Novato, CA 94947 fax: 415.883.9835
<http://www.cswe2.com>

Rev. 04/06/2023
 Job No. 2200173

Date: 08/22/2022
 Scale: 1" = 40'

EXHIBIT "B" LAFCO - 1372
 REORGANIZATION TO THE CITY OF MILL VALLEY
 PLAT TO ACCOMPANY LEGAL DESCRIPTION

UNINCORPORATED MARIN CALIFORNIA



REFERENCES

- [1] 5 RM 103 (06-20-1944)
- [2] 7 RM 84 (04-23-1953)
- [3] MV-AP-MAP-INDEX 38 (1954)
- [4] 6 PM 8 (06-18-1971)
- [5] 1999 PM 107 (06-11-1999)
- [6] R 92A.7 (R92A009) CALTRANS
- [7] 155 OR 387 (09-19-1928)
- [8] 891 OR 392 (09-28-1954)
- [9] 1012 OR 134 (03-09-1968)
- [10] 2195 OR 15 (03-06-1968)
- [11] 2115 OR 320

CSW | ST2

CSW/Stuber-Stroch Engineering Group, Inc.
 Civil & Structural Engineers | Surveying & Mapping | Environmental Planning
 Land Planning | Construction Management
 504 Redwood Blvd, Suite 310 tel: 415.883.9850
 Novato, CA 94947 fax: 415.883.9835
<http://www.csst2.com>

Rev. 04/06/2023
 Job No. 2200173

Date: 08/22/2022
 Scale: 1" = 40'

EXHIBIT "B" LAFCO - 1372
 REORGANIZATION TO THE CITY OF MILL VALLEY
 PLAT TO ACCOMPANY LEGAL DESCRIPTION

UNINCORPORATED MARIN COUNTY CALIFORNIA



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

MARIN LAFCO

I. 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 reorganization.
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 (11 or fewer registered voters)
5. This proposal is 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 reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to simplify boundaries for street maintenance purposes.
7. The proposal is requested to be made subject to the following terms and conditions:
N/A
8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land
 On behalf of the Board, City, District, or Agency

Todd Cusimano, City Manager

Print Name

Signature

Date



Marin Local Agency Formation Commission
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II. 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: City of Mill Valley
26 Corte Madera Avenue
Mill Valley, CA 94941


Contact Number: (415) 388-4033 Email: citymanager@cityofmillvalley.org

Agent Representative (optional)
I/We hereby authorize Craig Tackabery 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: Craig Tackabery
26 Corte Madera Avenue
Mill Valley, CA 94941

Contact Number: (415) 388-4033 Email: ctackabery@cityofmillvalley.org

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

	<u>County of Marin</u>	<u>12/6/22</u>
Property Owner Signature	<u>Rosemarie Gaglione</u>	Date
	<u>DPW Director</u>	
Property Owner Signature		Date
Property Owner Signature		Date



Marin Local Agency Formation Commission
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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. This includes name, title, email address, and phone number of key staff you've worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

<u>Please Print Name</u>	<u>Email Address</u>	<u>Phone Number</u>
Craig Tackabery	ctackabery@cityofmillvalley.org	415 388 4033
Carey Lando	clando@marincounty.org	415 473 5078
Dan Dawson	ddawson@marincounty.org	415 473 6287
Bill Hansell	manager@altosanitarydistrict.org	415 388 3696
Johnny Tucker	rbsdgtg@aol.com	415.388.1345



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

MARIN LAFCO

III. 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:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:
 Petition (Landowner)
 Resolution of Application (City/Town or District)
2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:
 (BE SPECIFIC: For example, "annexation," "reorganization")

Reorganization

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

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")
To simplify boundaries for street maintenance purposes

4. State general location of proposal:

E. Blithedale right-of-way adjacent to 2, 45, and 55 Kipling Drive



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

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

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

7. Would this proposal create an island of unincorporated territory? Yes ___ No X
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)	Site Address(es)
_____	E. Blithedale right-of-way
_____	<u>See Exhibits A-2, B-3</u>
_____	<u>and B-4</u>
_____	_____
_____	_____

B. Total number of parcels included in this application: 0

9. Total land area in acres: 0.5



Marin Local Agency Formation Commission

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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.)
Street

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

4. Has the area been rezoned? No _____ N/A _____ Yes _____
What is the rezoning classification, title and densities permitted?
U District, per Mill Valley Municipal Code 20.12.040.

5. Describe the specific development potential of the property: (Number of units allowed in zoning)
None.



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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 <input checked="" type="checkbox"/> _____ |
| B. Adjacent sites? | Yes _____ | No _____ | N/A <input checked="" type="checkbox"/> _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: Relativley flat street area

5. Indicated Lead Agency for this project: Marin LAFCo

6. Indicate Environmental Determination by Lead Agency: _____
with respect to (indicate project) _____
Dated: _____

(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 to 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

TODD CUSIMANO


Print Name

12-19-22

Date

CITY MANAGER

Title



Rosemarie Englibre

3/15/23
Public Works Direct



Marin Local Agency Formation Commission
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V. 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: No change in existing services
Fire: No change in existing services
Sewer: None
Water: None
Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: No

3. Describe the level and range of services: No change to existing services.

4. Indicate when services can/will be extended to the affected territory:
Not applicable..


5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: None.



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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.)
Upon recordation of the LAFCo Certificate of Completion, fee title and right-of-way will transfer to the
City of Mill Valley in accordance with Government Code 57329 and Streets and Highways Code 989.

This section completed by:


Signature
Craig Tackabery
Print Name
ctackabery@cityofmillvalley.org
Contact Email

Contract Project Manager
Title
City of Mill Valley
Agency
(415) 388-4033
Contact Number

Sections 56668		Response
a	Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.	will have no significant change for area
b	The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.	will have no significant impact
c	The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.	will have no significant impact
d	The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.	conforms with local policy and 56377
e	The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.	This parcel is not in an ag designated area
f	The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.	all boundaries conform properly
g	A regional transportation plan adopted pursuant to Section 65080	This has no impact on regional transportation plan because of the small
h	The proposal's consistency with city or county general and specific plans.	Is consistent with all plans
i	The sphere of influence of any local agency which may be applicable to the proposal being reviewed.	Is within SOI of jurisdiction being annexed into
j	The comments of any affected local agency or other public agency.	All comments reviewed and no objections were

k	The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	Agency has capacity to serve
l	Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	Nothing in this application changes current water usage for property and previous MMWD MSR shows they have
m	The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	This project is too small to have an impact
n	Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory.	They have signed consent form
o	Any information relating to existing land use designations.	No changes to land use needed
p	The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.	This application will have no impact on EJ
q	Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.	Not relevant to this proposal.
	Section 56668.3 parts a and b	
a	If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following:	see comments below
a1	In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.	Is in the interest of landowner and inhabitants

a2	In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city.	n/a
a3	Any factors which may be considered by the commission as provided in Section 56668.	see comments above
a4	Any resolution raising objections to the action that may be filed by an affected agency.	no resolution received
a5	Any other matters which the commission deems material.	staff addressed any issues in staff report
b	The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission	no resolution received



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 8, 2023
Item 13 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 23-13, Annexation of 10 Friendly Lane (APN: 141-101-23) to Novato Sanitary District (LAFCo File #1373) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Background

Marin LAFCo has received an application from Nick Paggi (“applicant”) requesting approval to annex a lot, approximately 0.25 acres. The parcel has a situs address of 10 Friendly Lane (APN 141-101-23). The proposal, as stated by the applicant, is to move from its current septic system and connect to the Novato Sanitary District. Staff has requested comments from NSD, along with other interested agencies. All comments received were in support or neutral.

