



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

REGULAR MEETING

Thursday, April 13, 2017

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

CALL TO ORDER BY CHAIR

Vice Chair Condon called the meeting to order at 7:05 pm.

ROLL CALL BY CHAIR

Regulars Present: Carla Condon, Vice Chair
Jack Baker
Damon Connolly (7:12pm)
Sashi McEntee
Craig K. Murray
Dennis Rodoni

Alternates Present: Chris Burdick *
Matt Brown
Lew Kious

** voting in place of absent regular members*

SERVICE RECOGNITION

Commissioners and staff recognized Alternate Public Member Chris Burdick for his distinguished service on Marin LAFCO and ahead of his term expiring on May 1st.

AGENDA REVIEW

Vice Chair Condon asked if there were any requests for changes to the agenda. No requests were made, and the Vice Chair confirmed the Commission would proceed as planned.

OPEN TIME

Vice Chair Condon invited members of the audience to address the Commission on any LAFCO related matters not listed on the agenda. One comment was made by Mr. Jeff Jacob Chase. Mr. Chase commented – among other items – about the Marin LAFCO website and importance for government agencies to maintain the majority of their work in-house whenever possible.

CONSENT CALENDAR ITEMS

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

1. Approval of Meeting Minutes | February 9, 2017 Regular Meeting (action)

Staff has prepared meeting minutes for the Commission's February 9, 2017 regular meeting. The minutes are being presented for formal approval with any desired corrections or clarifications.

2. Commission Ratification | Reconciled Payments from January 1, 2017 to March 31, 2017 (action)

The Commission will consider ratifying payments made by the Executive Officer between January 1, 2017 and March 31, 2017. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$91,484. The payments are being presented for formal ratification by the Commission consistent with adopted policies.

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

The Commission will review a report comparing budgeted and actual transactions for 2016-2017 through March 31, 2017 and its projection Marin LAFCO is on pace to finish with an operating net of \$12,837 or 2.6%. This projection marks a substantive improvement over the budgeted operating net of (\$25,000) and largely attributed to unexpected savings in payroll costs. The report is being presented to the Commission to accept and file as well as to provide direction as needed.

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

The Commission will receive a progress report on accomplishing administrative and planning projects established in the adopted workplan for 2016-2017. This includes summarizing the four projects completed to date while highlighting the dozen-plus activities substantively underway. While progress is being made ongoing reductions in staffing continue to slow agency efficiencies in addressing certain projects, and will result in several going unaddressed this fiscal year. The report is being presented to the Commission to formally accept as well as to provide direction as needed.

5. Special Districts Risk Management Authority: Call for Nominations (action)

The Commission will consider interest among the membership to serve on the Special Districts Risk Management Authority's Board of Directors. Nominations must be formalized through the adoption of a resolution and submitted no later than May 5, 2017. All Commissioners are eligible for nomination. It is recommended the Commission authorize the Chair to execute a resolution making one or more nominations should any Commissioner express interest before the referenced deadline.

6. Current and Pending Proposals (information)

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

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

PUBLIC HEARING ITEMS

7. Alternate Public Member | Interviews and Possible Appointment for New Term (action)

The Commission will conduct interviews for the alternate public member position and thereafter consider making an appointment for a new four-year term commencing on May 2, 2017. A total of four candidates have applied without withdrawing and each has been assigned an approximate 10 to 15 minute interview time. The incumbent – Chris Burdick – has not reapplied. All proceedings will be done in open session.

Vice Chair Condon summarized the interview and selection process for the alternate public member with Commission Burdick being recused. Candidates interviewed by the Commission were Charon Dawson, Wanda Sarti, Chris Skelton, and Stephen Voss.

Vice Chair Condon opened the public hearing and invited any members of the public to address the Commission. No comments were received.

Based on a rank-choice voting process the Commission's city, county, and district members (Baker, Condon, Connolly, McEntee, Murray, and Rodoni) selected Chris Skelton.

APPROVED; motion and second made by Commissioners Connolly and McEntee to appoint Chris Skelton to the position of Alternate Public Member effective May 2, 2017; all yes

8. Central Marin Wastewater Study | Presentation of Draft Report with Determinations (action)

The Commission will receive a draft report on its scheduled Central Marin Wastewater Study. The draft report represents an independent assessment on the relationship between public wastewater demands and capacities relative to the Commission's regional growth management interests and duties. This includes preparing determinative statements addressing all of the factors required by the Legislature as part of the municipal service review mandate. The draft report is being presented for discussion with the recommendation the Commission authorize staff to proceed with a formal 45-day review period in anticipation of returning in June with final actions.

