



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

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## NOTICE OF REGULAR MEETING AND AGENDA

### Marin Local Agency Formation Commission

**Thursday, August 10, 2023 ▪ 7:00 PM**

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

#### CALL TO ORDER BY CHAIR

#### ROLL CALL BY DEPUTY EXECUTIVE OFFICER

#### 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.

#### CONSENT CALENDAR ITEMS (discussion and possible action)

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

1. Approval of Minutes for June 8, 2023, Regular Meeting
2. Commission Ratification of Payments from June 1, 2023, to July 31, 2023

#### PUBLIC HEARING

3. Approval of Resolution 23-14, Update to Marin LAFCo Fee Schedule

#### BUSINESS ITEMS (discussion and possible action)

Business Items involve administrative, budgetary, legislative, or personnel matters and may or may not be subject to public hearings.

4. Approval of Executive Officer Employment Agreement
5. Election of Chair and if Necessary Vice Chair
6. Discussion and Possible Approval of Change to Start Time of Commission Meetings and Update Policy Handbook Accordingly
7. Discussion of Changing to Hybrid Meetings for Future Commission Meetings.

**EXECUTIVE OFFICER REPORT (verbal report only)**

- a) Budget Update FY 2022-2023 and FY 2023-2024
- b) Current and Pending Proposals
- c) Marin LAFCo Workshop (Verbal Report)
- d) CALAFCO Update (Verbal Report)

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

**ADJOURNMENT TO NEXT MEETING**

October 12, 2023| 7:00 P.M.

Attest:        Jason Fried  
                  Executive Officer

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

T: 415-448-5877  
E: [staff@marinlafco.org](mailto:staff@marinlafco.org)  
W: [marinlafco.org](http://marinlafco.org)

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# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

August 10, 2023

Item No. 1 (Consent Item)

**TO:** Local Agency Formation Commission

**FROM:** Jeren Seibel, Deputy Executive Officer

**SUBJECT:** **Approval of Minutes for June 8, 2023, Regular Meeting**

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#### 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.

#### Discussion

The action minutes for the June 8, 2023 regular meeting accurately reflect the Commission's actions as recorded by staff. A video recording of the meeting is also available online for viewing at <https://www.marinlafco.org/meetings>

#### Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the June 8, 2023 meeting with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item to the next regular meeting and provide direction to staff, as needed.

#### Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

#### Attachment:

- 1) Draft Minutes for June 8, 2023

**Administrative Office**  
Jason Fried, Executive Officer  
1401 Los Gatos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: [staff@marinlafco.org](mailto:staff@marinlafco.org)  
[www.marinlafco.org](http://www.marinlafco.org)

**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 Kiou, Chair**  
Almonte Valley Sanitary District

**Craig K. Murray, Regular**  
Las Gallinas Sanitary District

**Cathryn Hilliard, Alternate**  
Southern Marin Fire District

**Larry Chu, Regular**  
Public Member

**Roger Smith, Alternate**  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**DRAFT**

## NOTICE OF REGULAR MEETING MINUTES

### Marin Local Agency Formation Commission

**Thursday, June 8, 2023**

#### **CALL TO ORDER**

Chair Kious called the meeting to order at 7:01 P.M.

#### **ROLL CALL BY COMMISSION CLERK**

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

Commissioners Present:                   Lew Kious, Chair  
  Barbara Coler, Vice-Chair  
  Eric Lucan  
  Dennis Rodoni  
  Steve Burdo (joined at 7:05 P.M.)

Alternate Commissioners Present:       Richard Savel (seated as a regular)  
  Cathryn Hilliard (seated as a regular)

Marin LAFCo Staff Present:             Jason Fried, Executive Officer  
  Jeren Seibel, Deputy Executive Officer

Marin LAFCo Counsel Present:         Malathy Subramanian

Commissioners Absent:                 Craig Murray

Alternate Members Absent:             Stephanie Moulton-Peters  
  Stephen Burke

#### **AGENDA REVIEW**

EO Fried Suggested that items 12 and 13 be moved ahead of closed session due to the applicants for each item being present, as well as item 6 as former Commissioner Moody was present to receive his proclamation.

Moved by Vice-Chair Coler, seconded by Commissioner Rodoni, and passed unanimously.

#### **PUBLIC OPEN TIME**

Chair Kious opened the public open time period. Hannah Lee spoke on her positive experience working with LAFCo staff in her time working with the County of Marin. The Chair thanked Miss Lee for her comments, seeing no other members of the public wishing to speak, Chair closed the public open time.

### CONSENT CALENDAR ITEMS

1. Approval of Minutes for April 6, 2023 Regular Meeting
2. Commission Ratification of Payments from April 1, 2023, to May 31, 2023
3. Update and Approval of Marin LAFCo Meeting Location and Amend the Policy Handbook Accordingly
4. Approval of Legislative Committee Recommendations Related to LAFCo Bills

Approved: M/S by Commissioner Lucan and Commissioner Rodoni to approve the consent calendar  
Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Rodoni, Savel, Burdo, Hilliard  
Nays: None  
Abstain: None  
Absent: None  
Motion approved unanimously.

### BUSINESS ITEMS

5. Approval of Proclamation for Tod Moody

DEO Seibel read the proclamation for Tod Moody, after which former Commissioner Moody thanked the Commission and staff for their efforts and for making his time on the Commission enjoyable.

Approved: M/S by Vice-Chair Coler and Commissioner Hilliard to approve the proclamation for Tod Moody.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Rodoni, Savel, Burdo, Hilliard  
Nays: None  
Abstain: None  
Absent: None  
Motion approved unanimously.

### PUBLIC HEARING ITEMS

6. Approval of Resolution 23-12, Reorganization of East Blithedale right of way adjacent to 2, 45, and 55 Kipling Drive to the City of Mill Valley (LAFCo File #1372) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319(a)

EO Fried explained to the Commission that this area is being annexed by the City of Mill Valley for ease of street maintenance moving forward. The parcels will also be removed from the Richardson Bay Sanitary District as well as the Alto Sanitary District as the City of Mill Valley has its own sewer collection service.

Chair Kious opened and closed the public hearing seeing no members of the public wishing to comment.

Approved: M/S by Chair Kious and Commissioner Lucan to approve the annexation of East Blithedale right of way with the updated map and legal description provided.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Burdo, Rodoni, Savel, Lucan, Hilliard  
Nays: None  
Abstain: None  
Absent: None  
Motion approved unanimously

7. Approval of Resolution 23-13, Annexation of 10 Friendly Lane (APN: 141-101-23) to Novato Sanitary District (LAFCo File 1373) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

EO Fried outlined that this parcel was a simple application for annexation to the Novato Sanitary District and that the parcel is already in the City of Novato, and that an updated map and legal description had been received on that day and had been included in the Commissioner's agenda packets.

The Chair opened the public hearing. Seeing no members of the public wishing to comment, he closed the public hearing.

Approved: M/S by Vice-Chair Coler and Commissioner Burdo to approve the annexation of 10 Friendly Lane with updated map and legal description to the Novato Sanitary District.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Rodoni, Savel, Hilliard

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

### **CLOSED SESSION**

Public Employee Performance Evaluation (Gov. Code 54957)

Title: Executive Officer

Conference with Labor Negotiators (Gov. Code 54957.6)

Agency Designated Representative: Chair Kious and Vice Chair Coler

Unrepresented employee: Jason Fried

Chair Kious moved the Commission to closed session. Upon returning to open session, Chair Kious stated there was nothing to report from closed session.

### **BUSINESS ITEMS**

8. Election of Chair and Vice Chair

EO Fried explained that per the Marin LAFCo Policy Handbook, the selection of Chair and Vice Chair is the sole discretion of the members of the Commission.

Commissioner Rodoni moved to re-elect Chair Kious and Vice Chair Coler.

Commissioner Lucan posed the question of whether there was any policy or history on term limits for Chair/Vice-Chair, to which EO Fried explained there was no such policy. Commissioner Lucan suggested that rotation of the positions every few years be considered in the future.

Chair Kious opened public comment. Seeing none, he closed public comment.

Approved: M/S by Commissioner Rodoni and Commissioner Burdo to elect Commissioner Kious as Chair and Commissioner Coler as Vice Chair

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Rodoni, Savel, Hilliard

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

#### 9. Approval of Proclamation for Richard Savel

Alternate Commissioner Savel noted that the proclamation contained information that pertained to a different member of the Commission and that the proclamation be edited. Commissioner Savel was thanked for his service on the Commission and requested to make comments at the end of the meeting under Commissioner Announcements time so as to continue to move the meeting forward at that time.

