



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

SPECIAL MEETING

COMMISSION WORKSHOP **Marin Local Agency Formation Commission**

Friday, January 12, 2024 at 9:00 a.m.

Marin Wildfire Prevention Authority Meeting Room | Suite 335 | 1600 Los Gatos Drive, San Rafael, CA (Use the Main Lobby (Lobby A) entrance, which is located on the freeway side of the building.)

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS FOR HYBRID ATTENDEES

In addition to in-person attendance, as a courtesy, and technology permitting, members of the public may also attend by virtual teleconference. However, LAFCo cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, the meeting will continue despite technical difficulties for participants using the teleconferencing option. Members of the public may access and watch a live stream of the meeting on Zoom at <https://us02web.zoom.us/j/4350473750?omn=81105992449>. Alternatively, the public may listen in to the meeting by dialing +1 669 444 9171 and entering Meeting ID 435 047 3750# when prompted.

SPOKEN PUBLIC COMMENTS FOR HYBRID ATTENDEES:

Spoken comments will be accepted through the teleconference meeting. To address the Commission, click on the link at <https://us02web.zoom.us/j/4350473750?omn=81105992449> to access the Zoom-based meeting.

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

CALL TO ORDER BY CHAIR

ROLL CALL BY COMMISSION CLERK

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

WORKSHOP

- I. **Welcome**
Explanation of the workshop's purpose and intent.
- II. **GASB 75**
Setting context by reflecting on successes, changes, trends, and dissatisfactions over last year.
- III. **Presentation on the Brown Act and Levine Act**
BBK will give a presentation on the Brown Act and new revisions to the Levine Act .
- IV. **LAFCo 101/201a**
Examine, discuss, and expand on commissioner roles and the year in review

V. **Marin LAFCo and Work Plan**

Review and discuss Marin LAFCo policy and internal operations. Commissioners examine short-term outcomes and priorities, clarify expectations for staff and each other, identify measures of progress, and discuss the work plan.

VI. **Reflection and Final Remarks**

Reflection on the day.

ADJOURNMENT TO THE REGULAR COMMISSION MEETING

Thursday, February 8, 2024, | 6:30 pm

Marin Wildfire Prevention Authority | Suite 335 | 1600 Los Gamos Dr. STE 335, San Rafael 94903



Attest: Claire Devereux
Clerk/Jr. Policy Analyst

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.

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Marin LAFCo

Administrative Office
1401 Los Gamos Drive, Suite 220
San Rafael California 94903

T: 415-448-5877
E: staff@marinlafco.org
W: marinlafco.org



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AGENDA REPORT
January 12th, 2024
Item No. 1 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Workshop

Background

Joe Serrano will facilitate this workshop the current EO for Santa Cruz LAFCo.

It has been a few years since we have done a review of who and what Marin LAFCo is. With all the changes in the Commission roster over the past year, this workshop is to help educate the Commission on the work that we are doing and discuss any changes that you want to make.

The goal of the workshop is for the Commission to discuss issues Marin LAFCo is currently facing and if any changes should occur to our operations and policies.

The first attachment is an outline of items that will be discussed over the course of this meeting. Staff felt having some additional information prior to the meeting would be helpful in the discussion that will occur during the workshop. This memo is done in order as items will be discussed during the workshop with attachments following in similar order. As mentioned not all items are listed.

Our GASB 75 report is done by an outside consultant in order to understand our long-term OPEB liabilities. Some assumptions are made when doing this report. Those assumptions can have variables so the question that will be asked to the Commission will be around should any of those assumptions be changed. Attached is an email from our consultant that helps explain a few issues. In the memo are some questions for the Commission to review and answer during the workshop.

During the December meeting the Commission wanted to have a brief refresher course on the Brown Act so Mala will provide that to you.

LAFCo 101/201 will be led by our facilitator. As part of that, we will look at what a typical year looks like for Marin LAFCo, staff will give a short presentation of this during the workshop to help the Commission understand and start the discussion on this. In addition, we will have a quick review of our Mission and Vision statements.

In 2018/2019 Marin LAFCo went through a major overhaul of our Policy Handbook. After completing the Policy Handbook, we created our first Personnel Handbook. In front of the Commission are several items that either Commissioners or staff have identified as possibly needing change. It is not the goal to physically rewrite any policy at this meeting but rather

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
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Dennis Rodoni, Vice-Chair
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decide if the policy should change and if yes give general direction to the Policy Committee who will decide on the written language to present to the Commission for approval at a future meeting. The items being presented today at the workshop:

- I. Recently the Commission has raised questions about the Chair/Vice Chair appointment process and if term limits should be implemented. This issue was discussed at the August 11, 2022 Commission meeting. At the time the Commission decided to keep things as is. Attached is the staff memo which gives background on what other LAFCos do. The staff is not aware of any changes since that memo that other LAFCos have taken but it is possible changes have occurred.
- II. Currently, LAFCo has 3 standing committees and the ability to form others on an ad hoc need basis. The three current committees are: Budget and Work Plan; Policy and Personnel; and Legislative. These three committees were established before the current staff was hired so we are not able to explain why the committees were set up the way they are. Of the three committees no recommendation of changes has been suggested for the Budget and Work Plan committee. Two questions in the recent past have arisen around the Policy and Personnel committee. The first is current policy has either the Chair or Vice Chair needing to serve on the committee. The question raised is why the Chair or Vice Chair needs to be on the committee. The second issue is now that we have completed the overhaul of the Policy Handbook and creation of the Personnel Handbook should this committee remain as a standing committee or should it be dissolved and if in the future we need a committee to meet we use the Ad Hoc Committee process to handle the needs that this committee would provide. Staff will note that since both the handbooks were created, the committee has met rarely, with some years not meeting at all. The final standing committee is the Legislative Committee. In 2019 staff led an effort to overhaul how we handle legislation that is going through the state legislature process, see attachment with Marin LAFCo policy 3.15. This process now allows for Marin LAFCo to align with CALAFCO. Since this new process was approved by the Commission the committee, after discussing the legislation has always simply recommended to the Commission that we align with CALAFCO. The Commission in turn has approved that recommendation. The question is given this do we need to have a standing committee at this point, or should it be dissolved and if a future need arises an Ad Hoc Committee is formed to deal with any special legislation where we may not align with CALAFCO.
- III. During the December meeting, the issue of LAFCo Policy 4.8 around our Dual Annexation agreement was mentioned as it pertains to Novato and its Urban Growth Boundary. Since the meeting staff asked other LAFCos if they have something similar in their County. A few LAFCos do have some similar issues to ours. In general, the consensus was that collecting the agreement was done by them but mentioned politics and specific situations may keep them from doing that in all cases. Does the Commission wish to change its current position of not collecting this agreement and do we want to formally write it into our policy?
- IV. Last year Marin County changed its paid holiday days to include Juneteenth as a holiday. Should staff get details on what changes the County made and make a recommendation to the committee to review to add Juneteenth to our paid Holiday calendar in a similar way the County took?
- V. Last year we went through the public seat appointment process. During the process, the Commission decided that it wanted to have all candidates attend the meeting in person. This is not written into the policy, so staff did not inform candidates of this