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested annexation of 10 Friendly Lane and approve the attached Resolution No. 23-13 with conditions.

Alternate Option 2 – Continue consideration of the item to a future regular meeting, and provide direction to staff, as needed.

Alternate Option 3 – Deny the request.

Attachments:

1. Resolution #23-13
2. Application Packet
3. Section 56668 Checklist

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax

Steve Burdo, Alternate
Town of San Anselmo

Stephen Burke, Regular
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 23-13

RESOLUTION APPROVING AN ANNEXATION OF 10 FRIENDLY LANE TO NOVATO SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING, AND PROTEST PROCEEDINGS

“Annexation of 10 Friendly Lane (APN 141-101-23) to Novato Sanitary District (LAFCo File #1373)

WHEREAS Nick Paggi, 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 .25 acres of land in incorporated Novato to Novato Sanitary District.

WHEREAS the affected territory represents a developed lot with a single-family residence located at 10 Friendly Lane and identified by the County of Marin Assessor’s Office as APN 141-101-23 (“Property”); 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 is 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 Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the annexation proposal, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes .25 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 10 Friendly Lane (APN 141-101-23) to Novato Sanitary District (LAFCo File #1373)”

Section 3. The proposal is consistent with the adopted sphere of influence of Novato Sanitary District.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete the change of organization proceedings.

Section 5. As a condition of approval, that a compliant map and legal description are submitted to LAFCo staff within 1 year of the date of approval of this proposal.

Section 6. As Lead Agency under CEQA for the proposed annexation of APN 141-101-23 to Novato 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 June 8, 2023, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Lew Kious, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 23-13

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

Annexation of the Lands of Paggi & Osby
to the Novato Sanitation District
LAFCo File No. 1373

All that certain property, situated in the Rancho Novato, in the City of Novato, State of California, as described in that certain Grant Deed to John N. Paggi and Stephanie D. Osby, Trustees of the Paggi-Osby Family Trust, dated November 23, 2021, in Marin County Records document No. 2021-0075261 more particularly described as follows:

Commencing at a point being the southwesterly corner of the Lands of Jennings, recorded in Marin County Recorders' document 2018-021755, said point also being on the existing Novato Sanitation District Line thence:

Along said existing District Line, (1) North 29°11'00" East, 129.60 feet, more or less, to the southwest corner of said Lands of Paggi & Osby being the Point of Beginning;

Thence from said Point of Beginning, leaving the District Line along the line of said Lands of Paggi & Osby, (2) North 29°11'00" East 86.00 feet, (3) North 60°49'00" West 20.00 feet, (4) South 81°19'00" East 118.50 feet to the northeasterly corner of said lands of Paggi & Osby being also an angle point on the existing Novato Sanitation District Line;

Thence southerly, continuing along the line of said lands of Paggi & Osby, also being along said existing District Line, (5) South 29°11'00" West 127.50 feet, more or less;

Thence (6) North 60°49'00" West 91.00 feet, to the Point of Beginning.

Containing 10,129 sq. ft., 0.23 Ac.



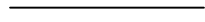
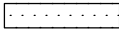
This description was prepared by me or under my direct supervision in May 2023.

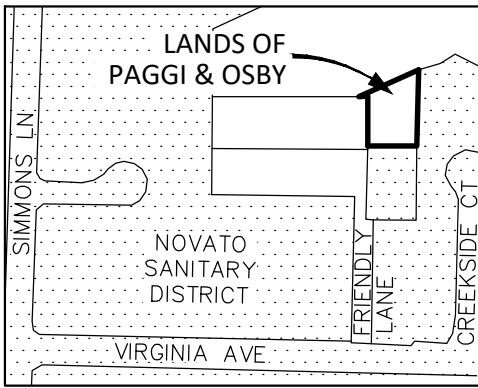
Preliminary

Steven J. Klein, PLS 8155

Date

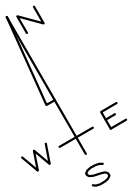
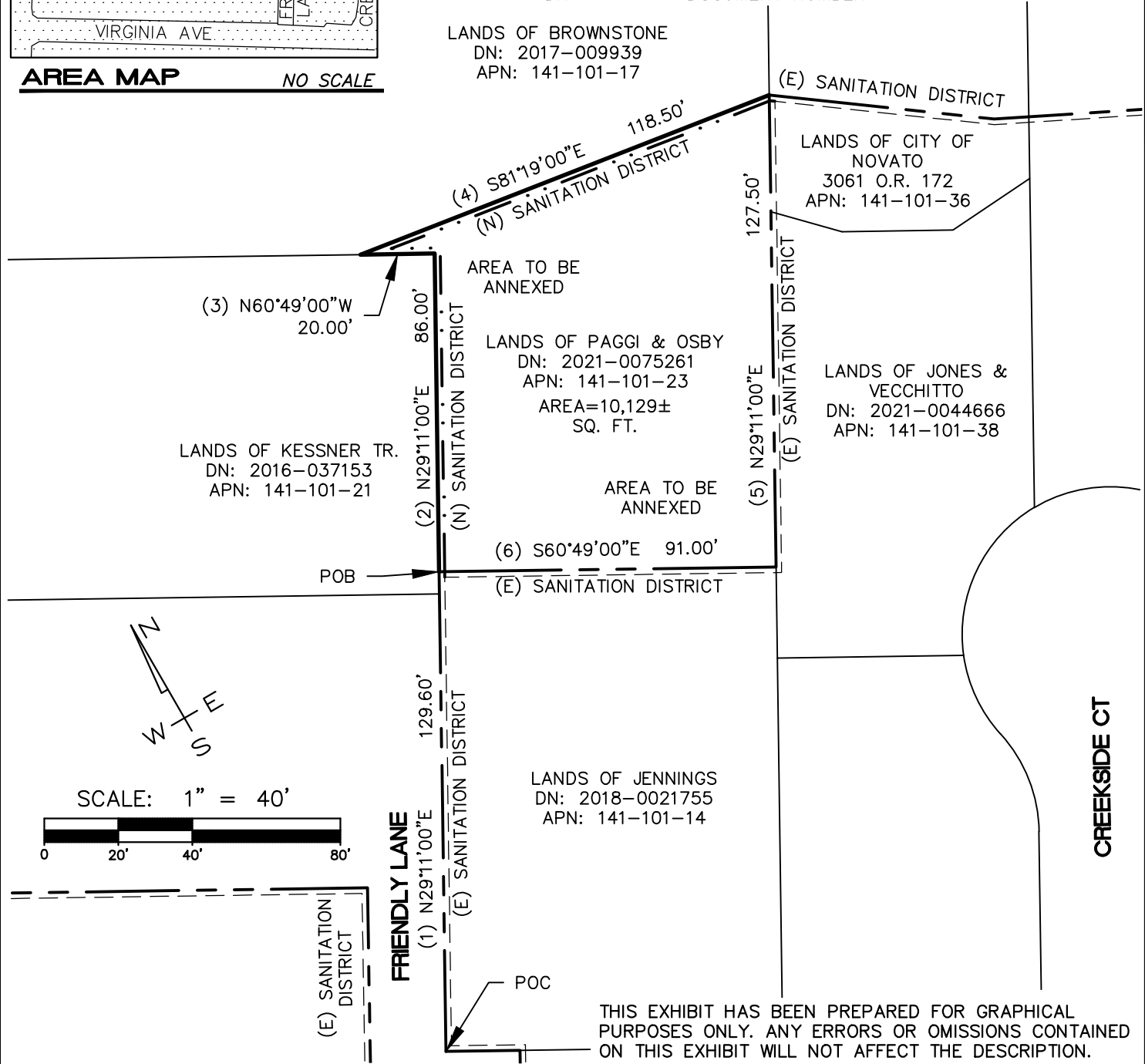
LEGEND