Approved: M/S by Commissioner Lucan and Commissioner Burdo to approve the proclamation for Richard Savel with amendments.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Rodoni, Savel, Hilliard

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

#### 10. Accept and File MCERA Audit Report

EO Fried explained that MCERA came to Marin LAFCo to test out their new auditing system due to Marin LAFCo being a small (3-employee) agency. He went on to state that the majority of the flagged items by the audit took place prior to Marin LAFCo handling their own HR/benefits. The process allowed MCERA to find an area in its form to change to make things easier for future agencies.

Chair Kious opened the item up for public comment. Seeing none, the item returned to the Commission for deliberation.

Approved: M/S by Commissioner Lucan and Vice Chair Coler to approve the work plan as proposed.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Burdo, Hilliard, Rodoni, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

#### 11. Discussion and Possible Approval of Items Related to CALAFCO Annual Conference

EO Fried outlined the process of nominations for the CALAFCO Board of Directors as well as the designation of voting delegates. He also explained the awards nominations and his recommendation for the shared services program that Marin LAFCo and Santa Cruz LAFCo had recently created be nominated for the award for innovative services. He also recommended the nomination of the Deputy EO from Napa LAFCo, Dawn Middleton, for the lifetime achievement award.

Approved: M/S by Commissioner Rodoni and Commissioner Lucan to approve staff's recommendations on the award nominations and to designate Vice-Chair Coler as the voting delegate and Commissioner Burdo as the alternate.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Hilliard, Rodoni, Burdo, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

12. Discussion and Possible Vote on SDRMA Board of Directors

EO Fried explained that while Marin LAFCo isn't a special district, SDRMA allows LAFCo a vote in their board of directors elections as they provide LAFCo with liability insurance. He explained that at least recently, the elections had run with incumbents being unopposed but this year there was one outside candidate challenging.

Both Chair Kious and Vice Chair Coler offered the opinion that the challenger did not look to have the qualifications or experience to merit voting for them over the incumbent.

Approved: M/S by Commissioner Rodoni and Commissioner Burdo to cast a vote for the incumbents.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Hilliard, Burdo, Savel, Rodoni

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

13. Approval of Sixth Amendment to Executive Officer Employment Agreement

Legal Counsel Subramanian explained to the Commission the terms of the amendment to the employment agreement and stated that the updated longer-term employment agreement was scheduled to be brought before the Commission at the August meeting.

Chair Kious opened the item up for public comment. Seeing none, the item returned to the Commission for deliberation.

Approved: M/S by Commissioner Burdo and Commissioner Lucan to approve the sixth amendment to the Executive Officer employment agreement.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Hilliard, Burdo, Savel, Rodoni

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

**PUBLIC HEARING ITEMS**

14. Adoption of Final Operating Budget for Fiscal Year 2023-2024

EO Fried yielded to Budget Committee Chair Rodoni. Commissioner Rodoni reported that only minor changes were necessary from the proposed budget that did not necessitate another Budget Committee meeting. EO Fried stated that agency contributions were reduced by approximately 1%.

Chair Kious opened the public hearing. Seeing no comments, the item was returned to the Commission for deliberation.

Approved: M/S by Vice Chair Coler and Commissioner Burdo to adopt the final operating budget for fiscal year 2023-2024.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Hilliard, Burdo, Savel, Rodoni

Nays: None

Abstain: None

Absent: None



Motion approved unanimously

15. Interview for LAFCo Regular and Alternate Public Member Seats and Possible Appointments

Candidate Larry Chu, who was unable to attend the prior meeting's interview, was given the opportunity to answer the same four questions that were asked of the other four questions at the prior meeting. After the interview, EO Fried explained the voting process for all of the Commissioners.

Following some discussion among the Commission members, Vice-Chair Coler nominated Larry Chu for the Regular Public Member seat which was seconded by Commissioner Lucan.

Ayes: Chair Kious, Vice-Chair Coler, Commissioners Lucan, Hilliard, Burdo, Rodoni

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

Commissioner Lucan made a motion to nominate Roger Smith for the Alternate Public Member seat which was seconded by Vice-Chair Coler.

Ayes: Vice-Chair Coler, Commissioners Lucan, Hilliard, Burdo, Rodoni

Nays: Chair Kious

Abstain: None

Absent: None

Motion approved

**EXECUTIVE OFFICER REPORT** (discussion and possible action)

- a) Budget Update FY 2022-2023  
EO Fried reported that budget was looking on track and even a little under budget at this time.
- b) Current and Pending Proposals  
Currently no new proposals.
- c) CALAFCO Update (Verbal Report)  
EO Fried attended the CALAFCO Workshop in April and moderated a round table discussion.
- d) Marin LAFCo Workshop (Verbal Report)  
With so many new Commissioners, EO Fried recommends a workshop in January to help educate new members and have some discussion on future work plan.

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

Alternate Commissioner Savel offered his thanks to the Commission and to staff for his time serving on the Commission.

Chair Kious adjourned the meeting at 9:07 P.M.

**ADJOURNMENT TO NEXT MEETING**

Thursday, August 10, 2023

Via Zoom

Attest:       Jeren Seibel

Deputy Executive Officer

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# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

August 10, 2023

Item No. 2 – (Consent Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Commission Ratification of Payments from June 1, 2023 to July 31, 2023

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### Background

Marin LAFCo adopted a Policy Handbook delegating the Executive Officer to make purchases and related procurements necessary in overseeing the day-to-day business of the agency. The Policy Handbook also directs all payments made by the Executive Officer to be reconciled by LAFCo's contracted bookkeeper. Additionally, all payments are to be reported to the Commission at the next available Commission meeting for formal ratification.

The following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between June 1, 2023, and July 31, 2023, totaling \$63,389.34. The payments are detailed in the attachment.

### Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between June 1, 2023, and July 31, 2023, as shown in attachment.
2. Alternate Option - Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

### Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

#### Attachment:

- 1) Payments from June 1, 2023, to July 31, 2023

**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

**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 Kiou, Chair**  
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

**Marin Local Agency Formation Commission  
Expenses by Vendor Detail  
June through July 2023**

07/26/23

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
<b>BURDO, STEVE</b>						
Check	06/13/2023	20905	June 2023 Co...	05 · Commissioner ...	125.00	125.00
Total BURDO, STEVE					125.00	125.00
<b>CALAFCO</b>						
Check	07/01/2023	10045	Invoice 2023-20	30 · Memberships &...	5,237.00	5,237.00
Check	07/18/2023	20915	2023 CALAF...	10 · Conferences	2,460.00	7,697.00
Check	07/26/2023	20917	2023 CALAF...	10 · Conferences	1,070.00	8,767.00
Total CALAFCO					8,767.00	8,767.00
<b>Cardmember Services</b>						
Credit Card Charge	06/19/2023		adobe	20 · IT & Communic...	50.97	50.97
Credit Card Charge	06/19/2023		streamline	20 · IT & Communic...	100.00	150.97
Credit Card Charge	06/19/2023		zoom	20 · IT & Communic...	15.99	166.96
Credit Card Charge	06/19/2023		water	50 · Office Supplies ...	45.24	212.20
Credit Card Charge	06/19/2023		best best & kr...	25 · Legal Services	1,440.25	1,652.45
Credit Card Charge	06/19/2023		verizon wireless	20 · IT & Communic...	123.64	1,776.09
Credit Card Charge	06/19/2023		marin ij	50 · Office Supplies ...	10.87	1,786.96
Credit Card Charge	06/19/2023		neogov job po...	55 · Professional Se...	199.00	1,985.96
Credit Card Charge	06/19/2023		indeed job po...	55 · Professional Se...	93.00	2,078.96
Credit Card Charge	06/19/2023		pizza	50 · Office Supplies ...	60.58	2,139.54
Credit Card Charge	06/19/2023		comcast	20 · IT & Communic...	109.91	2,249.45
Credit Card Charge	06/19/2023		usps	50 · Office Supplies ...	13.39	2,262.84
Credit Card Charge	06/30/2023		united	75 · Travel - Mileage	277.80	2,540.64
Credit Card Charge	06/30/2023		marin ij	50 · Office Supplies ...	10.87	2,551.51
Credit Card Charge	06/30/2023		adobe	20 · IT & Communic...	50.97	2,602.48
Credit Card Charge	06/30/2023		best best & kr...	25 · Legal Services	2,005.18	4,607.66
Credit Card Charge	06/30/2023		marin mactech	20 · IT & Communic...	962.50	5,570.16
Credit Card Charge	07/19/2023		indeed job po...	60 · Publications/No...	155.00	5,725.16
Credit Card Charge	07/19/2023		streamline	20 · IT & Communic...	126.00	5,851.16
Credit Card Charge	07/19/2023		zoom	20 · IT & Communic...	15.99	5,867.15
Credit Card Charge	07/19/2023		verizon	20 · IT & Communic...	123.64	5,990.79
Credit Card Charge	07/19/2023		comcast	20 · IT & Communic...	204.85	6,195.64
Total Cardmember Services					6,95.64	6,195.64
<b>Coler, Barbara</b>						
Check	06/13/2023	20908	May Leg Com...	05 · Commissioner ...	250.00	250.00
Total Coler, Barbara					250.00	250.00
<b>COMCAST</b>						
Check	06/08/2023	eft		20 · IT & Communic...	496.54	496.54
Deposit	06/30/2023		refund	20 · IT & Communic...	-1,275.41	-778.87
Total COMCAST					-778.87	-778.87
<b>COMMUNITY MEDIA CENTER OF MARIN</b>						
General Journal	06/30/2023	AP		10 · Conferences	375.00	375.00
Total COMMUNITY MEDIA CENTER OF MARIN					375.00	375.00
<b>CONNECT YOUR CARE</b>						
Check	06/23/2023	eft	COBRA ADMIN	126 · Health Insuran...	1.11	1.11
Total CONNECT YOUR CARE					1.11	
<b>Delta Dental of California</b>						
Check	06/06/2023	eft		122 · Dental Insuran...	49.92	49.92
Check	06/21/2023	eft		122 · Dental Insuran...	49.92	99.84
Total Delta Dental of California.84					99.84	
<b>FP MAILING SOLUTIONS</b>						
Check	06/13/2023	20902	Invoice # RI 1...	50 · Office Supplies ...	204.88	204.88
Total FP MAILING SOLUTIONS4.88					204.88	

