



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

Notice

BUDGET AND WORK PLAN COMMITTEE MEETING AND AGENDA

March 15, 2023 ▪ 1:00 PM

Marin LAFCo Office | Suite 220 | 1401 Los Gamos Drive, San Rafael, CA

Appointed Members

Stephen Burke | Lew Kious | Dennis Rodoni

1:00 PM CALL TO ORDER - Previous year Chair Kious to call the meeting to order

ROLL CALL – Deputy EO to call the roll

SELECTION OF CHAIR

The Committee shall nominate and select a Chair of the Budget Committee for calendar year 2023.

PUBLIC COMMENT

This portion of the meeting is reserved for persons desiring to address the Committee on any relevant matter not listed on this agenda and that are within the jurisdiction of the Committee. Speakers are limited to three minutes.

BUSINESS ITEMS

The Committee is scheduled to discuss and provide direction on the following items.

1. Approval of March 24, 2022, Meeting Minutes
2. Review and Approval of Proposed Budget for Fiscal Year 2023-24
3. Review and Approval of Workplan for Fiscal Year 2023-24
4. Review and Approval of Fee Schedule

ADJOURNMENT

Attest: Jason Fried
Executive Officer

Administrative Office

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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 Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Tod Moody, Alternate
Sanitary District #5

Vacant, Public
Public Member

Richard Savel, Alternate
Public Member

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 Local Agency Formation Commission

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AGENDA REPORT

March 15, 2023

Item No. 1 (Business)

TO: Budget and Workplan Committee

FROM: Jeren Seibel, Deputy Executive Officer

SUBJECT: Approve the March 24, 2022 Budget and Work Plan Committee Meeting Minutes

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. The “Brown Act” requires – and among other items – public agencies to maintain minutes for all meetings.

Discussion

The draft minutes for the March 24, 2022 Budget and Workplan Committee meeting accurately reflect the Committee’s actions as recorded by staff and are attached. A copy of the approved meeting minutes will be made available online.

Staff Recommendation for Action

- 1. Staff recommendation** – Approve the draft minutes prepared for the Budget and Workplan Committee meeting with any desired corrections or clarifications.
- 2. Alternative Option** - Continue consideration of the item to the next committee meeting and provide direction to staff, as needed.

Attachment:

- 1) Draft Minutes for March 24, 2022

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Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary

Tod Moody, Alternate
Sanitary District 5

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member



DRAFT

NOTICE OF BUDGET COMMITTEE MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, March 24, 2022, 11:00 AM

CALL TO ORDER

Chair Kious called the meeting to order at 11:02 A.M.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present: Lew Kious, Chair
 Dennis Rodoni
 Sashi McEntee

Alternate Commissioners Present: N/A

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

Marin LAFCo Counsel Present: None

Commissioners Absent: N/A

Alternate Members Absent: N/A

SELECTION OF CHAIR

Commissioner Rodoni nominated Lew Kious to be Chair.

Approved: M/S by Commissioners Rodoni and Kious to approve Lew Kious as Chair

Ayes: Commissioners Rodoni, Kious

Nays: None

Abstain: None

Absent: McEntee

Motion approved unanimously.

PUBLIC OPEN TIME

Chair Kious opened the public open time period. Seeing no comment, Chair closed public open time.

BUSINESS ITEMS

1. Approval of Resolution 22-09 Allowing for Video and Teleconference Meetings during COVID-19 State of Emergency Under AB 361

There were no comments or discussion from the Committee members, no members of the public wished to comment either.

Approved: M/S by Commissioners Rodoni and McEntee to approve Resolution 22-09

Ayes: Commissioners Rodoni, Kious, McEntee

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

2. Approval of March 8, 2021, Meeting Minutes

EO Fried and Chair Kious made introductory comments.

There were no comments or discussion from the Committee members, no members of the public wished to comment either.

Approved: M/S by Commissioners Rodoni and McEntee to approve the minutes.

Ayes: Commissioners Rodoni, Kious, and McEntee

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

3. Review and Approval of Proposed Budget for Fiscal Year 2022-23

EO Fried made introductory comments on the proposed budget, calling attention to 5 questions at the end of the staff memo for discussion, three of which to be discussed prior to an overview of the line items. These included COLA, the scanning project, and money for a lawsuit.

