

PUBLIC OPEN TIME

Chairman McEntee opened the public comment period. Hearing no request for comment, the Chairman closed the public open time.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for December 10, 2020, Regular Meeting
2. Commission Ratification of Payments from December 1, 2020, to January 31, 2021
3. Approval of April 1, 2021 Meeting Date

Approved: M/S by Commissioners Murray and Arnold to accept the consent calendar.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, and Connolly

Nays: None

Abstain: None

Motion approved unanimously.

PUBLIC HEARING ITEMS

4. Approval of Resolution 21-01, Annexation of 2000 Point San Pedro Road to San Rafael Sanitary District (LAFCo File #1352)

Clerk/Jr. Analyst noted that this was a fairly straightforward application. The application was received in November 2020 for a parcel that is not developed but is zoned for Single-Family construction. This construction is why the applicant needs to connect to the Sanitary District. All Agency Reviews received were positive or neutral.

The applicant noted that there was frontage so connection would not be difficult, and EO Fried confirmed the parcel was in San Rafael Sanitary District's SOI.

Approved: M/S by Commissioners Coler and Murray to approve the annexation of 2000 Point San Pedro Road to SRSD and approve the attached resolution.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

5. Approval of Resolution 21-02 to Dissolve County Service Area 23, Pursuant to Government Code Section 56879 (LAFCo File #1350)

Executive Officer noted this item was a carryover from the last meeting. CSA 23 is no longer functioning; it was used to purchase land. Everything has been paid off, it does not own any assets because land has been transferred to the County, and this process is just the second part in a 2-step process to officially dissolve the CSA, the first part was approved at the December meeting.

No public comment was made for this item.

Approved: M/S by Commissioners Coler and Kious to approve the resolution to approve the dissolution of CSA 23.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

6. Approval of Resolution 21-03 to Dissolve County Service Area 25, Pursuant to Government Code Section 56879 (LAFCo File #1351)

Executive Officer noted this item was a repeat of previous item.

Prior to the meeting, one phone call was received; a general public member was concerned that LAFCo was getting rid of the Open Space District. Once EO Fried clarified that the CSA was separate the member of the public had no issues with the dissolution.

Approved: M/S by Commissioners Murray and Arnold to approve the resolution to approve the dissolution of CSA 25.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

7. Presentation of the Novato Region Supplement MSR for Marin County Flood Control and Water Conservation District Zone 1 Public Draft [Information Only]

Clerk/Jr. Analyst Gingold introduced the MSR, showing the Commissioners a map of the Flood Zone and giving background information on when the Zone was started, how large it is, what its infrastructure includes, and how it is funded. She then listed the determinations requiring additional efforts moving forward, touching on funding issues for the zone, increased need for cooperation between the Zone and other entities within its boundaries, and a need for a map of

infrastructure in the area. She also noted that the report had been presented to the Flood Zone Advisory Board at their meeting.

Chairman McEntee wanted to know how managing the Flood Control Districts in this separate go was panning out, and if any comparison was happening. EO Fried confirmed that there has been comparison, and that at one point it was noticed that the budgets for the flood zones were all different, but have since been streamlined based on LAFCo recommendation.

Commissioner Coler noted that there needs to be a lot more money for Capital replacements and wanted to know if there could be more clarity on what type of capital/what needs to be replaced. She noted that it appears to be major pumps that are aging and if that could be discussed in more detail, that might also help them in the future when it comes to raising money. She also noted that she was not sure if LAFCo could make suggestions on how to raise the benefit assessment of the Flood Zone. Could the discussion of the range of costs needed and the equipment needing replacement be helpful? Commissioner Coler also warned against relying on grants for revenue, and commented that James Grossi's name needed to be fixed in the table.

Vice-Chair Murray noted that this is a problematic area for Marin, and that there was some funding available for Marin but that ANEPA and design/being shovel ready is necessary. He highlighted the intensity of grant competition. Vice-Chair Murray noted that infrastructure does need a deeper dive as well.

Commissioner Skelton wanted to know when the last MSR for FZ1 was and whether or not there was any information in the prior report that could be incorporated as a reflection of where they were, what they accomplished, and where they can grow. He also commented that grant funding is not a reliable source of revenue and does not know if it is LAFCo's responsibility to help a district market their benefit assessment, but believes that the incremental rise in costs to fund the Flood Zone could lead to a larger reduction in insurance costs.

Commissioner Arnold noted that in 2017 the Flood Zone went for a property tax, but it lost because the leader of the campaign unexpectedly passed away and there was no one else to take the helm. Novato is working on coming back, although COVID has impacted this, but the City and County are aware that this area needs more funding, particularly because of the severity of its flooding.