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
 June through July 2023

07/26/23

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
<b>Hilliard, Cathryn</b>						
Check	06/13/2023	20904	May Leg Com...	05 · Commissioner ...	250.00	250.00
Total Hilliard, Cathryn					250.00	250.00
<b>Indoff Incorporated</b>						
Check	06/13/2023	20903	Invoice #3657...	50 · Office Supplies ...	321.30	321.30
Total Indoff Incorporated					321.30	321.30
<b>Kaiser Foundation Health Plan</b>						
Check	06/08/2023	eft		126 · Health Insuran...	2,083.42	2,083.42
Check	06/08/2023	eft		126 · Health Insuran...	2,083.42	4,166.84
Total Kaiser Foundation Health Plan					4,166.84	4,166.84
<b>KIOUS, LEWIS</b>						
Check	06/13/2023	20909	June 2023 Co...	05 · Commissioner ...	125.00	125.00
Total KIOUS, LEWIS					125.00	125.00
<b>LUCAN, ERIC</b>						
Check	06/13/2023	20906	June 2023 Co...	05 · Commissioner ...	125.00	125.00
Total LUCAN, ERIC					125.00	125.00
<b>MARIN INDEPENDENT JOURNAL</b>						
Check	06/07/2023	20900	Invoice # 000...	60 · Publications/No...	50.00	50.00
Total MARIN INDEPENDENT JOURNAL					50.00	50.00
<b>PAYCHEX</b>						
Check	06/09/2023	eft		35 · Misc Services	65.57	65.57
Check	06/23/2023	eft		35 · Misc Services	65.57	131.14
Check	07/21/2023	eft		35 · Misc Services	62.16	193.30
Total PAYCHEX					193.30	193.30
<b>PAYROLL</b>						
Check	06/09/2023	eft	5/14-5/27/23	105 · Sal - Regular ...	10,514.80	10,514.80
Check	06/09/2023	eft	5/14-5/27/23	124 · Auto Allowance	350.00	10,864.80
Check	06/09/2023	eft	5/14-5/27/23	121 · Life Insurance	-17.40	10,847.40
Check	06/09/2023	eft	5/14-5/27/23	131 · Co Ret Cont Ti...	1,222.87	12,070.27
Check	06/23/2023	eft	5/28-6/10/23	105 · Sal - Regular ...	10,514.80	22,585.07
Check	06/23/2023	eft	5/28-6/10/23	124 · Auto Allowance	0.00	22,585.07
Check	06/23/2023	eft	5/28-6/10/23	121 · Life Insurance	-17.40	22,567.67
Check	06/23/2023	eft	5/28-6/10/23	131 · Co Ret Cont Ti...	1,222.87	23,790.54
Check	07/21/2023	eft	6/25-7/8/23	105 · Sal - Regular ...	10,514.80	34,305.34
Check	07/21/2023	eft	6/25-7/8/23	124 · Auto Allowance	0.00	34,305.34
Check	07/21/2023	eft	6/25-7/8/23	121 · Life Insurance	-17.40	34,287.94
Check	07/21/2023	eft	6/25-7/8/23	131 · Co Ret Cont Ti...	1,222.87	35,510.81
Total PAYROLL					35,510.81	35,510.81
<b>PAYROLL TAXES</b>						
Check	06/09/2023	eft	5/14-5/27/23	111 · Medicare Tax	158.10	158.10
Check	06/23/2023	eft	5/28-6/10/23	111 · Medicare Tax	153.03	311.13
Check	07/21/2023	eft	6/25-7/8/23	111 · Medicare Tax	153.03	464.16
Total PAYROLL TAXES					464.16	464.16
<b>RODONI, DENNIS JAMES</b>						
Check	06/13/2023	20907	June 2023 Co...	05 · Commissioner ...	125.00	125.00
Total RODONI, DENNIS JAMES					125.00	125.00
<b>SECURITY MORTGAGE GROUP 2</b>						
Check	07/01/2023	20911	July 2023 Rent	45 · Office Lease/Rent	2,956.00	2,956.00
Total SECURITY MORTGAGE GROUP 2					2,956.00	2,956.00

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
 June through July 2023

Type	Date	Num	Memo	Account	Amount	Balance
<b>SPECIAL DISTRICT RISK MANAGEMENT AUTHORIT</b>						
Check	07/01/2023	10044	Invoice # 734...	15 · General Insuran...	5,754.01	5,754.01
Total SPECIAL DISTRICT RISK MANAGEMENT AUTHORIT					5,754.01	5,754.01
<b>Teamsters Local 856 Health &amp; Welfare</b>						
Check	06/07/2023	20899	Month Ending...	126 · Health Insuran...	899.12	899.12
Check	07/18/2023	20914	Month Ending...	126 · Health Insuran...	899.12	1,798.24
Total Teamsters Local 856 Health & Welfare					1,798.24	1,798.24
<b>The Hartford</b>						
Check	06/09/2023	eft		121 · Life Insurance	150.16	150.16
Check	06/28/2023	eft		121 · Life Insurance	150.16	300.32
Total The Hartford					300.32	300.32
<b>Vision Service Plan</b>						
Check	06/05/2023	eft		123 · Vision Service ...	9.76	9.76
Total Vision Service Plan					9.76	9.76
<b>TOTAL</b>					<b>67,389.34</b>	<b>67,389.34</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

August 10, 2023

Item No. 3 (Public Hearing)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer  
(On behalf of Committee Chair Rodoni, Members Burke and Moody)

**SUBJECT:** Approval of Resolution 23-14, Update to Marin LAFCo Fee Schedule

### Background

Based on Marin LAFCo policy 3.11 “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.” LAFCo approved its current fee schedule at its June 10, 2021 meeting.

In addition, Government Code section 56383 provides that the Commission may establish a schedule of fees for filing and processing applications. Furthermore, Government Code section 66014 also states in part “...filing and processing applications and petitions filed with the local agency formation commission ... those fees may not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of the estimated reasonable cost of providing the services or materials is submitted to, and approved by, a popular vote of two-thirds of those electors voting on the issues.”

At the March 2023 Budget and Workplan Committee meeting the current fee schedule was reviewed. Based on staff presentation the Committee affirmed that the basic formula for time spent on items was correct with one small exception. The amount of time spent by staff on basic applications should be adjusted to acknowledge that the Deputy Executive Officer is now handling a little more of the process. Based on Staff recommendation, percent of staff time should be adjusted by lowering the Executive Officer time from 60% to 55% and increasing the Deputy Executive Officer from 10% to 15%.