-  RECORD SANITATION DIST, BOUNDARY
-  NEW SANITATION DIST, BOUNDARY
-  RECORD ADJOINING BOUNDARY LINE
-  EXISTING AREA WITHIN NOVATO SANITARY DIST.
- POB** POINT OF BEGINNING
- POC** POINT OF COMMENCEMENT
- DN** DOCUMENT NUMBER

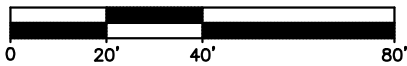


AREA MAP NO SCALE

LANDS OF BROWNSTONE
DN: 2017-009939
APN: 141-101-17



SCALE: 1" = 40'



THIS EXHIBIT HAS BEEN PREPARED FOR GRAPHICAL PURPOSES ONLY. ANY ERRORS OR OMISSIONS CONTAINED ON THIS EXHIBIT WILL NOT AFFECT THE DESCRIPTION.

DATE: MAY 2023
JOB NO. 139-23
SHEET 1 of 1

EXHIBIT "B"
NOVATO SANITATION DISTRICT ANNEXATION
 LAFCO FILE NO. 1373
 APN 141-101-23
 10 FRIENDLY LANE
 NOVATO, CALIFORNIA



MUNSELLE CIVIL ENGINEERING
 CIVIL ENGINEERING ♦ LAND SURVEYING
 513 CENTER STREET
 HEALDSBURG, CA 95448
 (707) 395-0968



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 Annexation
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 _____
7. We would like to connect to the public sanitary system.
8. The proposal is requested to be made subject to the following terms and conditions:

9. The persons signing this petition have signed as:

Registered voters
 Owners of the
land

Nick Paggi
Print Name

Signature

Date

1/8/2023



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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: NickPaggi
10 Friendly Lane, Novato CA 94945

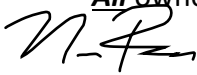
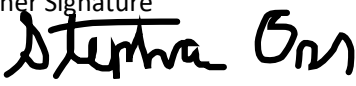
Contact Number: (707) 849-8543 Email: mrpaggi@gmail.com

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.

	1/8/2023
_____ Property Owner Signature	Date
	1/8/2023
_____ Property Owner Signature	Date
_____ Property Owner Signature	_____ Date

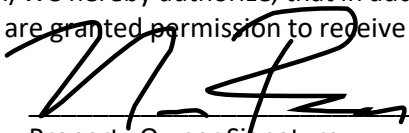


Marin Local Agency Formation Commission

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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 N

Stephanie Osby Paggi

Osby909@gmail.com

909-239-8628

Nick Paggi

Mrpaggi@gmail.com

707-849-8543

NSD contact: Michael Brewer MichaelB@NovatoSan.com 415-892-1694 ext.108



Marin Local Agency Formation Commission

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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")

We would like an annexation into the sewer district.

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

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

The annexation would be for an existing home, so we can abandon are septic system and connect to NSD sewer line.

4. State general location of proposal:

10 Friendly Lane, Novato



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5. Is the proposal within a city's boundaries?
Yes Which city? Novato No 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)
141-101-23

Site Address(es)
10 Friendly Lane, Novato CA 94945

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

9. Total land area in acres: 0.25



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.) 1 dwelling

3. Indicate the current zoning (either city/town or county) title and densities permitted: Low Density Residential (R1)

4. Has the area been prezoned? No _____ N/A Yes _____
What is the prezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)
1.1 to 5.0 dwelling units per acre



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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 _____ No _____

4. State general description of site topography: Residential property with relatively flat landscape at the north end of a private access road known as Friendly Lane. To the north and northeast of this property is Novato Creek.

5. Indicated Lead Agency for this project: LAFCo

6. Indicate Environmental Determination by Lead Agency:

7. Dated:

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



III. 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 to 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

1/8/2023

Date

Nick Paggi

Print Name

Landowner

Title



Marin Local Agency Formation Commission

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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

Nick Paggi

Print Name

mrpaggi@gmail.com

Contact Email

Homeowner

Title

Agency

707-849-8543

Contact Number

Sections 56668		Response
a	Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.	will have no significant change for area
b	The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.	will have no significant impact
c	The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.	will have no significant impact
d	The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.	conforms with local policy and 56377
e	The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.	This parcel is not in an ag designated area
f	The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.	all boundaries conform properly
g	A regional transportation plan adopted pursuant to Section 65080	This has no impact on regional transportation plan because of the small scale of item
h	The proposal's consistency with city or county general and specific plans.	Is consistent with all plans
i	The sphere of influence of any local agency which may be applicable to the proposal being reviewed.	Is within SOI of jurisdiction being annexed into
j	The comments of any affected local agency or other public agency.	All comments reviewed and no objections were presented

k	The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.	Agency has capacity to serve
l	Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	Nothing in this application changes current water usage for property and previous NMWD MSR shows they have capacity
m	The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	This project is too small to have an impact
n	Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory.	They have signed consent form
o	Any information relating to existing land use designations.	No changes to land use needed
p	The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.	This application will have no impact on EJ
q	Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.	Not relevant to this proposal.
	Section 56668.3 parts a and b	
a	If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following:	see comments below
a1	In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.	Is in the interest of landowner and inhabitants

a2	In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city.	n/a
a3	Any factors which may be considered by the commission as provided in Section 56668.	see comments above
a4	Any resolution raising objections to the action that may be filed by an affected agency.	no resolution received
a5	Any other matters which the commission deems material.	staff addressed any issues in staff report
b	The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission	no resolution received



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 14 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer
(On Behalf of Budget Chair Rodoni and Members Burke and Moody)

SUBJECT: Adoption of Final Operating Budget for Fiscal Year 2023-2024

Background

State Government Code section 56381 states that all LAFCos need to approve a proposed budget by May 1st and a final budget by June 15th of each year. The attached budget being presented today is the final budget which will fulfill the June 15th deadline.