need. It would be good to add language to our policy about the need for this if this is the process the Commission wants to use in the future.

- VI. Marin LAFCo currently offers remote work through our hybrid work schedule. The Commission has given its approval to this but we have no formal policy about this. Staff would recommend a formal policy be created. Does the Commission wish to create such a policy is the question to be answered.

Marin LAFCo has a living work plan that is amended and updated over the course of the year. The Commission formally reviews the work plan annually. Attached is the work plan. The work plan is a general list of the high-level projects that staff is working on and is not meant to be a complete list of all the work we are doing. With the completion of both the Golden Gate Corridor and Southern Marin Wastewater MSR studies, we have removed them from this list and added in the items that came out of the MSR for us to work on as updates to items on the work plan. In 2019 the Commission added two special studies, these are different from MSR. The first one was a countywide fire study to look at potential ways the fire agencies could work more closely together and possible consolidation opportunities. As staff was doing its research we realized that there is a lot going on behind the scenes that most people may not be aware of. That is not to say more could not be done but in the big picture, the fire agencies do a good job already in this area. Olivia had been doing lots of research and some basic drafting but that report got put on hold when she left given other work that also needed to be done. The other special study would be a similar report done on countywide police services which is to follow after the completion of the fire study. Now that Claire is up to speed she could continue this work but the question is does the Commission still consider this a priority to be worked on or should we remove it from the workload?

The San Quentin Village SMD consolidation into RVSD has not moved anywhere. RVSD has some issues with the permitting process the County requires for the inspection and repair of its lines under County roads. RVSD does not wish to annex this area until that gets resolved. Staff would move this to staff will monitor and should things change move this up as a priority.

The property tax review for special districts has been a time-permitting item. Recently with the onboarding of Claire, we have started to do some of the basic research on this and depending on what the Commission views as its priorities could have a draft report later this year or next year.

When completing Strawberry Recreation District's (SRD) MSR it was noticed that they currently do dredging which is not allowed under state government code. Staff recommended and the Commission agreed that we should work to remove this service from SRD and instead create a new CSA to handle this issue. Since at the time, they had already started the review process and gotten the permits to do this work through SRD, LAFCo did not want to interfere with the current process based on where they were at so decided that we would wait until that process is completed. SRD staff believes everything will be completed by February so we should start working on this issue in the first quarter of 2024.

Paradise Drive is another one that has been around for a while. While I wish I could report progress has been made over the year this one is stuck with neither side able to come to formal agreements other than to say they will work together and as applications come to LAFCo that can help solve the issue the staff feels at this time it should be a low priority with the ability to move it up should the opportunity arise.

Ross Valley Fire has been working through several issues over the past couple of years. Staff has made itself available to assist as needed but to date has only had one-on-one meetings with individual staff, board members, and other interested parties but has not been invited to any group meetings about the subject matter.

One final item that staff has been working on that has not been included but staff is recommending to add is a project on correcting boundary issues. A few years ago Sanitary District #2 came to LAFCo asking about parcels that they were serving but not in the district boundary, at least according to Marin Map. In some cases, LAFCo approved the boundary change but for some reason, it never got added to Marin Map so we corrected those. Others never got sent to LAFCo either because the agency back in the day forgot to tell the property owner to get LAFCo approval or the property connected without getting proper approval from the district. LAFCo staff has been working with SD2 to properly ID all the parcels and get an application to LAFCo to annex them into the district. In this process, we also discovered a few parcels along the RVSD boundary where the parcel was receiving service from either RVSD or SD2 but was showing as being in the other district based on the official boundary line for both agencies. Those parcels will also be flipped. In early 2024 we should be getting the applications to change these boundaries. Staff is suggesting that we add to the work plan working with other agencies to see if they have similar situations and work to correct boundaries in those cases as well. Excluding the newest items just added in December the rest of the items on the chart are items that LAFCo has identified or been asked to assist with but are not ongoing projects staff is working on in any regular capacity but more of an as-needed basis.

We are currently working on the 2nd to last MSR for this round. Attached is a copy of the current MSR schedule and all the items worked since we started this round so far.

The final section covered in this memo will deal with some internal operations. The first part will be understanding how the housing element impacts LAFCo work, particularly the MSRs we do. Back in June 2022, the Commission authorized for the office to be open only 1 day a week for open office hours and then as needed for the rest of the week. The Commission asked for this to be reviewed after it was given some time to see how it is working. Staff designated Wednesday as that one day. Since this practice has been put in place we have had a total of two people who have used the drop-in service. Both were for people interested in finding out more about the application process. Everyone else has called the office first and either got their question answered during that call or set up a scheduled meeting with staff for more complex questions.

No formal action is required but the Commission may give instructions to staff as it desires.