The Committee also authorized staff to update the hourly rate for staff and consultants. The Committee agreed to hold off on setting the staff hourly rate until all staff reviews were completed and staff salaries and benefits were better known for FY 2023-2024. With approval of the new contract with the Executive Officer later in the agenda it is now known what those costs will be. Staff has amended the current fee schedule (Attachment 2) per the approvals given by the Budget and Workplan Committee to reflect staff salaries for FY 23-24 along with the change in percent of staff time mentioned above. Staff has also included the Excel spreadsheet charts (Attachment 3) that are used to create each fee for reference. On both attachment 2 and 3 the rows that have yellow highlighting are the ones that show the proposed fee that the applicant would pay. One row on the fee schedule is split between yellow and blue. This is done to signify that when staff talks with the general public the 2 items in blue cover what

**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

**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 Kiou, Chair**  
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



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are the vast majority of all applications we get. The blue makes it easier for staff to point those out to the applicant.

Since the changes being recommended by the Committee mainly deal with the hourly rate for staff, legal counsel, and our bookkeeper, changes to any given fee are not that large. For example, the most common type of application that we get is the 100% consent where LAFCo is not the lead agency on CEQA. This fee went up by \$135.63 from the 2021 to 2023 fee schedule which is a 4.35% increase.

In addition, with the change from Marin Map to our own mapping system, we have updated the third-party fee table to reflect how updates to the official maps will work moving forward. As with all third-party fees staff automatically updates this section as we become aware of changes to fees.

### **Staff Recommendation for Action**

1. Staff Recommendation – Approve the amended Fee Schedule with any amendments desired by the Commission.
2. Alternate Option – Take no action today and give staff further instructions.

### Attachment

1. Resolution 23-14, Approving Amended Fee Schedule
2. Amended Fee Schedule
3. Cost breakdown charts

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION 23-14

**RESOLUTION APPROVING THE COMPREHENSIVE UPDATE TO THE ADOPTED FEE SCHEDULE**

**WHEREAS** the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.) authorizes the Marin Local Agency Formation Commission (“Commission”) to adopt a schedule of fees and deposits; and

**WHEREAS** the Commission established and adopted by resolution a fee schedule on June 10, 2021, in a manner by provided by law; and

**WHEREAS** the Commission’s Policy Committee has prepared and presented a proposed comprehensive update to the fee schedule to improve cost-recovery and implementation; and

**WHEREAS** the Commission has scheduled and noticed a public hearing on August 10, 2023, to consider taking formal action on the proposed comprehensive fee schedule update; and

**WHEREAS** the Commission has heard and fully considered all written and verbal comments provided on the proposed comprehensive update to the fee schedule; and

**WHEREAS** the adoption and setting of fees are not projects under the California Environmental Quality Act under Regulations Code Section 15273(a).

**NOW THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

Section 1. The proposed comprehensive update to the fee schedule shown as Exhibit A is APPROVED.

Section 2. The effective date of the approved update shall be 60 days out and commence on October 9, 2023.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 10<sup>th</sup> day of August, 2023, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Lew Kious, Chair  
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Jason Fried, LAFCo Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 23-14

1. Exhibit "A" – Fee Schedule

**Marin Local Agency Formation Commission**  
Subdivision of the State of California

**Schedule of Fees and Deposits**

As Adopted on \*\*\*\*\*

These are the policies of the Marin Local Agency Formation Commission (“Commission”) in setting and collecting fees along with associated deposits in administering the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in Marin County. Amendments to this schedule shall require a majority vote of the Commission.

**I. Authority**

This schedule shall be administered in accordance with the allowances provided by the State of California under California Government Code Sections 56383 and 66014.

**II. Policy Statements**

The following policies direct the setting and collecting of Commission fees and deposits.

- 1) The fee schedule emphasizes “fixed” charges and represents reasonable cost estimates for processing generally routine proposals and requests based on a number of predetermined staff hours to complete.
- 2) Fixed fees are non-refundable and – while not typical – may be augmented by one or more deposits when additional time is needed beyond the predetermined staff hour allocation as determined by the Executive Officer.
- 3) The fee schedule includes a number of “at-cost” charges for processing non-routine proposals and requests when there is an inherent need to incorporate and address unique and pervasive local conditions.
- 4) At-cost charges require a refundable deposit set by the Executive Officer to cover an estimated number of staff hours specific to the proposal or request. Additional deposits may be required if the initial staff hour estimate proves insufficient.
- 5) The Commission shall provide periodic invoices to applicants with outstanding deposit balances showing the work performed and charges applied therein during the covered period.
- 6) Remaining deposit balances for completed or withdrawn proposals or requests shall be returned to the applicant within 30 days with closing invoices.
- 7) All fees required under this schedule shall be submitted in check and made payable to “Marin Local Agency Formation Commission.”
- 8) Proposals and requests subject to this fee schedule will be deemed incomplete until the appropriate fee has been received by the Commission.
- 9) All additional staff time required to process proposals or requests subject to this fee schedule beyond the coverage of the initial fixed fee or collected at-cost deposit will be billed based on the staff hourly rate plus a base administrative fee process where applicable.

- 10) All fees collected under this schedule cover a one-year processing period. Proposals or requests that remain incomplete beyond one year or have been denied “without prejudice” by the Commission may be resubmitted within one year of the date of adoption of the resolution terminating proceedings for an additional fee as provided in this schedule.
- 11) Applicants with proposals or requests subject to this fee schedule requiring outside consultants will be responsible for all direct costs therein and will be required to provide a dedicated deposit as determined by the Executive Officer.
- 12) The Executive Officer may stop work on any proposal or request subject to this fee schedule until receipt of a requested fee or deposit.
- 13) The Commission, upon majority vote, may reduce or waive fees, a service charge, or deposit for the following reasons:
  - Proposals or requests covered under this schedule involving overriding public benefit as determined by the Commission and payment would be detrimental to the public interest.
  - Renewed applications with current information that were not previously denied and for which prior processing remains relevant to the renewed application as determined by the Commission.

The Commission will leave to the discretion of the Executive Officer the ability to reduce an application for annexation into a district in cases where an Emergency Out of Service Agreement had been recently completed. The reduction in cost shall only be when time spent by staff is due to the duplicative nature of the two applications. Staff shall report to the Commission any fee reduction with justification at the next available meeting.

Fee reductions shall not be granted for the following reasons:

- Applications amended or denied.
- Misinformation provided in the application or by other public agencies, groups, or individuals.

Prior to consideration by the Commission, a request for a fee reduction shall be submitted in writing to the Marin LAFCo office. The request will be considered at the next regular meeting of the Commission or – and at the discretion of the Executive Officer – in step with consideration of the actual proposal or request so long as the appropriate fee amount is on file with the Marin LAFCo office.

- 14) When agencies bring applications to the Commission for its approval the LAFCo fees that pertain to staff time will be waived when that application is a result of a recommendation coming from a Municipal Service Review. The applicant will still be responsible for all third-party fees as part of the application process.
- 15) Each government agency that LAFCo oversees boundaries of will be given a one-time waiver of fees that pertain to staff time for an application, or group of applications, presented at the same time that brings into the jurisdiction parcels that have been served by the district. The applicant will still be responsible for all third-party fees as part of the application process.

- 16) The Commission shall biennially review this schedule to help maintain an appropriate level of cost-recovery as determined by the membership.
- 17) Research requests on any particular subject – including for purposes to inform a potential future application – will be provided at no cost for the first two hours. Any additional research time will be billed at the hourly rate plus administrative costs.
- 18) The Commission’s schedule of fees and related charges are detailed in Table One.

### **III. Direction to Applicants**

Applicants are strongly encouraged to contact LAFCo staff to discuss a proposal or request and all related fees prior to submittal. Staff will provide any prospective applicant a written summary of all expected costs for a proposal or request at no charge.