At the April LAFCo meeting, the Commission approved moving a proposed budget to member agencies for comment. Staff sent the proposed budget to all dues-paying member agencies of LAFCo and also presented the budget to the Marin Managers Association (MMA) and at a meeting of the Marin County Fire Chiefs Association. The Marin Chapter Special Districts Association (MCSDA) is scheduled to meet on June 7th where staff will present on the budget. As of the writing of this memo, staff has received no written or verbal comments on the budget itself only questions on how much an individual agency will pay. Should any additional comments occur at the MCSDA or come in staff will share them with the Commission.

At the last Budget Committee meeting on March 15, 2023, the Committee instructed staff and the Chair of the Committee to meet and review any changes needed. If the changes were small in nature then the Committee would yield to the Chair to decide whether the changes should be made and present that to the Commission with no further need for the Committee to meet. The Chair and staff met to go over changes, all of which we felt met the Committee's requirement to not call another committee meeting.

The items highlighted in yellow had changes made from what was in the draft budget and what is being presented today. The bulk of the changes come from the approval of the new lease agreement which lowered that line item and also decreased the total expense for the year. Staff also increased the carryforward amount by \$6,000 which comes from getting a free month's rent in June as part of our new lease agreement and being closer to the end of the year so knowing we should have a little more left over from this year's budget. Overall this will mean dropping the agency contribution by about \$7,400 or going from a 6.83% increase to a 5.54% so a little more than a percentage decrease from draft to final budget.

Staff Recommendation for Action

Committee Recommendation – Approve the attached final budget with any needed adjustments.

Alternate Option - Do not make a decision today and give instructions to staff on how to proceed.

Attachment:

Budget Chart for FY 23-24

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Line Items	Final FY 23-24	Draft FY 23-24	Approved FY 22-23	Change FY 22-23 to FY Final 23-24
Expense				
5110110 · Salary	\$373,000.00	\$373,000.00	\$340,000.00	8.85%
5130120 · Benefits	\$36,500.00	\$36,500.00	\$35,500.00	2.74%
5130500 · Pension	\$44,000.00	\$44,000.00	\$40,250.00	8.52%
5130525 · Retiree Health	\$6,000.00	\$6,000.00	\$6,000.00	0.00%
05 · Commissioner Per Diems	\$10,000.00	\$10,000.00	\$10,000.00	0.00%
10 · Conferences	\$6,000.00	\$6,000.00	\$5,000.00	16.67%
15 · General Insurance	\$6,500.00	\$6,500.00	\$6,500.00	0.00%
20 · IT & Communications Services	\$23,000.00	\$23,000.00	\$18,000.00	21.74%
25 · Legal Services	\$37,500.00	\$37,500.00	\$37,500.00	0.00%
30 · Memberships & Dues	\$8,000.00	\$8,000.00	\$17,500.00	-118.75%
35 · Misc Services	\$3,000.00	\$3,000.00	\$2,000.00	33.33%
40 · Office Equipment Purchases	\$4,139.00	\$4,139.00	\$4,139.00	0.00%
45 · Office Lease/Rent	\$35,472.00	\$36,888.00	\$35,670.08	-0.56%
50 · Office Supplies and Postage	\$4,000.00	\$4,000.00	\$4,000.00	0.00%
55 · Professional Services	\$27,000.00	\$27,000.00	\$24,000.00	11.11%
60 · Publications/Notices	\$2,000.00	\$2,000.00	\$2,000.00	0.00%
65 · Rent – Storage	\$0.00	\$0.00	\$650.00	
70 · Training	\$1,700.00	\$1,700.00	\$1,700.00	0.00%
75 · Travel - Mileage	\$3,500.00	\$3,500.00	\$3,500.00	0.00%
Total Expense	\$631,311.00	\$632,727.00	\$593,909.08	5.92%
Income				
Carry Forward Balance	\$95,065.94	\$89,065.94	\$87,360.91	
4710510 · Agency Contributions	\$536,245.06	\$543,661.06	\$506,548.17	5.54%
Total Income	\$631,311.00	\$632,727.00	\$593,909.08	
	Amount	Notes		
General Reserve Fund	\$158,181.75	25% of total expenses - fully funded		
Consultant Reserve Fund	\$50,000	Per Marin LAFCo policy 3.10(B)(ix) - fully funded		
Technology Replacement Fund	\$5,758	Prior FY unspent funds from line item 40, not to exceed \$20,000 (through FYE 22)		



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Item No. 15 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Deputy Executive Officer

SUBJECT: Interview for LAFCo Regular and Alternate Public Member Seats and Possible Appointment

Background

This item is a continuation from the April 6, 2023, regular Commission meeting. The item was agreed to be continued due to certain candidates being unable to attend the meeting due to extenuating circumstances. Just the candidates who were unable to attend the April meeting have been invited to attend today to receive the same interview questions that were asked of the candidates that attended the April meeting. After the remaining candidates have been interviewed, the Commission will consider all of the candidates for possible appointments.

Based on State Government Code section 56331, LAFCos are to appoint a member of the general public to a regular voting seat and can choose to appoint an alternate public member. Marin LAFCo last appointed the regular public member in 2019 to a four-year term and the alternate public member in 2021 to a two-year term. There are no term limits on the public seat and they can be reappointed as many times as they apply as long as the Commission approves the reappointment. Marin LAFCo has historically appointed an alternate public member and makes appointments for both public seats to four-year terms with the two seats being selected in different years. After the conclusion of the 2019 appointment of the regular public seat member, the Commission wanted to look at how to align both the regular and alternate seats so they both are chosen at the same time. In 2019 after staff research and Commission discussion, it was decided that when the next alternate seat opening for an appointment occurred in 2021 it would be only for a two-year term, rather than the normal four-year term, with a return to a four-year term once the seats were aligned in 2023. This now allows for both the regular and alternate public members to have their seats up at the same time this year.

Earlier this year, staff started the public noticing process for the alternate public seat according to State Government Code and Marin LAFCo policy. The official public noticing was sent to all LAFCo member agencies, posted in the Marin Independent Journal, and other local newspaper web posting sites. We have eight people applying for the position. Upon receipt of each application, staff reviewed that each applicant met the minimum qualifications to serve in this seat. That being they are a resident of Marin County and do not work for, or serve on, any local government body within LAFCo jurisdiction. The eight applicants meeting the minimum qualification have been invited to the Commission meeting for an interview. Either just prior to or during the April Commission meeting two candidates withdrew from consideration. See the attachments for each of the remaining applications.