Attachment

1. Workshop outline
2. Memo on GASB
3. Marin LAFCo Mission and Vision statements
4. Marin LAFCo Year in Review
5. Memo on Chair/Vice Chair selection
6. List of Committee (Marin LAFCo Policy 3.9)
7. Legislative Policy (Marin LAFCo Policy 3.15)
8. Dual Annexation Policy (Marin LAFCo Policy 4.8)
9. Marin LAFCo Workplan
10. MSR Schedule
11. MSR Workplan items review



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Attachment 1: Workshop Outline

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
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WORKSHOP OUTLINE
FRIDAY, JANUARY 12, 2024
9:00 AM - 12:00 PM

I. WELCOME (10 minutes) 9:05 – 9:15am

- a. Introduce facilitator
- b. Explain the purpose/intent of the workshop

II. GASB 75 (15 minutes) 9:15 – 9:30am

- a. Outside consultant presentation

III. BROWN ACT (25 minutes) 9:30 – 9:55am

- a. BBK Presentation

IV. LAFCO 101/201 (20 minutes) 9:55 – 10:15 am

- a. Mission Statement / Vision Statement
- b. Commissioner's Role (LAFCo Hat discussion)
- c. Year In Review (what happens between January and December)

****10-minute break****

V. MARIN LAFCO (1 hour and 20 minutes) 10:25 – 11:45 am

- a. Policy Review (appx. 30 minutes – 10:25 to 10:55am)
 - Longer Discussion Topics:
 - i. Chair / Vice Chair Appointment Schedule
 - ii. Ad-Hoc / Standing Committee (Formation/Purpose/Duration)
 - iii. Voter-Approved Urban Growth Boundaries and LAFCo Policy 4.8
 - Shorter Discussion Topics:
 - iv. Juneteenth Holiday Consideration
 - v. Public Seat Process
 - vi. Remote Work
- b. Work Plan (appx. 30 minutes – 10:55 to 11:25am)
 - i. What's on it? What needs to be amended?
 - ii. Special Study Status
 - iii. How to Track Projects/Goals (Deadlines/Milestones)
 - iv. Service Review & Sphere Designations
 - v. Functional Consolidation
- c. Internal Operations (appx. 20 minutes – 11:25 to 11:45am)
 - i. Understanding the Housing Element and its impact on LAFCo work
 - ii. Office Hours
 - iii. Temporary Assistance / One-Time Projects

VI. FINAL REMARKS (15 minutes) 11:45– 12:00 pm

- a. Comments from Staff
- b. Emphasize the importance of clear direction from the Commission
- c. Summary of any follow-up items



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Attachment 2: Memo on GASB

Administrative Office

Jason Fried, Executive Officer
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Roger Smith, Alternate
Public Member

From: [Cathy MacLeod](#)
To: [Jason Fried](#)
Subject: Comments re: OPEB Trust for upcoming Board meeting
Date: Friday, December 29, 2023 3:26:16 PM
Attachments: [image003.png](#)
[image005.png](#)

Hello, Jason.

You asked us to provide some thoughts on issues the Board may want to consider as it reflects on whether to change or maintain the CERBT asset allocation strategy. Before I begin, it is important that I state that MacLeod Watts does not provide investment advice of any kind.

Very briefly, the 3 current strategies are:

- 1: More aggressive. The general asset allocation is more heavily weighted in equities and Global Real Estate than the others.
- 2: More balanced. 15% lower allocation in equities and 3% lower REIT's shifted to fixed income securities
- 3: More conservative. Additional 11% decrease in equities and 3% drop in REITs shifted to fixed income or Treasuries (TIPs).

As the % invested in equities goes down, the expected return also drops.

When the expected return goes down, the employer's liability increases, since the lower trust earnings will need to be made up by higher employer contributions to fund the benefits.

The tradeoff is lower risk (volatility in return) as the allocation becomes more conservative.

CERBT Strategy Comparison		Target Allocation		
Major Asset Classification		Strategy 1	Strategy 2	Strategy 3
Global Equity		49%	34%	23%
Fixed Income		23%	41%	51%
Global Real Estate(REITs)		20%	17%	14%
Treasury Inflation Protected Securities (TIPS)		5%	5%	9%
Commodities		3%	3%	3%
Volatility		12.1%	9.9%	8.4%
Expected Return *		6.05%	5.5%	5.05%

** based on CalPERS projections applied to the Commission's projected benefit cash flows.*

The Commission's funds are currently invested in CERBT Strategy 2.

Considerations of which asset allocation strategy might be best at different phases in the plan's funding include:

1. The risk tolerance of the agency and its governing Board.
2. The funded status of the plan. Two ratios worth reviewing are:
 - a. The ratio of plan assets to the prior service cost allocations (i.e., assets ÷ the Total OPEB Liability (also called the Actuarial Accrued Liability when talking about plan funding)

b. The ratio of plan assets to the Present Value of Projected Future Benefits (PVPB).

The PVPB includes both the prior service costs and the future service costs so is the best picture of additional funding that will be needed in future years.

As the funded ratios increase toward 100%, typically the employer shifts away from the more aggressive toward the more conservative allocation strategy to reduce the risk of an asset loss. When the funded ratio is low, a 10% asset loss is on a small amount of assets. When the assets are a very high % of the liability, a 10% loss can represent a significant part of the liability.

The chart below compares results for the 3 asset allocation strategies:

Compare June 30, 2023 Valuation Results	Strategy 1	Strategy 2	Strategy 3
Trust Assets	\$ 72,290	\$ 72,290	\$ 72,290
Present Value of Projected Benefits (PVPB)	87,734	94,700	101,117
<i>Ratio</i>	<i>82%</i>	<i>76%</i>	<i>71%</i>
Trust Assets	\$ 72,290	\$ 72,290	\$ 72,290
TOL (AAL)	61,579	64,450	66,964
<i>Ratio</i>	<i>85%</i>	<i>89%</i>	<i>93%</i>
Current & Future Services Costs	\$ 26,155	\$ 30,250	\$ 34,153

3. The expected average remaining future working years and average years in retirement for current employees and retirees. The longer the period, the longer the trust will be in effect and the better able the program should be able to withstand volatility in returns. The average age of current active employees is 37 and weighted expected future service is 13+ years. Expected life expectancy of the current retiree is about 14 years and for future retirees would typically be at least 20 years after retirement.

Summarizing the above,

- Trust assets are a high % of the past service liability (TOL) and a significant % of the PVPB (prior and future service cost allocations), suggesting that Strategy 1 might not provide the best risk protection for this plan.
- There is about 20-30% of unfunded future service costs and over 13 years (average) for those costs to be funded. There is also expected to be some additional years in retirement for the Commission to withstand some reasonable asset return volatility (more risk than Strategy 3) and – in the meantime – to pick up some additional asset return in Strategy 2.

Again, I reiterate that the final comments are just observations and should not be taken as recommendations by me or by MacLeod Watts.