**IV. Fee Schedule**

**TABLE ONE**

**Boundary Change or Outside Service Agreements (non-emergency)**

**Change of Organization Proposal / Fixed Fee Made Payable to Marin LAFCo:**

(Excludes Special District Formations, Mergers or Dissolutions and City Incorporations or Disincorporations)

Single Boundary or Outside Service Extension (non-emergency)						
	Non-Lead Agency/Notice of Exemption		Addendum / Initial Study		Environmental Impact Rpt.	
	With	Without	With	Without	With	Without
	100% Consent	100% Consent	100% Consent	100% Consent	100% Consent	100% Consent
Fee	\$3,250.54	\$4,463.22	\$4,220.10	\$5,200.16	\$4,878.56	\$5,909.77
	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)						
Total Additional Costs	\$247.37	\$298.83	\$436.00	\$484.60	\$616.76	\$671.78

**Other Proposals and Fees Made Payable to Marin LAFCo**

Emergency Outside Service Agreement .....	\$1,355.34
Request for Time Extension .....	\$1,056.94
General Staff Research (Base fee plus hourly rate for staff time used) .....	Base Fee - \$262.32
.....Executive Officer -	\$105.46/hr
.....Clerk -	\$46.97/hr
.....Deputy Executive Officer	\$69.08/hr
.....Legal Counsel –	\$300.00/hr
.....Bookkeeping –	\$148.00/hr
Photocopies or Printed pages .....	Black and White \$0.10 per page
.....	Color \$0.87 per page

Following Services shall be done on an at-cost deposit charge system. Deposit size shall be determined by Executive Officer on a case-by-case basis:

- Request for Reconsideration
- Request to Hold a Special Meeting
- Sphere of Influence Amendment
- Municipal Service Review
- Special District Formation, Dissolution, Consolidation
- City Incorporation, Merger, Disincorporation

#### IV. Third Party Fee Schedule:

##### Collected by Marin LAFCo and Made Payable to the Affected Agencies

Some or all of the following types of services shall be required by outside agencies in the course of processing proposals or requests submitted to Marin LAFCo. Applicable fee will be identified by Marin LAFCo staff during the consultation process with the applicant and shall be collected by Marin LAFCo on behalf of the affected agencies. Should certain fees be collected but ultimately not needed Marin LAFCo shall immediately remit to the applicant. The current costs per agency are listed below and may be increased by the respective agency. LAFCo shall charge the applicant the actual cost as determined by the respective agency.

Third-Party Services	Amount
County Environmental Health Department Review	\$241 (hour)
County Public Works Department/Surveyor Review	\$241 (hour)
GIS Update (Billed by Cinquini & Passarino with check made out to LAFCo)*	\$151 (hour)
County Election's Office/Registered Voter List	At-cost
County Assessor's Office/Landowner List	At-cost
County Clerk Recorder/Recording CEQA Determination*	\$50
CA Fish and Game/Recording CEQA Determination*	
- Negative Declaration	\$2,406.75
- Mitigated Negative Declaration	\$2,406.75
- Environmental Impact Report	\$3,343.25
State Board of Equalization*	
- 0.0 to less than 1.0 acre	\$300
- 1.0 to 5.99 acres	\$350
- 6.0 to 10.99 acres	\$500
- 11.0 to 20.99 acres	\$800
- 21.0 to 50.99 acres	\$1,200
- 51.0 to 100.99 acres	\$1,500
- 101.0 to 500.99 acres	\$2,000
- 501.0 to 1,000.99 acres	\$2,500
- 1001.0 to 2,000.99 acres	\$3,000
- 2001.0 acres or more	\$3,500

\*Payment of these fees is not required until such time Marin LAFCo has approved a proposal



Single Boundary or OSA 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	55.00%	60.00%	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	15.00%	15.00%	10.00%	7.50%	7.50%	7.50%
Cost for staff time						
Executive Officer	\$1,760.39	\$2,531.04	\$3,142.97	\$4,021.98	\$3,762.15	\$4,687.70
Clerk/Jr. Analyst	\$427.66	\$469.70	\$538.39	\$663.45	\$620.59	\$671.08
Deputy Executive Officer/Analyst	\$314.49	\$414.48	\$316.73	\$292.73	\$273.82	\$328.99
Total Staff Costs	\$2,502.54	\$3,415.22	\$3,998.10	\$4,978.16	\$4,656.56	\$5,687.77
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	\$600.00	\$900.00	Billed for needed hours			
Bookkeeping	\$148.00	\$148.00	\$222.00	\$222.00	\$222.00	\$222.00
Total	\$748.00	\$1,048.00	\$207 plus cost of legal services billable hours			
Total Fee	\$3,250.54	\$4,463.22	\$4,220.10	\$5,200.16	\$4,878.56	\$5,909.77
	Plus material costs		Plus any costs for consultant, legal, 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	\$174.01	\$221.47	\$342.75	\$391.52	\$498.30	\$553.67
Clerk/Jr. Analyst	\$42.27	\$41.10	\$58.71	\$64.58	\$82.20	\$79.26
Deputy Executive Officer/Analyst	\$31.09	\$36.27	\$34.54	\$28.50	\$36.27	\$38.86
Total Additional Costs	\$247.37	\$298.83	\$436.00	\$484.60	\$616.76	\$671.78

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 com	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%
<b>Staff Costs</b>	
Executive Officer	\$909.59
Clerk/Jr. Analyst	\$108.03
Deputy Executive Officer/Analyst	\$39.72
<b>Total Staff Costs</b>	<b>\$1,057.34</b>
<b>Non-Staff Costs</b>	
Legal	\$150.00
Bookkeeping	\$148.00
<b>Total Non-Staff Costs</b>	<b>\$298.00</b>
<b>Total Fee</b>	<b>\$1,355.34</b>
<b>Request for Time Extension to Complete Approved Terms</b>	
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
<b>Total Hours</b>	<b>8</b>
<b>Percent of Staff Time Needed</b>	
Executive Officer	80.00%
Clerk/Jr. Analyst	15.00%
Deputy Executive Officer/Analyst	5.00%
<b>Non-Staff Process</b>	
Legal Services	0.50
Bookkeeping	1.00
<b>Staff Costs</b>	
Executive Officer	\$674.94
Clerk/Jr. Analyst	\$56.36
Deputy Executive Officer/Analyst	\$27.63
<b>Total Staff Costs</b>	<b>\$758.94</b>
<b>Non-Staff Costs</b>	
Legal	\$150.00
Bookkeeping	\$148.00
<b>Total Non-Staff Costs</b>	<b>\$298.00</b>
<b>Total Fee</b>	<b>\$1,056.94</b>
<b>General Staff Research Base Fee</b>	
Staff and non-staff process	In hours
Administrative Processing	1.5
Bookkeeping	1
<b>Percent of Staff Time Needed</b>	
Executive Officer	50.00%
Clerk	50.00%
<b>Staff and non-staff costs</b>	
<b>Staff Costs</b>	
Executive Officer	\$79.10
Clerk/Jr. Analyst	\$35.23
<b>Total</b>	<b>\$114.32</b>
Bookkeeping	\$148.00
<b>Base Fee (does not include staff time researching item)</b>	<b>\$262.32</b>



# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
August 10, 2023  
Item No. 4 (Business)

**TO:** Local Agency Formation Commission  
**FROM:** Mala Subramanian, General Counsel  
**SUBJECT:** Approval of Executive Officer Employment Agreement

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### Background

The Commission approved an Employment Agreement for Executive Officer's Services with Jason Fried effective January 2, 2019 ("Employment Agreement"). Over the years there have been numerous amendment to the Employment Agreement. The Commission desires to enter into a new Employment Agreement with Mr. Fried.

### Discussion

The Commission and the Executive Officer have been in the process of negotiating the terms of his Employment Agreement related to compensation and benefits over the last several meeting. The parties desire to enter into a new Employment Agreement effective July 1, 2023 that provides for the following key provisions:

- Term of 3 years;
- Compensation of \$177,625.76;
- Effective fiscal year 2024/25 and thereafter, automatic cost of living adjustments that are awarded to LAFCo staff;
- Reference to 9/80 schedule as already provided for in the Personnel Policy Handbook; and
- Paid leave entitlements consistent with what other LAFCo staff receive.

### Recommendation

Authorize the Chair to execute the Employment Agreement.

### Attachment:

1. Executive Officer Employment Agreement

## AGREEMENT

This Agreement (hereinafter referred to as “Agreement”), made and entered into on the latest date of signature below by and between the Marin Local Agency Formation Commission, an Agency established by the State of California (hereinafter referred to as “Commission”) and Jason Fried (hereinafter referred to as “Employee”), to appoint Employee as the duly appointed EXECUTIVE OFFICER of the Commission shall be effective July 1, 2023.

## RECITALS

1. Through action of its membership on December 13, 2018, the Commission voted to extend Employee appointment as EXECUTIVE OFFICER of the Commission effective January 2, 2019.
2. The Commission and the EXECUTIVE OFFICER have entered into numerous amendments to the Employment Agreement that was effective January 2, 2019 and desire to enter into a new Agreement to provide certain benefits, establish certain conditions of employment, and set working conditions of said EXECUTIVE OFFICER.
3. In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

### **Section 1. Duties.**

The powers and duties of the EXECUTIVE OFFICER shall be as those described generally in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 codified at Section 56000 et seq. of the California Government Code, and any local standards, policies, guidelines or procedures adopted by the Commission. In addition the Commission may direct the EXECUTIVE OFFICER to perform other legally permissible and proper duties and functions as the Commission shall from time to time assign to carry out the functions of the Commission.