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice-Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Valley Sanitary District

Craig K. Murray, Regular
Las Gallinas Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

The Commission's Policies, Procedures, and Guidelines call for the Commission to use a set of uniform questions during interviews for the public member selection. As the Commission chose four questions at the April meeting and posed those questions to each of the candidates that attended, the same four questions must be asked of the candidates at this meeting as well.

State Government Code section 56325(d) indicates that in order for a person to be appointed they must receive a majority of the Commission's approval. In addition, the approval must consist of at least one Commissioner from each of the three governing groups (County, City/Town, and Special District) voting in the affirmative for any candidate to get the appointment.

Possible Action(s) – Staff does not make recommendations in the decision of the appointment for the Public Member seat, as it is strictly at the discretion of the Commission. Here are possible outcomes the Commission may choose to take.

1. Appoint one candidate to fill the regular seat and one member to fill the alternate seat, each of which will start upon swearing in based on State Government Code section 56334.
2. Make no decision today and make a determination at a future meeting giving staff any needed instruction prior to the next meeting.

Attachment:

1. Questions for each candidate
2. Application from each candidate
3. Public comments received on this item

MARIN LOCAL AGENCY FORMATION COMMISSION

Public Member Interview Questions

The Commission's Policies, Procedures, and Guidelines call for the Commission to use a set of uniform questions during interviews for public member and alternate public member selection. At the April meeting the following questions were asked. These are the only questions that can be asked. During interviews, members of the Commission may also ask follow-up questions in order to elicit more complete responses from candidates.

1. Please tell the Commission something about yourself and the reasons why you have applied for the LAFCo Regular Public Member position.
2. What experience have you had in land use planning?
3. What experience have you had with the delivery of local government services?
4. What is your understanding of LAFCo's role in local government?



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

APPLICATION FOR APPOINTMENT

Public Member Seats

Name: LARRY CHU

Telephone: (Home/Cell) 415-924-5815/806-5556 415 Email: LCHU@PACBELL.NET

Is your Primary Residence in Marin County? Yes [checked] No

Home Address: 116 ALEXANDER AVE, LARKSPUR, CA 94939

Employers Name: FEDERAL RESERVE BANK OF SAN FRANCISCO

Present Occupation: BUSINESS CONTINUITY SPECIALIST (LEGAL + RISK GROUP)

Summary of Qualification: LARKSPUR CITY COUNCIL (2003-2019); CHAIR OF THE MCCMC JPA OVERSIGHT COMMITTEE (2004-2010); TWIN CITIES POLICE AUTHORITY COUNCIL WHEN SAN ANSELMO ADDED; COMMITTEE TO FORM THE CENTRAL MARIN FIRE AUTHORITY; FINANCE, ACCOUNTING, AND TAX BACKGROUND.

Reason For Applying: I RAN FOR PUBLIC OFFICE IN PART TO FIND GREATER FINANCIAL EFFICIENCIES AND GREATER ECONOMIES OF SCALE. I BELIEVE THERE ARE ABUNDANT OPPORTUNITIES TO ACHIEVE THIS IN A COUNTY OF OUR SIZE.

Please list organizations of which you are an officer or employee: EMPLOYEE: BLOCK ADVISORS (TAX ANALYST) OFFICER (NON-PROFITS): MARIN COUNCIL BOY SCOUTS OF AMERICA (TREASURER); MARIN HEALTHY YOUTH PARTNERSHIP (TREASURER); PRSP INSTITUTE (TREASURER);

Please return to: Marin LAFCo 1401 Los Gatos Drive, Suite 220 San Rafael, CA 94903 Fax: 415-785-7897 staff@marinlafco.org LARKSPUR COMMUNITY FOUNDATION (BOARD MEMBER)

Additional information may be attached. (MORE AVAILABLE UPON REQUEST)



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

APPLICATION FOR APPOINTMENT

Public Member Seats

Name: Veda Flores

Telephone: (Home/Cell) 415.299.0035 Email: Vedaart9@gmail.com

Is your Primary Residence in Marin County? Yes [checked] No

Home Address: 114 Sycamore Ave, Apt 8
San Anselmo, CA 94960

Employers Name: Side By Side

Present Occupation: Director of Development & Communications

Summary of Qualification: I have lived in North + Central Marin for 12-years.
I enjoy regional service planning + solving planning issues.
I follow local issues & I am available for the meetings.

Reason For Applying: My background in growth management makes
me the ideal candidate. I would also like to see
greater diversity amongst the commission.

Please list organizations of which you are an officer or employee: League of Women Voters
of the Bay Area Board Member; Public Advisory Council
Metropolitan Transportation Agency

Please return to: Marin LAFCo
1401 Los Gamos Drive, Suite 220
San Rafael, CA 94903
Fax: 415-785-7897
staff@marinlafco.org

Additional information may be attached.



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

APPLICATION FOR APPOINTMENT

Public Member Seats

Name: Nancy T. McCarthy

Telephone: (Home/Cell) 415-488-7207 Email: MacZord@aol.com

Is your Primary Residence in Marin County? Yes No

Home Address: 15 Wellington Avenue, San Anselmo
CA 94960

Employers Name: Self- McCarthy Law Offices

Present Occupation: Attorney

Summary of Qualification: See attached

Reason For Applying: See attached

Please list organizations of which you are an officer or employee: See attached

Please return to: Marin LAFCo
1401 Los Gatos Drive, Suite 220
San Rafael, CA 94903
Fax: 415-785-7897
staff@marinlafco.org

Additional information may be attached.

Nancy P. McCarthy, Esq.
LAW OFFICES OF NANCY P. MCCARTHY
1000 DRAKES LANDING ROAD, GREENBRAE, CA 94904
PHONE (415) 485-1220 FAX (415) 454-9633 E-MAIL: maczord@aol.com

EDUCATION

Juris Doctorate - Tulane University, New Orleans, LA. (1976) Moot Court Honors Graduate;
Member of Founding Editorial Board – *Tulane Maritime Lawyer*
Bachelor of Science - Cornell University, School of Industrial & Labor Relations, Ithaca NY (1973)

LICENSED TO PRACTICE

State of California – 1983. State of Louisiana – 1976. Admitted to practice: Fifth Circuit Court of Appeals; U.S. District Court- E.D. Louisiana; U.S. District Court for the Northern, Eastern and Central Districts of California and the Ninth District Court of Appeals California, U.S. Supreme Court

PROFESSIONAL ACTIVITIES

In California:

- Judge Pro Tem Marin Superior Court
- Prior Member of State Bar of California Committee on Administration of Justice
- Arbitrator for Marin Superior Court- mandatory arbitration panel (9 years)
- Arbitrator – Marin County Bar Association Fee {MCBA} Arbitration Panel (7 years)
- Prior Board Member of the Marin County Bar Assn & Marin County Women Lawyers
- CEB panelist “Strategic Tips on Written Discovery” – multiple dates
- Recognized by MCBA - Pro Bono services; presently serve as UD pro bono attorney

EXPERIENCE

Active litigator for over 35 years in both State and Federal Courts; drafted Healthcare legislation.