Chair Kious made comments on his standpoint on all three questions posed by the EO. He also asked a question of Commissioner Rodoni regarding the COLA question to which Commissioner Rodoni replied.

Commissioner Rodoni also made comments on his standpoint and trepidations with the COLA question. He aligned with Chair Kious on the scanning and lawsuit questions. EO Fried made a clarifying comment to one of Commissioner Rodoni's comments.

Commissioner McEntee agreed with Commissioner Rodoni and Chair Kious's positions on COLA. She asked a couple of clarifying questions of EO Fried on the scanning topic to which he replied.

Commissioner McEntee also brought up a floor for agency contributions, which EO Fried noted would be brought up for discussion later, noting that this was her only parameter to prioritize within the COLA discussion.

EO Fried also asked either for a recommendation on a specific number for COLA increase by the April meeting to present to the Commission or an agreement that that decision be delegated to the larger Commission body.

Commissioner McEntee agreed with the other committee members on the lawsuit topic, that pulling aside additional funds was not needed. She felt meeting every year rather than a two-year budget was better.

EO Fried then gave an overview of the proposed individual line items in the budget presented to the Committee, noting the largest changes in line items and the reasons for those changes. He also made comments on what to expect of the June final budget compared to the draft budget.

Chair Kious summarized EO Fried's comments as clarification, EO Fried responded to Chair Kious's summary with his own clarifying comments. There was a brief discussion between the two to reach a point of understanding.

Chair Kious then summarized the Committee's countervailing opinions, agreeing the desire to continue scanning, maintaining the floor on the assessment to agencies, doing nothing extra for lawsuits, and to continue with a 1-year budget cycle, leaving a number on COLA increases for staff as the only open item. Chair Kious brought up EO Fried's mention of 3.5% and asked if the committee members would be comfortable with that number. Commissioner Rodoni confirmed he would be comfortable with that number.

EO Fried asked a separate clarifying question about how to handle a dip in the budget in relation to agency contributions, to which Chair Kious provided his thoughts. The other two committee members confirmed.

Approved: M/S by Commissioners McEntee and Rodoni to approve the draft budget proposed by EO Fried with the standpoints taken by the committee members, as summarized above.

Ayes: Commissioners McEntee, Kious, Rodoni

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

4. Review and Approval of Workplan for Fiscal Year 2022-23

EO Fried introduced this item, highlighting items of note for the Committee members and also noting that he has done some clean up on the items on the list. He noted that if there was anything the committee members felt was missing or that they wanted added to let EO Fried know.

Commissioner McEntee asked why the tax exchange agreement wasn't on the workplan, EO Fried replied noting that this is something that LAFCo isn't formally responsible for overseeing, hence why it was not included on the workplan. EO Fried is happy to work with the County and Special Districts if they asked for it but doesn't feel comfortable taking charge of that issue.

Commissioner Rodoni asked a clarifying question about the Golden Gate MSR, to which EO Fried replied.

Chair Kious felt the plan looked fine, making some additional comments.

Approved: M/S by Commissioners Rodoni and McEntee to recommend the workplan to the full Commission.

Ayes: Commissioners Kious, Rodoni, McEntee

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Chair Kious adjourned the meeting at 11:37 A.M.

ADJOURNMENT TO NEXT MEETING

Time TBD | Location TBD

Attest: Olivia Gingold
Clerk/Junior Analyst

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AGENDA REPORT
March 15, 2023
Item No. 2 (Business)

TO: Budget and Workplan Committee
FROM: Jason Fried, Executive Officer
SUBJECT: Review and Approval of Proposed 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 proposed budget which, if approved by this committee today, will be presented to the Commission at its April 6th meeting to fulfill the May 1st deadline.

From a high level, the Commission reviews the expenditures based on estimated needs for the upcoming fiscal year. Then to cover costs we look to two different funding sources: agency contributions and carryforward funds. The agency contributions are what we ask all our member agencies to pay. The carryforward balance is a combination of unspent money from the prior year, interest earned on money kept with the County, and fees from applications or other services received in the current FY.