Please let me know if I can provide anything else to assist for the upcoming meeting.

Cathy

Catherine MacLeod, FSA, FCA, EA, MAAA
Principal & Consulting Actuary



MacLeod Watts, Inc.

Direct: (503) 419-0462

[e-mail](#) | [website](#)

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Attachment 3: Marin LAFCo Mission and Vision Statement

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

The Marin Local Agency Formation Commission promotes and coordinates the efficient delivery of local government services and encourages the preservation of open space and agricultural lands.

Vision Statement

Marin LAFCo will provide oversight of local government agencies and their municipal service areas consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and in a manner responsive to community needs and in partnership with affected jurisdictions. The Commission will achieve this vision by emphasizing the following core values:

a) Independent

The Commission will exercise independent judgment in fulfilling its regulatory and planning responsibilities consistent with the agency's adopted policies and state law.

b) Principled

The Commission will maintain a high standard of quality, integrity, and consistency while facilitating accountable and efficient municipal growth.

c) Reasonable

The Commission will be objective in its decision-making and will consider the reasonableness of all potential actions before the agency.

d) Value-Added

The Commission will add value for the public by collaborating with agencies to improve the efficiency and effectiveness of municipal services.



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Attachment 4: Year in Review

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Jason Fried, Executive Officer
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January	February	March	April	May	June	July	August	Sept.	October	Nov.	December
MSR and SOI - Draft report presented at meeting with SOI Reaffirms or updates the final report presented at the following meeting (will not occur at every meeting)											
Applications - Process and present to commission as received (may not have one at every meeting)											
Workshop . (Does not happen every year)	Commission Meeting (if needed)		Commission Meeting - Approval of Proposed Budget, Review of EO (and staff), Approval of any contract extensions for Independent contractor		Commission Meeting - Approval of Final budget, EO contract renewal or salary updated (if needed), election of chair and vice chair. In odd years fee schedule update approval.		Commission Meeting (if needed) - Giving approvals for Annual CALAFCO Conference		Commission Meeting (if needed)		Commission Meeting (if needed) - Approve next year's meeting calendar
Chair appoints Committee Members	Leg Committee Meets to discuss that year's bills, normally just 1 meeting							CALAFCO Conference			
Staff starts next FY budget draft	Budget Committee Meets - Review proposed budget and workplan. Odd years review of Fee schedule		After Commission Meeting the Budget Committee may meet if needed to update budget for final approval		<div>Green - Staff Evets Orange - Committeeesnts Yellow - Full Commssion Blue - Member Agecies</div>						
Annual Audit Is Started		EO does self evaluation and presents to Chair who shares with Commission prior to April	EO meets with Labor Negotiating Committee after April Meeting								
			EO Review of staff (done after EO meets with Labor Negotiating Committee)								
			CALAFCO Staff Workshop								
			Send approved proposed budget for review to member agency to get comment								



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Attachment 5: Chair/Vice-Chair Selection

Administrative Office
Jason Fried, Executive Officer
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Roger Smith, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

August 11, 2022

Executive Officer Report – Section C

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Survey of Other LAFCo's Chair/Vice Chair Election Process

Background

The Commission at its June Commission meeting asked the staff chair to survey the process that other LAFCos use in the selection process for the Chair and Vice Chair. Staff sent out a basic survey asking each LAFCo if they have any sort of term limits on the position, use some sort of rotating process of the seats, or similar to us have no limits or rotating process for the two positions. Not including us, we had 22 LAFCos reply to the question.

The response was evenly divided. 11 other LAFCos are similar to us with no limitations on how long a person can be Chair or Vice Chair. The other 11 LAFCos had 2 who had one year term on being Chair but no other rules with the remaining 9 LAFCos having a predetermined rotation of the positions.

Attached are all the policies we received from LAFCos that rotate or have term limits that the other LAFCos shared with us. I did not include policies shared with us from the 11 LAFCos who have a similar process to us with no limits on how the chair/vice chair is elected.

Possible Action (staff views this as a Commission level discussion so is taking no formal position on it)

Option 1 – Request the Policy Committee to meet and present a policy that changes the Chair and Vice Chair Election Process to be presented at a future meeting of the Commission for discussion and possible approval.

Option 2 – Decide to take no action and leave the current policy as is.

Attachment:

1. Sample policies on the election of chair and vice chair

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

Judy Arnold, Regular
County of Marin

Damon Connolly, Alternate
County of Marin

Vacant, Regular
City/Town Seat

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Lew Kiou, Vice Chair
Almonte Sanitary District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Richard Savel, Alternate
Public Member

Ventura LAFCo

SECTION 1.1.4 OFFICERS

1.1.4.1 Chair: The Chair shall be selected by the members. The Chair shall serve for one year or until his/her successor is selected at the first meeting of each calendar year or at the next regular meeting following the appointment and qualification of the requisite member to fill any expired and/or vacant terms.

The office of Chair shall be rotated so that a member of each of the four represented groups of LAFCo serves one full year in every four-year period. Commencing January of 2002, the rotation of the chair shall be in the following sequence: County, Public, City, and Special District member.

1.1.4.2 Vice-Chair: The Vice-Chair shall be selected by the members. The Vice Chair shall serve for one year or until his/her successor is selected at the first meeting of each calendar year or at the next regular meeting following the appointment and qualification of the requisite member to fill any expired and/or vacant terms. In the absence of the Chair, the Vice-Chair shall serve in place of the Chair.

The office of Vice-Chair shall be rotated so that a member of each of the four represented groups of LAFCo serves one full year in every four-year period. In January 2002, the rotation of the vice-chair shall be in the following sequence: Public, City, Special District, and County member.

Santa Clara

7.APPOINTMENT OF OFFICERS

a. The Commission shall annually appoint a Chairperson and Vice Chairperson for the next calendar year at the December meeting. The Chairperson and Vice Chairperson shall be appointed based on the following rotation schedule unless otherwise determined by the Commission:

- Cities member
- County member
- San Jose member
- Special Districts member
- County member
- Public member
- Special Districts member

b. The Chairperson shall preside at all meetings of the Commission and the Vice Chairperson shall preside at meetings in the absence of the Chairperson.