2023-1983 - Solo practice in Marin County California litigating cases involving commercial disputes, labor & employment, employment counseling and investigation, contract disputes for employers and individuals, Public Sector employment, NLRB, EEOC administrative appearances, including jury and appeals cases. Represent Physicians in 805 hearings and Quality reviews and re CA Medical Board proceedings in connection with licensure; land use.

1982-1976 - Practiced litigation, primarily antitrust, maritime, gas pipeline and natural resources supply litigation, and Labor Law (NLRB, EEOC, labor arbitrations and collective bargaining) as an associate and then a partner at large New Orleans, Louisiana law firm (1976-1982, Deutsch, Kerrigan & Stiles, then Simon, Peragine, Smith & Redfearn,), including practice pro hac vice in Texas federal courts for a major antitrust case for 1.5 yrs.

1992 – Drafted amendments to CA Health & Safety Code; voting rights and gifts of public funds.

CIVIC, COMMUNITY ACTIVITIES

2013- 2023 (at different times) Oversight Committee Member (Prop 36) of \$500+ million of public bonds in Marin County: Tamalpais Union HS District; Ross School; Coll. Of Marin.) **1986 –1994**, publicly elected official - Marin Hospital District Board. **2002- 2011** Citizen’s Advisory Committee Marin County Sheriff’s Office. Legal Aid of Marin, Pro Bono provider 12 years to present. Previously, Boards of MCBA and Marin Women Lawyers. Pro bono Litigation for non-profit and public interest groups. Unlawful Detainer, pro bono attorney to assist those without counsel facing eviction.

LAFCO APPLICATION OF NANCY P. MCCARTHY

Summary of Qualifications:

I have attached my CV for your review. I have practiced law for 45 years in California and Louisiana. I have lived in Marin County for 40 years and while my mailing address is 15 Wellington Avenue San Anselmo; my home is located in the Town of Ross. I am one of about 20 properties that are able to get residential mail delivery through San Anselmo since my home borders San Anselmo. Ross has only P.O. Box delivery. So, I understand "boundary issues."

I have been and involved and interested community member in Marin County from the moment I arrived here from New Orleans, Louisiana. I was involved in the Beryl Buck litigation with the Marin Coalition, seeking to keep the Buck Trust in Marin to serve the needs of this community versus having it distributed to the entire Bay Area and/or State though the Cy Pres doctrine. I then was elected to the Marin General Hospital Board of Directors and served for 8 years at which time I personally wrote the legislation, sponsored by Senator Russell of Pasadena, that kept all District Hospitals in the State of California (72) from being taken over by "non-profit" healthcare corporations that had significant for profit ties and had no responsibility to local communities. Marin County has benefited from that legislation by retaining local control over what is now Marin Health which has successfully partnered with UCSF.

I have consistently been involved in local governmental matters, including having served on many Citizens' Oversight Committees for the bond funds for TUHSD, College of Marin (on which I now serve again), Ross School, and Edna McGuire School in Mill Valley. I am familiar with Roberts Rules, the Brown Act and how to conduct public meetings. I have done land use work in my practice, including advising clients regarding easements, and years ago I worked on litigation involving pipelines. I have served on HOAs at my family property in Utah, a co-owned ranch property above Park City and am familiar with ranch property issues, and governance issues, as well as what is required for maintenance of rural properties and rivers.

My legal background assists me in digesting complex materials, including applications for land use that involves technical language and often detailed legal descriptions. I have a competent background in California property law that could be of assistance in this position for LAFCO.

I enjoy learning and participating in complex issues involving governance, law, practical solutions and working to improve my local community. I am now semi retired and have the time to devote to important community challenges, which I see on the horizon for LAFCO with all of the unprecedented development coming due to recent California law mandating a significant increase in housing.

REASON FOR APPLYING:

I enjoy learning and participating in complex issues involving governance and law, and finding practical solutions that will improve my local community. I am now semi retired and have the time to devote to important community challenges, which I see on the horizon for LAFCO with all of the unprecedented development coming due to recent California laws mandating significant increases in housing. I am genuinely interested in local issues and I am very up to date on all developments in Marin County including following the Board of Supervisors meetings, the Marin Coalition speakers' programs, belonging to the Marin Conservation League and the COC for the College of Marin which has spent over

\$500 million in bonds substantially rebuilding both campuses, as well as being a member of the Marin County Bar Association where I served as a Director for 4 years and still serve as a panelist for the Marin County Superior Court assisting in settling cases before trial and resolving/mediating discovery disputes, and doing pro bono work for indigents in the community.

ORGANIZATIONS

I am a member of the Marin County Bar Association, a member of the COC of the College of Marin, a member of the Marin Conservation League, a member of the California Bar Association and a member of the Louisiana Bar Association.

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

APPLICATION FOR APPOINTMENT

Public Member Seats

Name: Edward R. Schulze

Telephone: (Home/Cell) C 415-987-8952 **Email:** edwardschulze@comcast.net

Is your Primary Residence in Marin County Yes (over 60 years)

Home Address: 1 Tenaya Lane, Novato, CA 94947

Employers Name: Retired

Present Occupation: Retired

Summary of Qualification: See list of current and previous Civic and Community Involvement.

Reason For Applying: I believe that I can positively contribute as a Team Member based upon my years of public service and ability to consider all concerns. As a member I will support and participate in the commission's effort relating to all issues as presented, without prejudice or bias.

Please list organizations of which you are an officer or employee: See attached list of current Civic and Community Organizations.

Please return to: Marin LAFCo
1401 Los Gamos Drive, Suite 220
San Rafael, CA 94903
Fax: 415-785-7897
staff@marinlafco.org

Additional information may be attached

Edward R. Schulze

edwardschulze@comcast.net

Current Civic and Community Involvement

- . Marin Co. Disaster and Citizens Corps Council
- . Novato Complete Streets and Pathways Oversight Committee
- . Marin Co. Fish and Wildlife Commission
- . Marin/Sonoma Mosquito and Vector Control Trustee

Previous Civic and Community Involvement

- . Volunteer Fireman in Kentfield for 10 plus years
- . Board Member of 322 Units H.O. A. for 20 plus years
- . Marin Co. Civil Grand Jury- 2 Terms
- . Provided Training and Orientation for Marin Co. Civil Grand Jury- 5 years
- . Marin Co. Parole Board- 5 plus years
- . Novato Street Improvement Oversight Committee
- . Novato Code Violation Appeals Board Member
- . Marin Co. Major Crimes Task Force Oversight Committee
- . Cal State Fish & Wildlife Abalone Advisory Committee
- . Novato's 2017 Citizen Of The Year

Current Form 700 and AB1234 Certificate on file.