For the proposed budget in the expenditures section, I present to the committee what I think is the highest amount needed for each line item. Then to fund that we look to both agency contribution and carry forward amount. Finally, when we get closer to the June Commission meeting, staff will revisit all numbers in the proposed budget to make sure they are the best numbers available as part of the final approval.

Staff's goal with this budget started with a basic status quo from what LAFCo is requesting from our contributing agencies and to keep the agency request at or below the agency contribution for FY 19-20 budget of \$559,522.51. The budget being presented does that.

On the expenditure side, there are some line-item changes from last year to this year based on better understanding and looking to the needs of LAFCo in FY 23-24. Some key line-item changes include:

- Salary – LAFCo generally follows the County on COLA and step increases for its staff. Marin County will be giving a 2.5% increase plus possible step increases. Last year the Commission gave a little more than the County increase due to high CPI-U which staff appreciated. While not as bad as last year the year-to-year is still above average with an increase in January for the previous 12 months that was 6.5%. Our budget increase is to allow for a COLA as well as step increases for staff that have earned it. This will be helpful in the retention of the staff and would benefit LAFCo in the long run. The number given during the proposed budget process has always been higher than what is in the final budget. When the June meeting comes this number will likely be lower given all staff reviews will have been completed and the Commission has negotiated the salary for the Executive Officer position so a more accurate number gets presented with final approvals. In addition, the percent

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James Campbell, Alternate
City of Belvedere

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Sanitary District #5

Larry Loder, Regular
Public Member

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increase may seem high but that is partly due to last year's budget being based on Olivia's salary but based on the open position wanted to leave a little more room to allow the hiring of a more senior person to the position.

- Benefits – Next year's benefits are not known so we always have a small increase to allow benefit costs to go up.
- Pension – Similar to the salary line item, this will likely be lowered prior to the final budget once actual staff salaries are known. The increase is mainly to mirror staff salary increases which it is directly tied to. In addition, MCERA has a small increase in the rates that agencies need to pay from the current fiscal year (11.63%) to the next fiscal year (11.80%).
- Conferences (Line Item 10) – This line item has remained flat during COVID but given the increase in cost and the fact the next annual conference is in Monterey, CA, which is close to us staff is suggesting a little more money to allow Commissioners who wish to attend the ability to do so.
- IT & Communications Services (Line Item 20), Membership and Dues (Line Item 30), and Professional Services (Line Item 55) – All these line items have major changes due to our departure from Marin Map and the creation of our own system. The reduction in line item 30 is the removal of our Marin Map dues while allowing an increase for our other memberships. The increase in line item 20 is to cover software license and other such needs for our new mapping system along with other increases in other parts of this. For example, our website provider for the first time is increasing its monthly fee. The increase in line item 55 will help cover consultant staff time to maintain the new mapping system and some additional funds to help cover general cost increases I would expect to see from other services that fall into this category.
- Office Lease/Rent (Line Item 45) – Our office lease is under contract until May 2023 and at the April meeting I will be presenting two options for us to extend our current lease. One option is for a 3-year extension and the other is for a 5 year extension. The amount shown is for the more expensive option but if the Commission goes with the lower increase that goes with the 5-year extension then this amount will be lower.
- Rent – Storage (Line Item 65) – With the large digitization project we completed last year we no longer have any boxes in offsite storage so this line item was zeroed out and will be retired with the new budget.

On the income side, we have two main line items, the agency contribution, and the carryforward fund balance. The carryforward fund right now is made up of three parts, with \$16,500 from previous years' unspent funds, \$16,334 from interest and application fees collected so far this year, and an estimated \$50,000 in unspent funds from our current year. The second two numbers are simply a placeholder until we get closer to the end of the year and can put in an updated number for what is expected to be left over from this year's unspent fund and how much we have collected in application fees and interest.

Overall, the total estimated expenditure for FY 23-24 is a 6.21% increase with the understanding that once salary is better known, that number should decrease a little in the final budget. With the high estimate for the budget line items we see the agency contribution being \$549,833 which is a 7.88%

increase which is still below the FY 19-20 amount of \$559,522. Staff would anticipate the increase will be decreased by a couple of percent when a final budget is brought to the June Commission meeting.