Staff provided a summary of the draft report prepared as part of the Commission's scheduled municipal service review on wastewater services in Central Marin. This included staff highlighting key conclusions and action recommendations included in the draft directed towards the Commission and/or one or more of the affected agencies.

Vice Chair Condon opened the public hearing and invited comments from the audience. Comments were received by Jeff Jacob Chase. Vice Chair closed the public hearing.

Commission discussion followed.

APPROVED; motion and second made by Commissioners Connolly and Murray to authorize staff to proceed with a formal 45-day public review and comment period on the draft and in anticipation of a final report being presented in June; all yes

9. Adoption of Proposed Workplan and Operating Budget for 2017-2018 (action)

The Commission will consider adopting a proposed workplan and budget for 2017-2018 in anticipation of taking final actions in June. The proposed workplan draws on direction provided at the recent strategic planning session and identifies over 20 specific projects for the fiscal year – including the rollover of three previously scheduled municipal service reviews – and directly informs the proposed budget. Proposed budget expenses total \$555,384 and represents an increase of \$28,522 or 5.4% with the change entirely attributed to funding additional non-payroll costs and marked by enhancing legal services. Proposed budget revenues total \$545,384 with the remaining shortfall – (\$10,000) – to be covered by reserves.

Staff provided a summary of the proposed budget and workplan as provided in the accompanying agenda report. Additional comments were provided by Budget Committee members McEntee and Murray.

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

Commission discussion followed.

APPROVED; motion and second made by Commissioners Murray and McEntee adopt the attached resolution approving the proposed workplan and proposed budget as presented; all yes (Resolution No. 16-14)

BUSINESS ITEMS

10. Updated Draft Amendments | Policies on Outside Service Extensions (action)

The Commission will review updated draft amendments prepared by staff on Marin LAFCO's policies on outside service extensions. The updated draft amendments – which incorporate revisions following an initial presentation in February and subsequent extended local agency review – address two distinct issues and divided between non-fire protection services and fire protection services with the latter necessitated by the recent enactment of Senate Bill 239 (Hertzberg). The updated draft amendments are being presented to the Commission for additional feedback and authorization to proceed with a formal public review in anticipation of returning in June with final actions.

Staff provided a summary of the updated draft amendments and changes made to the document since its initial presentation at the February 9th meeting and as detailed in the accompanying agenda report.

Vice Chair Condon invited comments from the audience. Comments were received from Larkspur City Manager Dan Schwarz.

Commission discussion followed.

APPROVED; motion and second made by Commissioners Murray and McEntee to authorize staff to proceed with a formal 45 day public review and comment period on the updated draft amendments in anticipation of final action at the next regular meeting; all yes

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

The Commission will receive a report on the first year of the Legislature's 2017-2018 session as it relates to bill proposals directly or indirectly affecting Local Agency Formation Commissions. The report is being presented to the Commission to discuss and consider position recommendations. It is also an opportunity for the Commission to provide direction on other legislative matters of interests.

Staff provided a summary of current legislative items of interest as detailed in the accompanying agenda report. This included a recommendation to approve a support position for AB 464 to clarify the ability of LAFCOs to approve city, town, and district annexations of lands that have already established outside services by contract or agreement. Additional comments were provided by Legislative Committee members McEntee and Kious.

Commission discussion followed.

APPROVED; motion and second made by Commissioners Murray and Baker to support AB 464 with the clarification that the support is premised on covering all types of outside service extensions; all yes

12. Report on CALAFCO Annual Workshop (information)

The Commission will receive a report from staff on their recent attendance at the CALAFCO Annual Workshop held in Fresno on April 5-7th. Verbal report only.

Administrative Analyst provided a summary of the workshop including her presentation as part of a panel regarding web transparency for special districts.

EXECUTIVE OFFICER REPORT

None

COMMISSIONER ANNOUCEMENTS AND REQUESTS

None

ADOURNMENT TO NEXT MEETING

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

APPROVED:

ATTESTED:

Carla Condon
Vice Chair

Keene Simonds
Executive Officer