APPLICATION FOR APPOINTMENT

2023 Public Member Seats

Name: Roger A. Smith

Phone: (Home) 415-453-9432 (Work) 415-990-8725

Home Address: 65 Moncada Way, San Rafael, CA 94901

Employer's Name and Address: Self-employed

Present Occupation: Commercial real estate investment and management

Do you reside in Marin County? Yes No

Summary of Qualifications: See attached.

Reason for applying: See attached.

Are you an employee or officer of any organization which is funded by or provides service to the County of Marin or any city or special in Marin County?

Yes No If yes, please list: _____

Please return to: Marin LAFCo
1401 Los Gamos Drive, Suite 220
San Rafael, CA 94903
Fax: 415-785-7897
staff@marinlafco.org

Additional information may be attached.

APPLICATION FOR APPOINTMENT – 2023 Public Member Seats

Additional Information – **Roger A. Smith**

Summary of Qualifications

I am a Marin native, originally from Fairfax but a resident of San Rafael for over 15 years. I was also a commercial real estate agent in San Rafael from 1983 to 2017. During my time as an agent, I was also an active investor and developer of properties in Marin and Sonoma Counties. I continue to be active in managing and owning commercial properties that house a wide variety of different businesses.

Throughout my career, I have served on numerous boards and committees, many of them dealing with planning and policy work for the City of San Rafael but almost all involving some facet of the development process and/or the built environment. A partial list follows:

- San Rafael General Plan 2040 Steering Committee
- San Rafael Parking & Wayfinding Committee
- North San Rafael SMART Station Area Plan Committee
- Citizens Advisory Committee on Economic Development and Housing
- San Rafael Critical Facilities Committee
- San Rafael General Plan 2020 Steering Committee
- Ad Hoc Committee on Homeless
- North San Rafael Plan Steering Committee
- Downtown Advisory Committee
- MarinSpace Board Member (non-profit property management)
- San Rafael Chamber of Commerce Board of Directors (current)
- San Rafael Chamber of Commerce Governmental Affairs Committee (current)
- San Rafael Chamber of Commerce Economic Vitality Committee
- Recipient, Elissa Giambastiani Advocacy Award, S.R. Chamber of Commerce, 2017
- Marin History Museum Board Member
- Friends of No. 9 Board Member (Mt. Tam locomotive restoration, current)
- College of Marin Foundation Finance Advisory Committee
- Mark Day School Board of Trustees
- Sleepy Hollow Fire Protection District Commissioner

Education includes B.S. University of California, Davis and MBA, University of California, Berkeley

Reasons for Applying

As a fourth generation “Marinite”, I feel strongly about helping to maintain the historically high quality of life in our community. I look for opportunities to apply my long experience in working on economic and planning issues in Marin and I believe LAFCo is one such opportunity. I have a solid understanding of the interconnectivity between Marin’s history and traditions, its regulatory framework and policies, and the disparate political forces that need to be addressed to drive its future. I am a pragmatic thinker always looking to find real world solutions to real world situations. I believe LAFCo is a place where knowledge, innovation and sound judgement have value. I think I can offer those attributes to make a positive impact.

Name: Clifford Waldeck

Phone/cell: 415-290-2008 Email: cliff.waldeck@gmail.com

Yes, Primary Residence is in Marin County

Home Address:425 East Blithedale Avenue, Mill Valley

Employers Name: Marin County Office of Education

Present Occupation(s): Substitute Teacher for preschool and K-12 Marin County public and private schools. Also, work for Indoff Inc., Law Offices of Mark J. Rice and as a consultant for permitting, advocacy and business development.

Summary of Qualification: Former elected and state appointed official. Mill Valley City Councilmember and Mayor. Regional Water Board member and Chair. BCDC Commissioner. Member and Chair, Regional Airport Planning Committee.

Effective and collegial, works well with fellow Board members, staff and stakeholders. Always prepared for meetings. Strives to keep comments short and to the point during meetings. Blindsides no one.

Reason for Applying: I am passionate about the work of LAFCO. It's detail oriented and a convergence of many disciplines and LAFCO's output is important to the vitality of our collective Marin community. I approach LAFCO with an open mind, a willingness to learn and the pride that I am representing the public of Marin County.

Please list organizations of which you are an officer or an employee: Presently, I do not serve on any boards, commissions or organizations. Serving as the Public Member of LAFCO would be my only extracurricular service. I have applied twice before; I hope this third time is a charm.

From: [Mayor Kate](#)
To: [Jason Fried](#)
Subject: LAFCo applicant
Date: Tuesday, February 7, 2023 6:35:12 PM
Attachments: [Outlook-2qbcn0k5.png](#)

Hi Jason - I hope this email finds you well. I saw that LAFCo has put out a call for applicants for the public seat and I respectfully request that the Commission consider appointing long-time community member and San Rafael resident Roger Smith. Roger has been deeply engaged in the community for decades and in working with him for over the years, I know he does his homework, asks great questions and always raises the bar on strategic discussions. He has a deep understanding of San Rafael and would bring a strong business, economic and community-oriented perspective. I recognize that continuing to keep a board 'fresh' with new faces and ideas is a balancing act with wanting to re-appoint incumbents and I can assure you that Roger would be an excellent addition to the board. Please let me know if this email suffices for enthusiastic support of Roger's application or if you'd prefer that I write a more formal letter.

Warmly,
Kate

Kate Colin (she/her/hers)
Mayor, City of San Rafael



Jason Fried

From: Joanne Webster <jwebster@srchamber.com>
Sent: Friday, February 10, 2023 9:52 AM
To: Jason Fried
Subject: LAFCo call for applications

Dear Mr. Fried,

It has come to my attention recently that LAFCo has put out a call for applicants for the public seat. I have never made a request to the Commission, but I feel very strongly about Roger Smith as a candidate. So, I respectfully request that the Commission consider appointing long-time community member and San Rafael resident Roger Smith. I have worked with Roger for years in various capacities including the San Rafael Chamber board, the general plan steering committee, Rotary club, economic development sub-committees and more.

Roger is smart, considerate, and fully engaged in the community. He always does his homework before making any comments leading to great conversation, and strategic thinking. He knows and cares about San Rafael and has a solid understanding of our challenges and opportunities. As a resident, business owner and property owner in San Rafael he would be a great asset to the Commission and bring a strong business and economic lens.

Thank you for considering Roger for this seat.

Please feel free to contact me directly on my mobile at 415-426-9042.

Joanne

Joanne Webster, President and CEO
E:jwebster@srchamber.com O: 415.454.4163 X 101

San Rafael Chamber of Commerce
817 Mission Ave., San Rafael, CA 94901





Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Executive Officer Report – Section A

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Budget Report for FY 2022-2023

Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2022-2023 totaling \$593,909.08. As of May 31, 2023, LAFCo has spent \$463,191.66. This report covers 11 months, which is about 91% of the year. We have already spent 78% of our budget this year. You will note four line items are higher than the expected amount for where we are for being five months into the FY. As mentioned at previous meetings two line items, Membership and Dues (30) and General Insurance (15), consist of bills that have large sums that get paid at the start of the Fiscal year in the case of line item 15 and are mostly paid for in the case of line item 30. A third item is Misc. Services (35). As mentioned at the previous meeting the amount listed is to cover the cost for the in-person workshop we held. This also has become the line item we use for costs associated with our payroll system that are charged now that we are not within the County system anymore. This line item will end up over budget for the year. The new line item that will likely end a little bit over originally budgeted is IT & Communications Services (20). This is due to us changing out of Marin Map and the use of a new system to help with document remediation along with increases for internet services. This line item similar to line item 35 may end up over slightly over budget when this year is closed out.