Santa Barbara

RULES AND PROCEDURES

B. Officers

Selection of Officers -- The members of the Commission shall elect a Chair and Vice Chair at the first meeting of the Commission of each year or as soon thereafter as practicable. The Chair and Vice Chair shall serve for one-year terms, It is intended and presumed that the Vice Chair will be appointed by the Commission as the Chair at the end of the term. Officers shall be selected from the categories of members in the following order: Public, County, Special District and City.

(Emphasis on intent, an alternate selection could occur. Generally, the Chair & Vice-Chair have rotated per the order listed.) – EO added this to comment

Fresno

Policy Language:

502 Chair

502.01 Election

The Chair of the Commission shall be elected by the members thereof by a majority vote of all the members.

502.02 Term

The term of office of the Chair shall be one calendar year beginning each May and shall be succeeded annually by the chair pro tempore.

502.03 Eligibility

All members of the commission are eligible to serve as chair.

503 Chair pro tempore

503.01 Term and Duties

There shall be a Chair Pro Tempore, whose term of office shall coincide with that of the Chair and who shall, in the absence of the Chair, perform all of the functions and duties of the Chair.

503.02 Election

The Chair Pro Tempore of the Commission shall be elected by the members thereof by a majority vote of all the members.

503.03 Eligibility

All members not representing the appointing authority of the chair may be nominated and serve as chair pro tempore.

NAPA

V. Appointment of Chair and Vice Chair

A) Term of Office: Beginning in 2024, the terms of office of the Chair and Vice Chair shall be for one year, beginning on January 1.

B) Rotation: The Chair and Vice Chair shall be appointed by the Commission according to the following annual rotational system, effective January 1, 2024, unless a temporary change is made pursuant to Section V(C):

<u>Chair Designations</u>	<u>Vice Chair Designations</u>
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County Member II	Public Member
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Public Member	City Member I
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City Member I	County Member I
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County Member I	City Member II
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City Member II	County Member II
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It shall be the responsibility of the Executive Officer to maintain a record of the seat designations and occupants, and to annually inform the Commission prior to the rotation.

C) The Commission may create temporary changes to the rotation as part of an action item placed on a meeting agenda. If the Chair and Vice Chair offices are both vacant, and in the event the procedures set forth in Section VI "Vacancy," below, are not feasible, the Executive Officer may call a meeting to order until the Chair and Vice Chair are appointed.

Placer

(No formal policy but passed a resolution in 2008 that shows order of seats and that the order continues to repeat itself indefinitely.)

Tulare

4.6 Officers

A. The officers of the Commission shall be a chair and vice-chair, and the vice-chair shall serve in the absence of the chairman. In the absence of both the chair and the vice-chair, the members present at such a meeting may elect a chair pro tem.

B. The Executive Officer shall be selected by the Commission in accordance with the Staff Services Agreement with the County (Policy D-3) and GC §56384.

C. The terms of office for chair and vice-chair shall be one year from January 1 to December 31: for chairman pro tem, for the meeting only at which he or she is appointed.

D. It is the policy of this Commission to annually rotate the membership of its officers so that all members of the Commission will have an equal opportunity to serve as an officer of the Commission.

Contra Costa

Selection of Officers – The members of the Commission will elect a Chair and Vice Chair at the first meeting of the Commission held in January of each year or as soon thereafter as practicable. The Chair and Vice Chair serve for one-year terms, or until their successors are elected, whichever occurs later. Officers will be selected from the categories of members in the following order:

County Member 1

Public Member

Special District Member 1

City Member 1

County Member 2

Special District Member 2

City Member 2

Monterey

Section 12. CHAIR AND CHAIR PRO TEMPORE

At its first meeting in the month of May, the Commission shall by majority vote, select from its regular members one to serve as Chair and one to serve as Chair Pro Tempore of the Commission until the following May. Any Chair or Chair Pro Tempore selected under the provisions of this section shall continue to act as Chair or Chair Pro Tempore until the selection of their successors.

Beginning in May 2020, the positions of Chair and Chair Pro Tempore will be rotated among Commissioners according to the following schedule, and then repeated:

Chair Chair/Pro Tempore

Year 1 City Member/County Member

Year 2 County Member/Special District Member

Year 3 Special District Member/Public Member

Year 4 Public Member/City Member



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Attachment 6: List of Committees (Marin LAFCo Policy 3.9)

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, Vice-Chair
County of Marin
Eric Lucan, Regular
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Stephanie Moulton-Peters, Alternate
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Town of Fairfax
Steve Burdo, Regular
Town of San Anselmo
Stephen Burke, Alternate
City of Mill Valley

Lew Kious, Regular
Almonte Valley Sanitary District
Craig Murray, Regular
Las Gallinas Valley Sanitary District
Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member
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Public Member

3.9 COMMISSION COMMITTEES

Marin LAFCo shall regularly utilize standing and ad hoc committees to help evaluate and inform the Commission on various matters pertinent to the agency in fulfilling its regional growth management responsibilities and duties. All work and recommendations shall be advisory and subject to formal approval by the Commission.

3.9 (A) Standing Committees

Marin LAFCo shall maintain the following four standing committees on an annual basis with appointments and/or reappointments made at the beginning of each calendar year. All meetings of the standing committees shall comply with the Brown Act and conduct business in noticed and open public meetings. The Executive Officer shall be responsible for scheduling and staffing these committee meetings as needed.

3.9 (A)(i) Budget and Work Plan: This Committee shall review and prepare recommendations on fiscal year work plans and operating budgets for formal presentation and adoption by the Commission in April (proposed) and June (final). The Committee shall include three members (regulars or alternates) that comprise appointments from each funding category on Marin LAFCo (county, city/town, and special district). The term of the Budget Committee shall extend through the adoption of a final budget for the affected fiscal year.

3.9 (A)(ii) Policy and Personnel: This Committee shall review and prepare revisions for Commission consideration on Marin LAFCO's adopted Policy Handbook to address new statutes as well as help ensure appropriate implementation of LAFCo law in Marin County. The Committee shall also convene as necessary in open or closed session to address personnel issues as requested by the Chair. The Committee shall include three members (regulars or alternates) with one appointment reserved for either the Chair and/or Vice Chair.

3.9 (A)(iii) Legislative: This Committee shall review and provide possible position recommendations on current or pending legislation matters directly affecting LAFCo law or laws LAFCOs help to administer, with particular focus on items of specific interest in Marin County. The Committee shall include three members (regulars or alternates).