In addition to reviewing the budget staff would like to have the Committee address the following questions:

1. There has been a lot of discussion recently about higher inflation than normal with the CPI-U going up 6.5% from Jan. 2022 to Jan. 2023. As mentioned in the salary discussion above, does the Committee want to recommend a higher COLA increase to assist staff with the larger than normal CPI-U increase that has been seen over the last year?
2. In the past, the Committee has yielded to the Chair to work with staff on any final minor modifications to the final budget presented at the June meeting and not to call another committee meeting for next year's budget unless major changes are needed. Does the Committee wish to give the Chair and staff this ability again?

Staff Recommendation for Action

1. Staff Recommendation – Approve the proposed budget to be presented at the April 6, 2023, LAFCo Commission meeting with any needed amendments.
2. Alternate Option - Continue consideration of the item to the next committee meeting and provide direction to staff, as needed.

Attachment:

1. Proposed Budget FY 23-24

Line Items	Final FY 23-24	Draft FY 23-24	Approved FY 22-23	Change FY 22-23 to FY 23-24
Expense				
5110110 · Salary		\$373,000.00	\$340,000.00	8.85%
5130120 · Benefits		\$36,500.00	\$35,500.00	2.74%
5130500 · Pension		\$44,000.00	\$40,250.00	8.52%
5130525 · Retiree Health		\$6,000.00	\$6,000.00	0.00%
05 · Commissioner Per Diems		\$10,000.00	\$10,000.00	0.00%
10 · Conferences		\$6,000.00	\$5,000.00	16.67%
15 · General Insurance		\$6,500.00	\$6,500.00	0.00%
20 · IT & Communications Services		\$23,000.00	\$18,000.00	21.74%
25 · Legal Services		\$37,500.00	\$37,500.00	0.00%
30 · Memberships & Dues		\$8,000.00	\$17,500.00	-118.75%
35 · Misc Services		\$3,000.00	\$2,000.00	33.33%
40 · Office Equipment Purchases		\$4,139.00	\$4,139.00	0.00%
45 · Office Lease/Rent		\$36,888.00	\$35,670.08	3.30%
50 · Office Supplies and Postage		\$4,000.00	\$4,000.00	0.00%
55 · Professional Services		\$27,000.00	\$24,000.00	11.11%
60 · Publications/Notices		\$2,000.00	\$2,000.00	0.00%
65 · Rent – Storage		\$0.00	\$650.00	
70 · Training		\$1,700.00	\$1,700.00	0.00%
75 · Travel - Mileage		\$3,500.00	\$3,500.00	0.00%
Total Expense	\$0.00	\$632,727.00	\$593,909.08	6.14%
Income				
Carry Forward Balance		\$82,844.00	\$87,360.91	
4710510 · Agency Contributions		\$549,883.00	\$506,548.17	7.88%
Total Income	\$0.00	\$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

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AGENDA REPORT

March 15, 2023

Item No. 3 (Business)

TO: Budget and Workplan Committee
FROM: Jason Fried, Executive Officer
SUBJECT: Review and Approval of Work Plan for Fiscal Year 2023-2024

Background

The Commission did a workshop last July for planning on the future MSRs as opposed to a general LAFCo workshop. This means the responsibility falls to the Committee to create a work plan for the Commission to approve. In some cases, LAFCo may complete an item on this list prior to the end of the current fiscal year, such as approval of the Golden Gate MSR, but think it best to keep all items listed in one spot. Past practice is to have our work plan be a living document that changes as needed so items can be added or changed over the course of the year. It is best practice to have the Commission review the work plan at least once a year so we do this with our budget process so any extra needs for the work plan can be synced to the budget. As such, staff is presenting a work plan for review that covers the bigger items being worked on.

In drafting the current work plan, staff started with items that remain from the FY 22-23 work plan, then added new items so we have a complete list of items to be working on. The main additions to the work plan are: Southern Marin Wastewater MSR, Multiple Region Services MSR, Dillon Beach Village Sewer, Central Marin Wastewater MSR, Next full round of MSR, City of Sausalito merger into Sausalito-Marín City SD, Flood Zone 10 boundaries and responsibilities, Flood Zone 3 responsibilities, Marin RCD boundaries, and Stinson Beach Fire District boundaries.

