

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO 07-09

**ADOPTION OF DETERMINATIONS
FOR THE ROSS VALLEY AREA SERVICE REVIEW**

WHEREAS, Section 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that Local Agency Formation Commissions (LAFCOs) conduct service reviews prior to, or in conjunction with, consideration of actions to establish a Sphere of Influence (SOI) as defined in Section 56076, and in accordance with Section 56425 or 56426.5, or update an SOI pursuant to Section 56425; and

WHEREAS, as part of such reviews, LAFCOs must compile and evaluate service-related information and make written determinations regarding infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities for shared facilities, government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, evaluation of management efficiencies, and local accountability and governance; and

WHEREAS, Marin Local Agency Formation Commission initiated a service review of local government services in the Ross Valley area as part of their overall program to complete all sphere of influence and service reviews by January 1, 2008; and

WHEREAS, Marin LAFCO consulted with affected and interested agencies, interested parties; and

WHEREAS, Marin LAFCO gathered and compiled the information necessary to conduct the required review and independently evaluated such information; and

WHEREAS, Marin LAFCO issued a Draft Service Review on April 6, 2007 and provided a 21-day public review of said document; and

WHEREAS, Marin LAFCO considered the data, recommendations and determinations contained in the *Ross Valley Area Service Review and Spheres of Influence* report at noticed public hearings on April 12 and May 10, 2007 and received all oral testimony and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the review, its data, recommendations and determinations; and

WHEREAS, the Ross Valley Area Service Review collects and analyzes information on local government services in order to provide information to the public and to assist Marin LAFCO in its periodic review of adopted spheres of influence.

NOW, THEREFORE, the Marin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE AND ORDER, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, as follows:

Section 1. Pursuant to powers provided in Section 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Marin Local Agency Formation Commission adopts written determinations as set forth in Exhibit A.

Section 2. Pursuant to Section 15306 of the State CEQA Guidelines, the Commission finds that this service review is exempt from the provisions of the California Environmental Quality Act. That exemption applies to basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 9th day of August, 2007, by the following vote:

AYES: Commissioners Adams, Asbo, Blanchfield, Condon, Heller, McGlashan, Rodoni

NOES: None

ABSENT: Commissioner Slavitz



Jeffrey Blanchfield, Chairperson

ATTEST:



PETER V. BANNING, Executive Officer

EXHIBIT A

Statement of Written Determinations Ross Valley Area Service Review

1. **Regarding government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, the Commission determines:**

Alternative organizational structures for sewer service in the Ross Valley area were analyzed in the service review. Alternatives include 1) Status Quo; 2) Consolidation of Sanitary Districts #1 and #2 to form a single sanitary district in Ross Valley; or 3) Consolidation of CMSA Member Organizations.

Organizational alternatives to the existing service responsibilities of the towns and the County are not available beyond eventual annexation of unincorporated areas to the cities and possible City/County contractual relationships.

2. **Regarding infrastructure needs or deficiencies, the Commission determines:**

Due to a variety of funding constraints, local governments will face increasing challenges in providing adequate funding for public safety and other "essential" services. Levels of service for "non-essential" services such as recreation and parks are expected to decline temporarily as general fund monies are increasingly stressed.

Treatment capacity at the Central Marin Sanitation Agency plant is not sufficient to sustain existing trends toward increasing wet weather flows due to severe inflow and infiltration in member agencies collection systems. CMSA is pursuing new management strategies and capital improvements to treatment facilities to meet the peak demand during wet weather. CMSA member agencies are conducting studies of their collection systems to identify sources of inflow and infiltration.

Many of the fire and police stations in Ross Valley were built in the 1960s or 1970s. Most of them require and are working towards some sort of modernization such as seismic standards review; addressing access/Americans with Disabilities Act (ADA) issues; energy conservation; evaluation and upgrading of mechanical systems; structural repairs; flood damage repair; or office and living space modernization.

Ross Valley cities require substantial investment in their roadway systems to address deferred maintenance due to past and present funding allocation shortfalls. Deferred maintenance has contributed to the decline of driving conditions in the entire area and could significantly increase future maintenance costs.

3. Regarding growth and population projections for the affected area, the Commission determines:

Projected growth in the study area is expected to be very moderate in relation to existing population. While the County's population is expected to grow approximately 10 percent by 2020, the Ross Valley area expects population growth of approximately 8 percent in the same time period.

4. Regarding financing constraints and opportunities, the Commission determines:

Pressure to increase sewer rates in all sewer agency jurisdictions is currently growing due to the need to address deteriorated collection system facilities and rising personnel, insurance, and regulatory costs. In other areas, adequate financing of local services and facilities is not available from standard local sources and state subventions. It has become common for some essential services such as fire protection to require supplementary, voter-approved revenue sources.

5. Regarding cost avoidance opportunities, the Commission determines:

Cost avoidance opportunities through functional and political consolidation are available to Ross Valley cities and special districts. Reorganization of CMSA members may produce significant savings and is currently under active review by CMSA, Sanitary District #1 and San Rafael Sanitation District. On a contractual basis, Sanitary District #1 and CMSA have agreed to combine office and corporation yard facilities at the CMSA site. This action will remove the need for new facilities previously planned by Sanitary District #1.

The six fire protection agencies in the study area have taken advantage of opportunities to minimize overlapping service responsibilities, redundant facilities, and other costs. The contractual relationships of the towns of Fairfax and San Anselmo with the Ross Valley Fire Service are examples of agencies pursuing available opportunities to avoid costs. Further study of consolidation of fire agencies in the Ross Valley area is expected in the next five years.

Ross Valley cities continue to investigate cost savings available from functional consolidation of existing police departments, such as the current effort undertaken by Fairfax and San Anselmo. Continuing financial pressure on cities is expected to maintain interest in functional consolidation of city services.

6. Regarding opportunities for rate restructuring, the Commission determines:

Rate restructuring is not applicable to police and fire protection or road maintenance of roads and other public facilities, as these services are not supported by fees that could be restructured at the local level. Increases in user fees for the recreational programs and services of the towns of Ross Valley may assist agencies in managing cost increases, but will not affect underlying fiscal problems of the agencies.

7. Regarding opportunities for shared facilities, the Commission determines:

Sanitary District #1 and CMSA have recently acted to combine office and corporation yard facilities at the CMSA plant. Many of the Ross Valley fire agencies have undertaken methods of resource sharing such as joint purchasing, training, sharing specialized equipment and dispatch services.

8. Regarding evaluation of management efficiencies, the Commission determines:

Cities and special districts in the Ross Valley area have the resources and management capability to provide services to the study area in both the short and long term. Management efficiency for some services, especially fire protection, remains an issue for all small service providers in Marin County.

9. Regarding local accountability and governance, the Commission determines:

Cities and special districts in the Ross Valley area use a variety of measures to actively communicate policy and service information to the public. These efforts facilitate local accountability and contribute to public involvement in local governance.