3.9 (B) Ad Hoc Committees

Marin LAFCo shall utilize ad hoc committees as needed and specific to defined and limited-term topics as assigned by the Commission at public meetings.



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Attachment 7: Legislative Policy (Marin LAFCo 3.15)

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, Vice-Chair
County of Marin
Eric Lucan, Regular
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Public Member
Roger Smith, Alternate
Public Member

3.15 LEGISLATIVE MATTERS

3.15 (A) Process

Under ideal circumstances, newly introduced or identified legislation that may directly or indirectly impact Marin LAFCo is to be designated by Executive Officer for further review. Such applicable legislation shall then be presented to and reviewed by the Legislative Committee. Finally, the Legislative Committee shall then offer recommendations to the full Commission for approval. This ideal process may be altered or modified if the legislation is time sensitive situation (3.15 D).

3.15 (B) Formal Position on Legislation

LAFCo shall take one of the following positions:

3.15 (B)(i) Sponsor – A position given to bills that the Commission helped draft and believes to be consistent with or would further Marin LAFCo policy positions or implementation of the Cortese-Knox-Hertzberg Act, would benefit Marin LAFCo, or reflects good governance principles as public policy.

3.15 (B)(ii) Support - A position given to bills that the Commission believes are consistent with or would further Marin LAFCo policy positions or implementation of the Cortese-Knox-Hertzberg Act, would benefit Marin LAFCo, or reflects good governance principles as public policy.

3.15 (B)(iii) Neutral - A position given to bills that have no direct impact upon Marin LAFCo or have been sufficiently amended to remove Marin LAFCo support or opposition, but for which the sponsor and/or legislative author requests a position from Marin LAFCo.

3.15 (B)(iv) Watch - A position given to bills that are of interest to Marin LAFCo but do not directly affect Marin LAFCo at that time, including spot bills or two-year bills where the author has indicated that the bill will be amended or the subject area may change to impact Marin LAFCo (also known as gut and amend bills). These bills will be tracked but do not warrant taking a position at that time.

3.15 (B)(v) Oppose - A position given to bills or propositions that the Commission believes would be detrimental to the policy position or implementation of the Cortese-Knox-Hertzberg Act, or Marin LAFCo, or to good governance principles as public policy.

3.15 (B)(vi) Support/Oppose Unless Amended - A position given to bills for which a support or oppose position could be taken if amendments were made to address identified concerns of the Commission. This may include changing a previously stated Marin LAFCo position. This position can be changed by the Executive Director if identified amendments are presented and accepted by the legislator. Timeliness is usually important in responding to requests on these types of bills.

3.15 (B)(vii) No Position - A position given to bills that either are of interest to or have an impact on Marin LAFCo and for which no adopted position is possible and for which there is a clear lack of consensus amongst the Commission on the appropriate position. This may include situations in which

a substantive number of Commissioners have divergent positions or policy issues of concern with proposed legislation and no final consensus position is possible.

3.15 (B)(viii) Alignment with CALAFCO - A position for bills that have little to no impact on Marin LAFCo but where CALAFCO has taken a position and Marin LAFCo wishes to be supportive of other LAFCOs across the state. As the legislative process moves forward, the Executive Officer shall send in letters in support of the CALAFCO position as requested by CALAFCO. Should CALAFCO change positions, then Marin LAFCo shall automatically change position to mirror. In cases where CALAFCO is the "Sponsor" of a bill but Marin LAFCo did not help draft then Marin LAFCo's position shall be "Support."

3.15 (C) Resource Priorities

Given the limited resources of Marin LAFCo, any bill that the Commission takes action on shall be given one of the following priorities:

3.15 (C)(i) Priority 1 - Bills that have highest importance and a direct impact on Marin LAFCo. These bills receive primary attention and comprehensive advocacy by the Executive Officer and Commissioners. Such advocacy may include letters of position, testimony in policy committees, contact with legislators, and grassroots mobilization to members of the legislator. This level requires the greatest resource commitment.

3.15 (C)(ii) Priority 2 - Bills that have a significant impact on or are of interest to Marin LAFCo, may set a policy precedent or have impact relevant to the mission of Marin LAFCo, or have a major importance to a CALAFCO member or group of members or constituents. These bills receive position letters and testimony to policy committees as time permits or upon request of the author or sponsor.

3.15 (C)(iii) Priority 3 - Bills that have an interest to Marin LAFCo (or CALAFCO) but are deemed to be of a lower priority as to time and effort resources for advocacy. If requested by a member or stakeholder, Marin LAFCo will send a position letter but will not testify unless unusual circumstances arise and if time allows. All bills where the Commission has taken an alignment with CALAFCO position, shall by default be a Priority 3 bill unless another priority level is designated.

3.15 (D) Time-Sensitive Situations

In the absence of an opportunity for a timely meeting by the Committee or Commission, the Executive Officer may take a position, or change a previously taken position, on a bill with the concurrence of the Commission Chair or, in the absence of the Chair, the Vice Chair. The Committee and Board shall be informed of such an action as soon as practically possible to ensure the Committee and Board have up to date information on the legislative positions. Such decisions should be made only when deemed necessary due to urgent issues or circumstances, and when consideration and a vote of the Committee and/or Board is not possible due to the timeliness of the actions occurring as part of a fluid legislative process



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Attachment 8: Dual Annexation Policy (Marin LAFCo Policy 4.8)

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, Vice-Chair
County of Marin
Eric Lucan, Regular
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Stephanie Moulton-Peters, Alternate
County of Marin

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Larry Chu, Regular
Public Member
Roger Smith, Alternate
Public Member

4.8 REORGANIZATION (DUAL ANNEXATION) POLICY

Annexations of unincorporated land to special districts that provide services necessary for urban development shall require concurrent or subsequent annexation to a city if the land is located within the city's sphere of influence.

4.8 (A) Policy Intent

The underlying intents of this policy are to allow Marin LAFCo to:

4.8 (A)(i) Encourage orderly growth and development by determining logical and timely boundary changes of local agencies.

4.8 (A)(ii) Make boundary decisions in the long-term best interests of the efficient delivery of local services and the assignment of appropriate local political responsibility for those services pursuant to Government Code §56001.