### **Section 2. Salary.**

Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$177,625.76 (ONE HUNDRED SEVENTY-SEVEN THOUSAND SIX HUNDRED TWENTY-FIVE DOLLARS AND SEVENTY-SIX CENTS), payable in accordance with the Commission’s standard payroll practices. Effective Fiscal Year 2024/25 and thereafter, Employee shall be entitled to receive any cost-of-living salary adjustments (COLA) that are awarded to Commission staff, as of the effective date any such COLA is made effective for staff. As part of the annual performance evaluation, Employee shall also be eligible for merit-based increases in compensation, if any, as determined by the Commission.

## Hours of Work

Employee is expected to generally be working and available during regular business hours, as well as at any other time needed to carry out the duties of the position. In accordance with Section 6.2a of the Personnel Policy Handbook, Employee generally works a 9/80 schedule. In light of his exempt status and the nature of his position, Employee's schedule of work each day and week may vary in accordance with the work required to be performed and in accordance with any specific direction provided by the Commission. Employee understands and agrees that he is an exempt executive management employee, and that he shall not be entitled to any additional compensation and/or time off as a result of working more than 40 hours in any given week. It is recognized that work in some weeks may exceed 40 hours and, conversely, work in other weeks may be less than 40 hours. Employee is expected to work the hours required to get the job done.

### **Section 3. Full Energy and Skills; Conflicts**

Employee shall faithfully, diligently, and to the best of Employee's abilities, perform all duties that may be required under this Agreement. Employee agrees that Employee has a duty of loyalty and a general fiduciary duty to the Commission. Absent advance written permission from the Commission, Employee shall devote the whole of Employee's working time, skill, experience, knowledge, ability, labor, energy, attention, and best effort exclusively to the Commission's business and affairs.

Employee shall not engage in any employment, activity, consulting service, or other enterprise, for compensation or otherwise, which is actually or potentially in conflict with, inimical to, or which interferes with the performance of Employee's duties.

### **Section 4. Paid Leave – Vacation, Sick Leave, and Holidays.**

Employee shall accrue vacation, sick leave, and holidays, as provided in the Commission's Personnel Policy Handbook. The terms and conditions of accrual, use, and payment of those types of paid leave for Employee are set forth in the handbook policies for each type of leave, as those policies may be amended from time to time.

### **Section 5. Benefits.**

The Commission agrees to provide to Employee a benefit package consistent with County of Marin unrepresented employees with a similar classification (bargaining group 21-01) to be used to pay the cost of benefits which include, but are not limited to disability, health, life, vision, and dental plans. Employee recognizes and agrees that Employee contributions to the dental, vision services and basic life insurance plans are mandatory. Health insurance contributions are

also mandatory absent Employee providing annual documentation demonstrating qualifying alternative coverage.

### **Section 6. Pension and Retiree Health Care.**

Employee is a mandatory member of the Marin County Employees Retirement System (MCERS or MCERA), in Tier 3 thereof, for the purposes of pension and retiree health care, as the terms and provisions of such Tier 3 exist upon the execution of this Agreement. Notwithstanding the preceding, it is anticipated that the Commission will explore the option of enrolling Employee in a defined benefit plan administered by CalPERS in lieu of continued participation in MCERS or MCERA.

### **Section 7. Expenses, Phone and Mileage.**

The Commission agrees to reimburse Employee for work-related expenses for purposes including, but not limited to, professional dues and subscriptions, professional development, meal expenses, travel to approved conferences or seminars, and general expenses of a job related and non-personal nature subject to reasonable control and budgetary approval by the Commission. All reimbursements must be based on receipts and similar documentation. Commission shall provide, at its expense, a cell phone and cell phone service package to Employee for Commission business. Commission shall provide an auto allowance of \$350 per month, paid as wages and subject to appropriate withholdings and deductions, for expenses incurred for mileage due to job-related local travel.

### **Section 8. Performance Evaluation.**

A. The Commission shall review and evaluate the performance of the Employee at least once annually, around the time of his anniversary date. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Commission and Employee, consistent with Commission's adopted Policies, Procedures and Guidelines. Said criteria may be added to or deleted from as the Commission may from time to time determine, in consultation with Employee. Further, the Chair of the Commission shall provide Employee with a written summary statement of findings of the Commission and provide an adequate opportunity for the Employee to discuss his evaluation with the Commission. In its discretion, the Commission can also provide Employee with informal evaluations or performance feedback at any time deemed appropriate by the Commission.

B. Annually, the Commission and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the Commission and shall further establish a relative priority among those various goals and objectives.

**Section 9. Term, Termination, and Potential Severance.**

A. This Agreement shall expire on June 30, 2026 unless terminated earlier in accordance with this provisions.

B. Employee recognizes and agrees that the position of EXECUTIVE OFFICER to the Commission is “at will,” that he serves at the pleasure of the Commission, and that he has no property interest in such employment but rather may be terminated or asked to resign by the Commission at any time, with or without cause, and with or without advance notice. Either party may terminate this Agreement at any time upon two (2) weeks written notice to the other party in the sole discretion of the party seeking to terminate this agreement.

C. Subject to this subsection and subsection D below, should Employee be terminated or asked to resign in lieu of termination he shall receive four (4) pay periods of salary, subject to payroll deductions and withholdings. Any payments provided under this section are expressly conditioned on Employee’s written release of any and all claims against the Commission, its Board members, officers and employees, in a form prepared by the Commission. Further, any payments under this section are subject to and must comply with the limitations set forth in Government Code Sections 53260 and 53243-53243.4.

D. If the termination of Employee is the result of gross mismanagement and/or an act or acts of moral turpitude, Employee shall not be eligible for or paid any severance pay. In such an instance, Employee’s sole remedy shall be a judicial action in declaratory relief to determine whether there was substantial evidence of gross mismanagement and/or an act or acts of moral turpitude. If the court determines there was not substantial evidence, Employee shall receive the severance pay provided in this Section 12, but no other damages.

**Section 10. Indemnification.**

In accordance with statutory indemnification applicable to the EXECUTIVE OFFICER through Marin County Code and/or State and Federal statutes, the Commission, shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance by Employee of his duties. The Commission may, in its discretion, compromise and settle any such claim or suit, and will pay the amount of any settlement or final judgment rendered against Employee occurring in the performance of his duties as EXECUTIVE OFFICER.

**Section 11. Other Terms and Conditions.**

The Commission, with the mutual consent of Employee, may fix any such other terms and conditions of employment, as it may determine from time to time, provided such terms and

conditions are not inconsistent with or in conflict with the provisions of this Agreement or any law.

**Section 12. Notices.**

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, First Class postage prepaid, or by traceable overnight delivery service (FedEx or equivalent), addressed as follows:

**A. COMMISSION:**

Chair  
Marin Local Agency Formation Commission  
1401 Los Gamos Drive, Suite 220  
San Rafael, CA 94903

**B. EXECUTIVE OFFICER:**

Jason Fried  
[Address on file]

Alternatively, notices required pursuant to this agreement may be personally served in the same manner as if applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service, or as of the date of deposit of such written notice with the United States Postal Service or overnight delivery service.

**Section 13. General Provisions.**

A. The text of this Agreement shall constitute the entire agreement between the parties, and it supersedes any and all prior or contemporaneous agreements, representations and understandings of the parties. This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, and signed by the parties.

B. Employee may not assign this Agreement in whole or in part.

C. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

D. This agreement shall become effective on the latest date of signature below.



E. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Employee and City agree that venue for any dispute shall be in Marin County, California.

F. If any provision or any portion thereof contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

G. The headings on each of the sections and subsections of this Agreement are for the convenience of the parties only and do not limit or expand the contents of any such section or subsection.

**IN WITNESS WHEREOF**, the Marin Local Agency Formation Commission has caused this agreement to be signed and executed on its behalf by its Chair.