In addition, staff is looking to discuss the status of items that came out of MSRs. While we have had success with some items, like the merger of Murray Park SMD into RVSD, other items may have come to a conclusion. When the Commission created the current MSR schedule it added two special studies to it, a countywide fire and countywide police study. Staff has been working, as time permits, on the fire study with the work mainly being done while Oliva was on staff. Since we talked about this item originally we have seen fire agencies have discussions both with us and on their own so the question arises should we keep moving on this or stop working on this for now? In addition, the changing of Tiburon Fire Districts boundaries at this time seems to come to a conclusion that it is not likely to occur any time soon so staff has removed the item but if an opportunity arises will move it at that time. Staff would suggest removing these items from the work plan.

Items completed and removed from the work plan since reviewed last year include : West Marin Area MSR, CSA 18 Boundary Change, SMFPD and Mill Valley fire consolidation, and DUC Committee work.

Staff Recommendation for Action

1. Staff Recommendation – Recommend to the full Commission the approval of the attached work plan for Fiscal Year 2023–2024 with any changes as needed.
2. Alternate Option - Do not approve the work plan and give staff instruction on what the Commission would like to do.

Attachment:

1. Work plan for FY 2023-2024

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Project	Responsible for work	Basic Description	Status
Golden Gate Area MSR	Staff	MSR for region.	Final Draft is ready for approval at the April 2023 meeting.
Southern Marin Wastewater Study	Staff	MSR for the SASM agencies	Reasearch has started
Multi-Regional Services Study	Staff	MSR for agencies that cover multiple regions	Will be started once Southern Marin Wastewater study draft is completed
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 fomal workplan once we get closer to the end of the current round.	will be started once multi-Regional MSR is completed
Countywide Fire Study	Commissioner McEntee and Staff	To do a phased review of fire services in Marin County.	On hold given staff workload
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 is working with RVSD and County staff to resolve a few outstanding issues.
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.	Will be worked on as time permits.

Project	Responsible for work	Basic Description	Status
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.
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 will be doing dredging over the summer. Work on this should start up again in the fall/winter once they are done.
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.	Discussion between the County and Tiburon are ongoing
Ross Valley Fire Working Group	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 started discussions about needing a new fire chief and mixed in that discussion is what governing type is best for them. Staff is fielding calls from people but has yet to be included in formal discussions.
City of Sausalito/Sausalito-Marino 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.

Project	Responsible for work	Basic Description	Status
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.	We recently found new software to help make this process easier. Once we are fully staffed this project will move forward again.



Marin Local Agency Formation Commission

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AGENDA REPORT
March 15, 2023
Item No. 4 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Review and Approval of Fee Schedule

Background

According to Marin LAFCo Policy 3.11 (Fee Schedule) “Marin LAFCo will maintain a schedule of fees to reasonably recover the agency’s costs in fulfilling its regulatory and planning responsibilities. Marin LAFCo shall periodically review the fee schedule and consider amendments therein no less than every two years.”

The Commission last reviewed this fee schedule as part of the 2021 budget process so a two-year review is warranted at this point. The committee in its review can recommend making changes to the current fee schedule or maintain it as it currently is. The current fee schedule is attached.

Our fee schedule is based on the average time spent on each item for each application. In staff’s review of the current schedule, the basic formula for time spent seems to still be correct with perhaps a change needed for percent of time spent by staff on the item. Staff would recommend changing the percent split for general applications by reducing the EO time by 15% and increasing the DEO time by 15%. While we currently don’t have a Clerk/Jr. Analyst position it is expected that we will hire one in the near future so should keep that position in the formula. Should the Committee recommend an update occur the only other part that would need to be updated would be the hourly rate for staff and consultants. The hourly rate for staff and consultants are both easy to update in the system but would recommend holding off on the staff hourly rate until there is a better understanding of the final budget for next year as that will impact the staff hourly rate. Should the committee want to update the fee schedule it would be staff’s recommendation to authorize the Executive Officer to take the current fee schedule, with any amendments desired, and then just prior to the June meeting have staff update the staff hourly rate as it would be presented for approval during the meeting. This would save the Committee from having to call another meeting just to deal with updating the hourly rate which is based purely on a basic formula.