4.8 (A)(iii) Provide for the orderly implementation of adopted city and special district spheres of influence.

4.8 (A)(iv) Restrict extension of urban services to areas within cities or to unincorporated areas where County-adopted planning policies support provision of urban services for that area.

4.8 (B) Policy Application

This policy will be applied to annexations and reorganizations affecting property located within a city's sphere of influence. Implementation of this policy may be deferred at the discretion of Marin LAFCo through an agreement between the city and the property owner providing for future annexation by the city. Approval of such boundary changes will comply with this policy upon execution of such an agreement.

4.8 (C) Written Notice To Affected Agencies

Staff shall provide written notice to affected agencies of the applicability of this policy with a request for agency comment on the proposal. Additional time (within timeframes specified in CKH) will be extended for response by the affected city/town council if requested.

4.8 (D) Applicant Compliance

Applicants may comply with this policy either by filing application for a reorganization that includes annexation to both the special district and the city, or by filing application for district annexation only with a request for deferral of this policy. If the proposal is approved, Marin LAFCo may attach conditions providing for city annexation at a later date.

4.8 (E) Request for Delayed Implementation

Applicants seeking delayed implementation of the policy shall make the request in writing at the time of application and state the reasons in support of the request. The applicant's request for deferral will be circulated to all affected agencies for comment for a minimum of 60 days. LAFCo staff will extend the comment period for an additional 30 days at the request of an affected agency. Marin LAFCo will give great weight to the comments of any affected agency objecting to the action. Applicants will retain the option of amending their proposal up to the issuance of the Certificate of Filing (scheduling a hearing before LAFCo) for the proposal.

4.8 (F) Conditions for Deferral

Marin LAFCo may defer the requirement for annexation to the city if the Commission determines that three specific conditions have been met:

4.8 (F)(i) The County Board of Supervisors has adopted plans or policies specifically for the subject area that support the extension of urban services (e.g., community plan or designated urban service area).

4.8 (F)(ii) All affected agencies have been notified and given adequate time to review and comment on the proposed annexation.

4.8 (F)(iii) The application of the policy at the present time would result in illogical boundaries or inefficient provision of local services.

4.8 (G) Unincorporated Island Annexation Policy

Marin LAFCo encourages annexations of unincorporated areas or “islands” to cities entirely or substantially surrounded by the affected corporate limits. Whenever applicable, Marin LAFCo shall consider making amendments to all city annexation proposals involving affected lands to further reduce and/or eliminate islands to provide more orderly local governmental boundaries and cost-efficiencies.

Marin LAFCo will disapprove any city annexation proposal that would create a new entirely surrounded island unless this policy is waived by as provided under Government Code §§56744 and 56375(m).



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Attachment 9: Marin LAFCo Work Plan

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, Vice-Chair
County of Marin
Eric Lucan, Regular
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Project	Responsible for work	Basic Description	Status
Multi-Regional Services Study	Staff	MSR for agencies that cover multiple regions	Research and analysis of agencies encompassed is under way.
Central Marin Wastewater Study	Staff	MSR for agencies of CMSA	Will be started once multi-regional MSR is completed
Next Round of MSR	Staff	The review of what the next round of MSR will look like was started in July 2022 and staff will present a more formal workplan once we get closer to the end of the current round.	Will be started once CMSA MSR is completed
Countywide Fire Study	Staff	To do a phased review of fire services in Marin County.	For discussion at workshop
Countywide Police Study	TBD	TBD	Once fire study is complete this will be revisited
SQVSMD consolidation with RVSD	Staff	Based on the Central Marin Wastewater MSR, work with district staff on the possibility of consolidating services with RVSD.	Staff recommends we move to not likely to be resolved list
Property Tax Review For Special Districts	Staff	This is a low level item for staff to work on. Currently when parcels are annexed into a district they get zero of the current ad valorem so staff will research if there are options, without changing the Master Tax Exchange Agreement, for district to get additional revenue to cover the cost of service that they get from current parcels from the 1% ad valorem.	Staff has started some early research on this, based on other items this may get completed in 2024.
Dillon Beach Sewer	Staff	Staff has been invited by both the County and NMWD to advise on the possible creation of a new sewer system for the residents of Dillon Beach Village which would require annexation of the area into NMWD	Early planning meetings are occurring and staff is attending as needed. Receiving additional analysis during multi-regional MSR.
Strawberry Recreation District Reorganization of Dredging Services	Staff	Staff identified in Tiburon Peninsula MSR that SRD has dredging services that are an activity that State Government Code does not explicitly give to a recreation district. SRD and the County, with LAFCo help, are working to see if a CSA can be created to cover those services	SRD is finishing up the dredging process. Work should start on this in first quarter of 2024.
Paradise Drive	Staff	As identified in the Tiburon Peninsula MSR, Paradise Drive goes through areas that are both incorporated and unincorporated as multiple unincorporated islands exist along it. The road itself does not reflect the parcels around it as far as which jurisdiction it is in.	Staff recommends we move to not likely to be resolved list
Ross Valley Fire	Staff	As identified in the Upper Ross Valley MSR currently fire services are provided by a JPA in the region. There is a desire to see if there is a different model that would work for the area.	Ross Valley fire has been working through some organizational issues. Staff is ready and able to assist if requested by them.