\_\_\_\_\_  
LEW KIOUS, CHAIR  
MARIN LOCAL AGENCY FORMATION  
COMMISSION

\_\_\_\_\_  
JASON FRIED, EMPLOYEE

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
MALA SUBRAMANIAN,  
COMMISSION COUNSEL

Date: \_\_\_\_\_



# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
August 10, 2023  
Item No. 5 (Business)

**TO:** Local Agency Formation Commission  
**FROM:** Jason Fried, Executive Officer  
**SUBJECT:** Election of Chair and If Necessary Vice-Chair

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### Background

On July 25, 2023, LAFCo Chair Lew Kious informed staff and legal counsel that he wished to step down as Chair of LAFCo. He indicated in his email that he will continue in the role as Chair until the Commission elects a new member to replace him at the next meeting.

Based on Marin LAFCo policy the Chair shall serve as the immediate supervisor to the Executive Officer and is responsible for making committee appointments. Both the Chair and Vice-Chair can sign checks on behalf of LAFCo.

The voting members retain full discretion in proceeding with the selection process as collectively deemed appropriate, and compliant with the Brown Act.

Staff does not take a position on this subject matter and leaves it to the discretion of the Commission as a whole to decide.

While not making presumptions staff has arranged this item in a way so should the Commission wish to elect the Vice Chair to become Chair for the remainder of this term then the Commission can elect a new Vice Chair at this meeting if it wishes.

### Staff Recommendation for Action

1. Option 1 – Elect by a majority of voting members (a) Chair and if necessary (b) Vice-Chair to one-year terms commencing immediately and extending to May 2024, and/or until successors are elected.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

Attachment:

1. Email from Commissioner Kious

**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  
**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 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

## Jason Fried

---

**From:** Lew Kious <ldkious@sbcglobal.net>  
**Sent:** Tuesday, July 25, 2023 2:32 PM  
**To:** Jason Fried  
**Cc:** Malathy Subramanian  
**Subject:** Stepping down as Marin LAFCo Chair

Jason,

After much soul searching since the last LAFCO board meeting, I've determined that I cannot be successful in the role of Chair of Marin LAFCO. As a result I've decided to step down from the Chair position, effective with an election at the next regular meeting.

Regardless of the above, I will retain my seat on the LAFCO board as a regular member.

Please acknowledge this message and let me know how I can assist in the transition.

Regards,  
Lew

Lew Kious

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# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
August 10, 2023  
Item No. 6 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Discussion and Possible Approval of Change to Start Time of Commission Meetings and Update Policy Handbook According

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### Background

At the June 2023 Commission meeting the question of future LAFCo Commission meeting starting times, currently 7:00 P.M., was mentioned as something the Commission would like to discuss at a future meeting to determine if an earlier start time is possible. Currently Marin LAFCo Policy 3.8 (COMMISSION MEETINGS) states:

Regular meetings of Marin LAFCo shall be calendared every 12 months by the Commission at its December meeting. Regular meetings may be held either monthly or every other month on the second Thursday and based on anticipated workload. Whenever a legal holiday falls on a regular meeting date, an alternate meeting date will be selected. All regular meetings shall be called to order at **7:00 P.M.** and held in Marin Wildfire Prevention Authority Board Room at 1600 Los Gamos, Suite 335, San Rafael unless advertised differently. Notice of all regular meetings shall be provided no less than 72 hours in advance.

Staff in preparation for this item on today's agenda did a quick survey of Commissioners to help determine what, if any, conflicts might exist to help with determining if an earlier time was possible. The only item that was mentioned is some Commissioners have jobs that are outside of Marin County so they would need time to commute back. Staff also asked what was the earliest they would like to start the meeting. Commissioners who responded looked for start times between later afternoon until 6:30 P.M. The Commission should discuss and decide if an earlier start time is desired and what that time should be.

This is a policy decision for the Commission to make so staff has no recommendation to make.

### Recommendation for Action

1. Recommendation 1 – Authorize the Executive Officer to edit Policy 3.8 to reflect a new meeting start time and make changes in other places where meeting location is mentioned.
2. Recommendation 2 – Take no action today and give staff further instructions, if any.

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Jason Fried, Executive Officer  
1401 Los Gamos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: staff@marinlafco.org  
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Southern Marin Fire Protection District

**Larry Chu, Regular**  
Public Member

**Roger Smith, Alternate**  
Public Member



# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
August 10, 2023  
Item No. 7 (Business)

**TO:** Local Agency Formation Commission  
**FROM:** Jason Fried, Executive Officer  
**SUBJECT:** Discussion of Changing to Hybrid Meetings for Future Commission Meetings

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### Background

After the June 2023 Commission meeting, a couple of Commissioners approached staff about why we don't do Hybrid meetings. As background, prior to returning to in-person again, the Commission had a discussion on if we should make our meetings hybrid. At that time the Commission noted the lack of participation of the public, outside of applicants, in joining our meetings remotely. In addition at the time we did not know exactly where we would be meeting and the capacities of that room for allowing for hybrid meetings. Given these factors, the Commission decided we would return to in-person-only meetings. Since that discussion, we have returned to meeting in person only. The room we now meet in is set up and allows for hybrid meetings. While the public would be able to attend remotely under a hybrid system Commissioners will still need to attend in person with some specific limited situations of being able to attend remotely. The main question in front of the Commission is should future meetings be set up for hybrid meetings to occur?

Staff has no major objections to this with one possible issue. When we are fully staffed we should be able to handle the extra workload during the meeting. The issue is when we are short-staffed, like we have been the last couple of meetings, the extra workload could cause a strain on staff during the meeting. With that said we could likely find a way to make it work in those scenarios.

Should the Commission decide to go with a hybrid set-up staff would pose two questions:

1. While not required to attend a meeting we have always strongly suggested to applicants that they attend the meeting in case any questions come up. Does the Commission have an opinion on if they would like the applicant in person or would joining remotely work as well?
2. Currently, our legal counsel attends all meetings in person. We are charged for both travel time and costs for this to occur. With a hybrid system, legal counsel could attend remotely. While the Commission would likely want to have legal counsel in person when having a closed session item and perhaps other major issues where legal counsel in person would be beneficial the question is should legal counsel be in person for all meetings or should the Chair and staff decide by meeting if they should attend in person or remotely?

This is a policy decision for the Commission to make so staff has no recommendation to make.

### Recommendation for Action

1. Recommendation 1 – Approve going to a hybrid meeting system for future meetings.
2. Recommendation 2 – Take no action today and give staff further instructions, if any.

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San Rafael, California 94903  
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Public Member

**Roger Smith, Alternate**  
Public Member



# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

August 10, 2023

Executive Officer Report – Section A

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Budget Update for FY 2022-2023 and FY 2023-2024

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### Background

This budget report covers two different fiscal years, FY 22-23 and FY 23-24.

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2022-2023 totaling \$593,909.08. From July 1, 2022, through June 31, 2023, LAFCo has spent \$526,121.43. Our bookkeeper still needs to correct for when bills are paid and other items that will need to be closed out so this may not be the final amount spent for FY 22-23. When completed we should still come in under budget having only spent about 89% of our budget for the year although as mentioned this is not the final report for the year.

There are two line items that are over 100% for the year. Misc. Services (35) is over by \$348.74. As has been mentioned in the past this is due to the return to in-person meetings and our payroll system being in the same line item. This amount was increased in FY 23-24 to address this issue in the future. The other item over budget for the year, IT & Communications Services (20), is over by \$2,719.75. This had been mentioned in previous meetings as well being due to the change over to our new GIS mapping system and the addition of our new ADA compliance web-based software. That line item was also increased for FY 23-24 to address this issue in the future. All other line items came in at or under budget and as mentioned above overall we came in under budget for the year.

LAFCo adopted a budget for FY 2023-2024 totaling \$631,311.00. From July 1, 2023, through July 31, 2024, LAFCo has spent \$38,520.93. This report covers 1 month, which is about 8% of the year. We have already spent 10.3% of our budget this year. While this is above where we should be for this time of year for the overall budget staff is not concerned since about one-third of the money spent so far is for large one-time expenses we expected to have and conference registration. You will note three line items are higher than the expected amount for where we are for being one month into the new FY. Two line items, Membership and Dues (30) and General Insurance (15), consist of bills that have large sums that get paid at the start of the Fiscal year in the case of line item 15 and are mostly paid for in the case of line item 30. The third item is Conferences (10) which covers registrations for the CALAFCO Conference in October. Line Item 10 will likely need to be increased due to the larger than expected interest in attendance at this year's conference. Once we have closed the books for FY 2022-2023, staff will bring a recommendation on how to increase this line item.

Finally, as is expected, income from member agencies currently is at zero for FY 23-24. We will not get a good review of who has paid until our October meeting.