Attachment:

- 1) FY 2022-2023 Budget Report

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

Dennis Rodoni, Regular
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Vice Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Chair
Almonte Sanitary District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Marin Local Agency Formation Commission

FY23 BUDGET REPORT

05/24/23

July 2022 through June 2023

Accrual Basis

	Jul '22 - Jun 23	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
410 · Prior Year Carryover	0.00	87,360.91	-87,360.91	0.0%
400 · Agency Contributions	506,548.17	506,548.17	0.00	100.0%
Total Income	506,548.17	593,909.08	-87,360.91	85.3%
Expense				
Services and Supplies				
05 · Commissioner Per Diems	5,125.00	10,000.00	-4,875.00	51.3%
10 · Conferences	4,303.86	5,000.00	-696.14	86.1%
15 · General Insurance	5,389.41	6,500.00	-1,110.59	82.9%
20 · IT & Communications Services	17,175.27	18,000.00	-824.73	95.4%
25 · Legal Services	13,943.20	37,500.00	-23,556.80	37.2%
30 · Memberships & Dues	16,471.00	17,500.00	-1,029.00	94.1%
35 · Misc Services	2,217.60	2,000.00	217.60	110.9%
40 · Office Equipment Purchases	98.31	4,139.00	-4,040.69	2.4%
45 · Office Lease/Rent	32,514.24	35,670.08	-3,155.84	91.2%
50 · Office Supplies & Postage	1,663.04	4,000.00	-2,336.96	41.6%
55 · Professional Services	19,583.00	24,000.00	-4,417.00	81.6%
60 · Publications/Notices	299.26	2,000.00	-1,700.74	15.0%
65 · Rent - Storage	0.00	650.00	-650.00	0.0%
70 · Training	0.00	1,700.00	-1,700.00	0.0%
75 · Travel - Mileage	204.38	3,500.00	-3,295.62	5.8%
Total Services and Supplies	118,987.57	172,159.08	-53,171.51	69.1%
Salary and Benefit Costs				
100 · Salaries	283,386.99	340,000.00	-56,613.01	83.3%
120 · County of Marin - Group Health	29,260.82	35,500.00	-6,239.18	82.4%
130 · MCERA / Pension	31,556.28	40,250.00	-8,693.72	78.4%
140 · Retiree Health	0.00	6,000.00	-6,000.00	0.0%
Total Salary and Benefit Costs	344,204.09	421,750.00	-77,545.91	81.6%
Total Expense	463,191.66	593,909.08	-130,717.42	78.0%
Net Ordinary Income	43,356.51	0.00	43,356.51	100.0%
Other Income/Expense				
Other Income				
900 · Interest Earnings	1,532.94			
910 · Fees for Services	22,435.33			
Total Other Income	23,968.27			
Net Other Income	23,968.27			
Net Income	67,324.78	0.00	67,324.78	100.0%



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 8, 2023

Executive Officer Report – Section B

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

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.

We have 2 applications on today's agenda. Please see items 12 and 13 for more information on those applications.

We have no new applications under review.

Finally, staff is happy to report that 255 Margarita completed all conditions and that application is now considered complete and going through its final paperwork processing.

Attachment:

1) Chart of Current and Pending Proposals

Administrative Office

Jason Fried, Executive Officer
1401 Los Gamos Drive, Suite 220
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T: 415-448-5877 E: staff@marinlafco.org
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City of Mill Valley

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Almonte Sanitary District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hillard, Alternate
Southern Marin Fire Protection District

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1372	On Today's agenda	Reorganization of East Blithedale right of way adjacent to 2,45, and 55 Kipling Drive	The City of Mill Valley and the County of Marin, to help simplify boundaries for street maintenance purposes, are requesting a small section of East Blithedale be moved from the County into the City. Since Mill Valley runs its own sewer system and this section of road in question is in Alto SD and Richardson Bay SD those boundaries are also being adjusted to remove their portion of this street.	City of Mill Valley; Alto Sanitary District; Richardson Bay Sanitary District	On Today's agenda
1373	On Today's agenda	Annexation of 10 Friendly Lane	Landowners (Stephanie Osby and Nick Paggi) requesting approval to annex a lot, approximately .25 acres, so they can abandon a septic system and connect to Novato SD. The parcel has a situs address of 10 Friendly Lane (APN 141-101-23).	Novato Sanitary District	On Today's agenda
1362	Terminated	Outside Service Agreement with City of Mill Valley	Landowner Jon Grabham requests an Outside Service Agreement with the City of Mill Valley's sewer district for 11 Brighton Blvd., a parcel in an unincorporated area adjacent to the City of Mill Valley. The property has a failing septic, which County EHS has determined is a public safety hazard. The City of Mill Valley has taken board action in favor of this OSA, and has no interest in annexing the property at this time.	City of Mill Valley	Terminated on 2/11/23 for failure to meet conditions
1366	Completed	Annexation of 21 & 23 Church Street	Landowners Benjamin Hodges, Melissa Omand, and Sarah Hodges (applicants) submitted an application requesting the annexation of 21 & 23 Church Street to Tomales Village Community Services District for sewer service to support development on the approx. 13.25 acre lot.	Tomales Village Community Services District	Completed

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1367	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 1.6 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.	San Rafael Sanitation District	Terminated on 12/10/22 for failure to meet conditions
1368	Completed	Annexation of 5030 Paradise Drive	Landowner Jun Shi requesting approval to annex a lot, approximately .87 acres, to connect a single-family home into the Corte Madera Sanitary District #2 (SD2) for 5030 Paradise Drive (APN 038-032-22). The proposal, as stated by the applicant, is for connection of a single-family home to SD2.	Sanitary District #2	Completed
1369	Completed	Annexation of Mill Valley into SMFPD	Mill Valley and Southern Marin Fire Protection District are looking to consolidate Mill Valley fire services into the district. SMFPD as the applicant needs to annex and update its SOI to include all of the City of Mill Valley into its district boundary as part of this process.	Southern Marin Fire Protection District	Completed

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1370	Completed	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 1.6 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.	San Rafael Sanitation District	Completed
1371	Completed	Annexation of 3606 Paradise Drive	Landowner (Janet Strauss) requesting approval to annex a lot, approximately 1.02 acres, for construction of a new single family home and moving property off septic system to Sanitary District 5 (SD5). The parcel has a situs address of 3606 Paradise Drive (APN 058-011-13).	Sanitary District 5	Completed