Staff Recommendation for Action

1. Staff Recommendation – Make shift in average staff time per application and then authorize the Executive Officer to update the hourly rate for staff and consultants prior to presenting it to the June Commission meeting for approvals.
2. Alternate Option 1 – Recommend to the Commission no changes are made to the fee schedule this year.
3. Alternate Option 2 – Take no action today and have a follow-up meeting on this item giving staff any needed instruction for the next meeting.

Attachment:

1. Fee Schedule for FY 2023-2025

Administrative Office

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Town of San Anselmo

Stephen Burke, Alternate
City of Mill Valley

Lew Kiou, Vice Chair
Almonte Sanitary District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary District

Tod Moody, Alternate
Sanitary District #5

Vacant, Regular
Public Member

Richard Savel, Alternate
Public Member

Single Boundary or Outside Service Extension (non-emergency)	Not Lead Agency/Notice of Exemption		Addendum / Initial Study		Environmental Impact Rpt.	
	With	Without	With	Without	With	Without
Staff Process (In hours)	100% Consent	100% Consent	100% Consent	100% Consent	100% Consent	100% Consent
Initial Consultation with Applicants	3.00	3.00	3.00	3.00	4.00	4.00
Receive and Set Up Applicant Proposal	0.50	0.50	0.50	0.50	0.50	0.50
Preliminary Proposal Review / Initial GIS Work	1.50	2.00	1.50	2.00	1.50	2.00
CEQA Review and Document Preparation	1.00	1.00	15.00	15.00	20.00	20.00
Prepare and Circulate Agency Review	1.50	1.50	1.50	1.50	1.50	1.50
Prepare and Circulate Property Tax Exchange Notice	0.50	0.50	0.50	0.50	0.50	0.50
Prepare and Circulate Petition Verification	0.15	0.15	0.15	0.15	0.15	0.15
Prepare Certificate of Petition Sufficiency	0.00	0.15	0.00	0.15	0.00	0.15
Prepare and Circulate Status Letter	2.00	2.00	2.00	2.00	2.00	2.00
Prepare and Post Hearing Notice / 300 ft	0.00	1.50	0.00	1.50	0.00	1.50
Prepare Staff Report and Resolution	13.00	14.00	14.00	16.00	15.00	17.00
Prepare and Circulate Certificate of Filing	0.50	0.50	0.50	0.50	0.50	0.50
Commission Meeting	0.50	1.00	0.50	1.00	0.50	1.00
Prepare and Issue Notice to Applicants	1.00	1.00	1.00	1.00	1.00	1.00
Prepare and Record Environmental Determination	1.00	1.00	1.00	1.00	1.00	1.00
Conducting Authority Proceedings	0.00	5.00	0.00	5.00	0.00	5.00
Work with Applicant on Completing Terms	1.20	2.20	1.20	2.20	1.20	2.20
Prepare and Record Certificate of Completion	1.00	1.00	1.00	1.00	1.00	1.00
Prepare and File Boundary Change with SBE	0.50	0.50	0.50	0.50	0.50	0.50
Close Proposal File and File Contents	0.50	0.50	0.50	0.50	0.50	0.50
Administrative Processing	1.00	1.00	1.50	1.50	1.50	1.50
Total Hours	30.35	40.00	45.85	56.50	52.85	63.50
Percent of Staff Time Needed						
Executive Officer	60.00%	65.00%	65.00%	67.50%	67.50%	70.00%
Clerk/Jr. Analyst	30.00%	25.00%	25.00%	25.00%	25.00%	22.50%
Deputy Executive Officer/Analyst	10.00%	10.00%	10.00%	7.50%	7.50%	7.50%
Cost for staff time						
Executive Officer	\$1,873.81	\$2,675.40	\$3,066.68	\$3,924.35	\$3,670.83	\$4,573.91
Clerk/Jr. Analyst	\$370.48	\$406.90	\$466.41	\$574.75	\$537.62	\$581.36
Deputy Executive Officer/Analyst	\$186.62	\$245.96	\$281.93	\$260.56	\$243.73	\$292.85
Total Staff Costs	\$2,430.91	\$3,328.26	\$3,815.02	\$4,759.66	\$4,452.18	\$5,448.11
Non-Staff Costs						
Legal Services	2.00	3.00	at hours used	at hours used	at hours used	at hours used
Bookkeeping	1.00	1.00	1.50	1.50	1.50	1.50
Cost for non-staff						
Legal	\$546.00	\$819.00	Billed for needed hours			
Bookkeeping	\$138.00	\$138.00	\$207.00	\$207.00	\$207.00	\$207.00
Total	\$684.00	\$957.00	\$207 plus cost of legal services billable hours			
Total Fee	\$3,114.91	\$4,285.26	\$4,022.02	\$4,966.66	\$4,659.18	\$5,655.11
	Plus material costs		plus any costs for consultant, legal services and material costs			
Additional Boundary Change to be added to above charge (per boundary change)						
Staff time to review and coordinate with extra jurisdiction	3	3.5	5	5.5	7	7.5
Executive Officer	\$185.22	\$234.10	\$334.43	\$382.02	\$486.20	\$540.23
Clerk/Jr. Analyst	\$36.62	\$35.60	\$50.86	\$55.95	\$71.21	\$68.66
Deputy Executive Officer/Analyst	\$18.45	\$21.52	\$30.75	\$25.36	\$32.28	\$34.59
Total Additional Costs	\$240.29	\$291.22	\$416.03	\$463.33	\$589.69	\$643.48
Emergency Outside Service Extension						
Staff Process	in hours					
Initial Consultation with Applicant	1.00					
Receive and Set Up Applicant Proposal	0.50					
Preliminary Proposal Review	1.00					
Confirm with EHS and District	1.00					
Prepare and Circulate Status Letter	1.00					
Work with Chair to authorize agreement	1.00					
Work with District and Applicant on getting everything needed complete	3.00					
Send Approval Notice	1.00					
Close Proposal File and File Contents	1.00					
Administrative Processing	1.00					
Total Hours	11.50					
Non-Staff Process						
Legal Services	0.50					
Bookkeeping	1.00					