City of Sausalito/Sausalito-Marín City SD Consolidation	Staff	Currently, the City of Sausalito collects wastewater and then transmits that wastewater into SMCSD pipes within the city limits. The city is looking to see if SMCSD can take over this process from them. In areas outside of the City limits SMCSD does what the City is looking to do within the City limits.	Staff will monitor this issue as it moves through review process and will assist as requested.
Flood Zone 10	Staff	When doing the West Marin MSR it was noted that FZ10 was created to deal with an event that occurred in the area. It was given a pot of funds that are mostly spent. As noted in the MSR the zone does not have a funding source so either the Flood District, with help from its CAB, should determine if there is work that the local community is willing to fund.	Staff has been asked to attend meeting and help advise on best practices for changing boundaries.
Flood Zone 3	Staff	As noted in Golden Gate MSR there are some issues within the FZ. While not directly LAFCo related staff may be needed to help be a neutral advisor on dealing with these issues	Staff will monitor this issue as it moves through review process and will assist as requested.
Marin RCD and Stinson Beach Fire boundaries	Staff	As noted in West Marin MSR both agencies want to look at their current boundaries and make some adjustments.	Staff will work with both agencies in helping them with any changes they look to do.
Digital Library	Staff	Staff has learned how to make current documents ADA compliant and is looking to add more information to the website for applications and resolutions to make it easier for the public to access documents from us.	Work on as time permits
Boundary Fixes	Staff	Staff has been working with SD2 around fixing issues with it boundary where parcels that are receiving services from them but not currently in the district. We should be getting a formal applications about this in early 2024. As that process wraps up staff will be reaching to other agencies to work with them on seeing if they have boundary issues as well.	Will be started mid 2024.
OSA Confirmation	Staff	Work with Tam CSD to retrieve necessary documentation on parcels within its district receiving service from HVSD and Almonte showing the needed criteria for exemption from an outside service agreement.	Waiting for documentation from Tam CSD
Future SASM Shared Staffing	Staff	Facilitate shared services discussions amongst the 4 single-service SASM special districts in preparation for possible future opportunities when current management level staff members depart.	Will reach out to each district in 2024



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Attachment 10: MSR Schedule

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
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Marin LAFCo - Adopted Five-Year Study Schedule | FY

2018-2023 Adopted October 11, 2018 | Revised August 2022

FY 2018-2019

San Rafael Area Study (Region Specific)

- City of San Rafael
- Marinwood Community Services District
- CSA No. 6 (Santa Venetia)
- CSA No. 9 (Northbridge)
- CSA No. 13 (Lucas Valley)
- CSA No. 18 (Gallinas Village)
- CSA No. 19 (Unincorporated San Rafael)
- CSA No. 23 (Terra Linda)
- Marin County Flood Control Zone 6 and 7 (Supplemental)

Novato Area Study (Region Specific)

- City of Novato
- Novato Sanitary District
- Novato Fire Protection District
- Bel Marin Keys Community Services District
- CSA No. 1 (Loma Verde)
- CSA No. 20 (Indian Valley)
- CSA No. 25 (San Marin)
- Marin County Flood Control Zone 1

(Supplemental)

FY 2019-2020

East Peninsula Area Study (Region Specific)

- Town of Tiburon
- City of Belvedere
- Strawberry Recreation District
- TiburonSanitaryDistrictNo.5
- Tiburon Fire Protection District
- CSA No. 29 (Paradise Cay)
- Marin County Flood Control Zone 4/4a

Upper Ross Valley Area Study (Region Specific)

- Town of Fairfax
- Town of Ross
- Town of San Anselmo
- Kentfield Fire Protection District
- Sleepy Hollow Fire Protection District
- Ross Valley Fire Authority (JPA)
- CSA No. 27 (Ross Valley)
- Marin County Flood Control Zone 9

Date to be Determined

Countywide Fire Service Study (STARTED)

Countywide Police Service Study

FY 2020-2021

Twin Cities Area Study (Region Specific)

- City of Larkspur
- Town of Corte Madera
- CSA No. 16 (Greenbrae)
- CSA No. 17 (Kentfield)
- Central Marin Police Authority (JPA)
- Central Marin Fire Department

West Marin (Region Specific); *(year long, will go into FY 21-22)*

- Stinson Beach Fire Protection District
- Tomales Village Community Services District
- CSA No. 28 (West Marin)
- CSA No. 33 (Stinson Beach)
- Marin County Flood Control Zone 5 and 10
- Bolinas Fire Protection District
- Inverness PUD
- Bolinas Community PUD
- Muir Beach CSD
- Stinson Beach Water District
- Marin County Resources Conservation District

FY 2021 – 2022

Golden Gate Corridor Study (Region Specific)

- City of Mill Valley
- City of Sausalito
- Marin City Community Services District
- Tamalpais Community Services District
- Marin City–Sausalito Sanitary District
- Southern Marin Fire Protection District
- CSA No. 14 (Homestead)
- Marin County Flood Control Zone 3

FY 2022-2023

Southern Marin Wastewater Study (Service Specific)

- Almonte Sanitary District
- Alto Sanitary District
- Homestead Valley Sanitary
- Richardson Bay Sanitary District
- Sewer Agency of Southern Marin (JPA)

Multi-Regional Services Study (Region Specific)

- Marin Healthcare District
- CSA No. 31 (Fire Services)
- North Marin Water District
- Marin Municipal Water District
- Marin County Parks and Open Space District

FY 2023-2024

Central Marin Wastewater Study (Service Specific)

- Central Marin Sanitation Agency (JPA)
- Ross Valley Sanitary District
- Las Gallinas Valley Sanitary District
- San Rafael Sanitation District
- Marin County Sanitary District No. 2
- San Quentin Village Sewer Maintenance District



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Attachment 11: MSR Work Plan Item Review

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, Vice-Chair
County of Marin
Eric Lucan, Regular
County of Marin
Stephanie Moulton-Peters, Alternate
County of Marin

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

Lew Kious, Regular
Almonte Valley Sanitary District
Craig Murray, Regular
Las Gallinas Valley Sanitary District
Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member
Roger Smith, Alternate
Public Member

Post MSR Work Checklist

Items Completed

- ✓ Dissolve CSA 23
- ✓ Dissolve CSA 25
- ✓ CSA 18 Boundary Change
- ✓ Policy Committee Review of Island Annexation
- ✓ SOI Updates and Fixes*
- ✓ Murray Park SMD consolidation into RVSD

*Ongoing with each MSR this round

Still Working On

- Strawberry Recreation District dredging removal
- Ross Valley Fire organization
- Crest Road Boundary Issue between San Anselmo and Ross
- Tiburon and Belvedere Boundary Issue
- Flood Zone 10 boundary and future purpose
- Discussion of Stinson Beach FPD boundary
- Dillon Beach Sewer
- OSA Confirmation for TCSD work done by HVSD and ASD
- Future SASM Shared Staffing

No Resolution Likely (will continue to monitor but nothing likely to happen any time soon)

- × Paradise Drive
- × Tiburon Fire/Angel Island annexation
- × San Quentin Village SMD consolidation into RVSD
- × San Rafael Area Fire reorganization
- × Belvedere annexed into Tiburon FPD**
- × Island annexations

** This may be moving back to items to work on