Chairman McEntee wanted to know where LAFCo's role is in pursuing further the issue, what is the impact of someone being financially unstable. EO Fried believes that we can only identify the problem, but it is up to a City or District to figure out how to fix it. EO Fried noted that the parcel

tax in 2017 was proposed at \$47 and inflationary, the parcel tax should be at \$25 or \$26 so it is also possible the Zone just went for more money than was viable. EO Fried also made a comment about the necessity of an inventory of infrastructure in the Zone.

Chairman McEntee opened the public hearing. Hearing no public comment, she closed the public hearing.

Commissioner Coler commented that to the trained eye it looks like a red flag in the report but it may not be as obvious to others that there is an issue here. Chairman McEntee agreed with that and EO Fried replied that Staff will make the red flag more obvious.

Approved: M/S by Commissioners Arnold and Kious to continue the item to the next meeting.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

BUSINESS ITEMS

8. Approval of COBRA Payment Agreement with the County

EO Fried reminded the Commission that the County has been slowly moving LAFCo out of their processes, most recently COBRA benefits has been included as part of this transition. EO Fried noted that the County came up with a program where, for \$0.37 per month per employee, an outside vendor will take care of COBRA on LAFCo's behalf. For a three-employee operation this is \$1.11 a month. A 5-year contract with Connect Your Care (CYC) was created to supply COBRA to LAFCo.

Vice-Chair Murray asked if other vendors had been offered, EO Fried noted that at \$1.11 a month there was not much value to looking for a different vendor. Vice-Chair Murray wanted to know what LAFCo would do if the County switched vendors and EO Fried noted that LAFCo will likely just follow the County.

Approved: M/S by Commissioners Coler and Arnold to approve the edits to the Policy Handbook.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

9. Accept and File Fiscal Year 2018-2019 Audit Along with Discussion and Possible Action for Future LAFCo Audits

EO Fried mentioned there was 2 parts to this item. The first is reviewing and approving the FY 18-19 Audit. EO Fried noted that he is happy with this Audit, and that at this point only 1 item is not yet resolved, and the item is a carryover from previous years.

The second part is that there is a State law that will not allow a government agency to use the same auditor for 6 years in a row, and the FY 18-19 audit is the 6th year in a row from the same auditor who works for R.J. Riccardi and Associates. LAFCo can either have the next audit done by another partner at R.J. Riccardi and Associates or look to find the most affordable vendor for the FY 19-20 audit, which is the EO's recommendation.

Chairman McEntee opened public comment, hearing no public comment she closed public comment and brought it back to the commission.

Approved: M/S by Commissioners Kious and Murray to accept the FY 18-19 audit and approve the EO's request to do a search for the most cost friendly auditor.

Ayes: Commissioners Murray, Connolly, Arnold, Coler, Kious, Loder, and McEntee

Nays: None

Abstain: None

Motion approved unanimously.

EXECUTIVE OFFICER REPORT (discussion and possible action)

a) Budget Update FY 2020-2021

There was an error in the salary line items, one payroll was entered twice into Quickbooks so the number for salary is high in the report. This has been corrected. LAFCo is well under budget in overall spending.

b) Current and Pending Proposals

LAFCo received one application from MMWD, and hopefully close to receiving an official application from an OSA in unincorporated San Rafael.

c) Update on Workshop [Verbal Report Only]

LAFCo decided to pursue a workshop forum, rather than a joint meeting, to have a discussion about shared services, what it takes to do it, and answer the question of how feasible is it to share services. The plan is to have 2 panels workshop in April. Chairman McEntee added some comments as well.

d) LAFCo Working Group updates (Verbal Report)

EO Fried gave an update on working groups as well. There had been delays to working groups because of COVID. EO Fried highlighted his work with the Marinwood Fire, San Quentin Sewer District working groups, and Ross Valley Area Fire Services. There was a small discussion between EO Fried and Commissioner Coler about the 2 fire working groups: Marinwood and Ross Valley

e) 2021 Committee Assignment

EO Fried announced Chairman McEntee's committee assignments and made some comments to each Committee on what to expect with workload.

EO Fried also reminded the Commission about Form 700s and AB 1234s. He also warned that the April meeting would be long and that the Alternate Public Seat was up for selection.

Chairman McEntee opened Public Comment on the EO Report. Seeing none, she closed public comment.

CLOSED SESSION

The Commission moved to the closed session.

The Commission returned from closed session and Legal Counsel Subramanian reported that there was no reportable action from Closed Session.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Chairman McEntee asked for announcements and requests. Seeing none, the Chairman called for an adjournment.

Chairman McEntee adjourned the meeting at 8:52 P.M.

ADJOURNMENT TO NEXT MEETING

Thursday, April 8th, 2021

Zoom

Attest: Olivia Gingold
Clerk/Junior 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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