Percent of Staff Time Needed									
Executive Officer		75.00%							
Clerk/Jr. Analyst		20.00%							
Deputy Executive Officer/Analyst		5.00%							
Staff Costs									
Executive Officer		\$887.51							
Clerk/Jr. Analyst		\$93.59							
Deputy Executive Officer/Analyst		\$35.36							
Total Staff Costs		\$1,016.46							
Non-Staff Costs									
Legal		\$136.50							
Bookkeeping		\$138.00							
Total Non-Staff Costs		\$274.50							
Total Fee		\$1,290.96							
Request for Time Extension to Complete Approved Terms									
Staff Process	In hours								
Staff Review		0.5							
Coordination with Impacted Agency and Applicant		1.5							
Prepare Staff Report		4							
Post Hearing Communication		1							
Administrative Processing		1							
Total Hours		8							
Percent of Staff Time Needed									
Executive Officer		80.00%							
Clerk/Jr. Analyst		15.00%							
Deputy Executive Officer/Analyst		5.00%							
Non-Staff Process									
Legal Services		0.50							
Bookkeeping		1.00							
Staff Costs									
Executive Officer		\$658.56							
Clerk/Jr. Analyst		\$48.83							
Deputy Executive Officer/Analyst		\$24.60							
Total Staff Costs		\$731.98							
Non-Staff Costs									
Legal		\$136.50							
Bookkeeping		\$138.00							
Total Non-Staff Costs		\$274.50							
Total Fee		\$1,006.48							
General Staff Research Base Fee									
Staff and non-staff process	In hours								
Administrative Processing		1.5							
Bookkeeping		1							
Percent of Staff Time Needed									
Executive Officer		50.00%							
Clerk		50.00%							
Staff and non-staff costs									
Staff Costs									
Executive Officer		\$77.18							
Clerk/Jr. Analyst		\$30.52							
Total		\$107.69							
Bookkeeping		\$138.00							
Base Total Fee (does not include staff time researching item)		\$245.69							