Attachment:

- 1) FY 2022-2023 and FY 2023-2024 Budget Reports

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Public Member

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Public Member

## Marin Local Agency Formation Commission

## FY23 BUDGET REPORT

07/26/23

July 2022 through June 2023

Accrual Basis

	Jul '22 - Jun 23	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
410 · Prior Year Carryover	0.00	87,360.91	-87,360.91	0.0%
400 · Agency Contributions	506,548.17	506,548.17	0.00	100.0%
<b>Total Income</b>	506,548.17	593,909.08	-87,360.91	85.3%
<b>Expense</b>				
<b>Services and Supplies</b>				
05 · Commissioner Per Diems	6,125.00	10,000.00	-3,875.00	61.3%
10 · Conferences	4,553.46	5,000.00	-446.54	91.1%
15 · General Insurance	5,389.41	6,500.00	-1,110.59	82.9%
20 · IT & Communications Services	20,719.75	18,000.00	2,719.75	115.1%
25 · Legal Services	22,476.84	37,500.00	-15,023.16	59.9%
30 · Memberships & Dues	16,671.00	17,500.00	-829.00	95.3%
35 · Misc Services	2,348.74	2,000.00	348.74	117.4%
40 · Office Equipment Purchases	98.31	4,139.00	-4,040.69	2.4%
45 · Office Lease/Rent	32,514.24	35,670.08	-3,155.84	91.2%
50 · Office Supplies & Postage	3,127.00	4,000.00	-873.00	78.2%
55 · Professional Services	19,875.00	24,000.00	-4,125.00	82.8%
60 · Publications/Notices	349.26	2,000.00	-1,650.74	17.5%
65 · Rent - Storage	0.00	650.00	-650.00	0.0%
70 · Training	0.00	1,700.00	-1,700.00	0.0%
75 · Travel - Mileage	482.18	3,500.00	-3,017.82	13.8%
<b>Total Services and Supplies</b>	134,730.19	172,159.08	-37,428.89	78.3%
<b>Salary and Benefit Costs</b>				
100 · Salaries	319,972.54	340,000.00	-20,027.46	94.1%
120 · County of Marin - Group Health	35,669.72	35,500.00	169.72	100.5%
130 · MCERA / Pension	35,748.98	40,250.00	-4,501.02	88.8%
140 · Retiree Health	0.00	6,000.00	-6,000.00	0.0%
<b>Total Salary and Benefit Costs</b>	391,391.24	421,750.00	-30,358.76	92.8%
<b>Total Expense</b>	526,121.43	593,909.08	-67,787.65	88.6%
<b>Net Ordinary Income</b>	-19,573.26	0.00	-19,573.26	100.0%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
900 · Interest Earnings	2,864.88			
910 · Fees for Services	22,435.33			
<b>Total Other Income</b>	25,300.21			
<b>Net Other Income</b>	25,300.21			
<b>Net Income</b>	<b>5,726.95</b>	<b>0.00</b>	<b>5,726.95</b>	<b>100.0%</b>

## Marin Local Agency Formation Commission

## FY24 BUDGET REPORT

07/27/23

July 2023 through June 2024

Accrual Basis

	Jul '23 - Jun 24	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
410 · Prior Year Carryover	0.00	95,065.94	-95,065.94	0.0%
400 · Agency Contributions	0.00	536,245.06	-536,245.06	0.0%
<b>Total Income</b>	<b>0.00</b>	<b>631,311.00</b>	<b>-631,311.00</b>	<b>0.0%</b>
<b>Expense</b>				
<b>Services and Supplies</b>				
05 · Commissioner Per Diems	0.00	10,000.00	-10,000.00	0.0%
10 · Conferences	3,530.00	6,000.00	-2,470.00	58.8%
15 · General Insurance	5,754.01	6,500.00	-745.99	88.5%
20 · IT & Communications Services	470.48	23,000.00	-22,529.52	2.0%
25 · Legal Services	0.00	37,500.00	-37,500.00	0.0%
30 · Memberships & Dues	5,237.00	8,000.00	-2,763.00	65.5%
35 · Misc Services	124.32	3,000.00	-2,875.68	4.1%
40 · Office Equipment Purchases	0.00	4,139.00	-4,139.00	0.0%
45 · Office Lease/Rent	2,956.00	35,472.00	-32,516.00	8.3%
50 · Office Supplies & Postage	0.00	4,000.00	-4,000.00	0.0%
55 · Professional Services	0.00	27,000.00	-27,000.00	0.0%
60 · Publications/Notices	155.00	2,000.00	-1,845.00	7.8%
70 · Training	0.00	1,700.00	-1,700.00	0.0%
75 · Travel - Mileage	0.00	3,500.00	-3,500.00	0.0%
<b>Total Services and Supplies</b>	<b>18,226.81</b>	<b>171,811.00</b>	<b>-153,584.19</b>	<b>10.6%</b>
<b>Salary and Benefit Costs</b>				
100 · Salaries	17,101.57	373,000.00	-355,898.43	4.6%
120 · County of Marin - Group Health	1,214.32	36,500.00	-35,285.68	3.3%
130 · MCERA / Pension	1,978.23	44,000.00	-42,021.77	4.5%
140 · Retiree Health	0.00	6,000.00	-6,000.00	0.0%
<b>Total Salary and Benefit Costs</b>	<b>20,294.12</b>	<b>459,500.00</b>	<b>-439,205.88</b>	<b>4.4%</b>
<b>Total Expense</b>	<b>38,520.93</b>	<b>631,311.00</b>	<b>-592,790.07</b>	<b>6.1%</b>
<b>Net Ordinary Income</b>	<b>-38,520.93</b>	<b>0.00</b>	<b>-38,520.93</b>	<b>100.0%</b>
<b>Net Income</b>	<b>-38,520.93</b>	<b>0.00</b>	<b>-38,520.93</b>	<b>100.0%</b>





# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

August 10, 2023

Executive Officer Report – Section B

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** **Current and Pending Proposals**

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### Background

The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and/or action.

LAFCo has received no new applications since the last Commission meeting in June and had no current active applications. As is the custom of this report this will be the last report that shows all the completed items from FY 22-23. The report at the next Commission meeting will remove all those applications and only those items still needing Commission attention will remain in the chart.

#### Attachment:

- 1) Chart of Current and Pending Proposals

**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

**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 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

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1362	Terminated	Outside Service Agreement with City of Mill Valley	Landowner Jon Grabham requests an Outside Service Agreement with the City of Mill Valley's sewer district for 11 Brighton Blvd., a parcel in an unincorporated area adjacent to the City of Mill Valley. The property has a failing septic, which County EHS has determined is a public safety hazard. The City of Mill Valley has taken board action in favor of this OSA, and has no interest in annexing the property at this time.	City of Mill Valley	Terminated on 2/11/23 for failure to meet conditions
1366	Completed	Annexation of 21 & 23 Church Street	Landowners Benjamin Hodges, Melissa Omand, and Sarah Hodges (applicants) submitted an application requesting the annexation of 21 & 23 Church Street to Tomales Village Community Services District for sewer service to support development on the approx. 13.25 acre lot.	Tomales Village Community Services District	Completed
1367	Terminated	Annexation of 255 Margarita Drive	Landowner (Paul Thompson) requesting annexation approval of 255 Margarita Drive (016-011-29) in the unincorporated island community of Country Club to the San Rafael Sanitation District. The affected territory is approximately 1.6 acres in size and currently developed with a single-family residence. It has also established service with the SRSD as part of a LAFCo approved outside service extension due to evidence of a failing septic system. The outside service extension was conditioned – among other items – on the applicant applying to LAFCo to annex the affected territory to the San Rafael Sanitation District as a permanent means to public wastewater service.	San Rafael Sanitation District	Terminated on 12/10/22 for failure to meet conditions
1368	Completed	Annexation of 5030 Paradise Drive	Landowner Jun Shi requesting approval to annex a lot, approximately .87 acres, to connect a single-family home into the Corte Madera Sanitary District #2 (SD2) for 5030 Paradise Drive (APN 038-032-22). The proposal, as stated by the applicant, is for connection of a single-family home to SD2.	Sanitary District #2	Completed
1369	Completed	Annexation of Mill Valley into SMFPD	Mill Valley and Southern Marin Fire Protection District are looking to consolidate Mill Valley fire services into the district. SMFPD as the applicant needs to annex and update is SOI to include all of the City of Mill Valley into its district boundary as part of this process.	Southern Marin Fire Protection District	Completed

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1370	Completed	Annexation of 255 Margarita Drive	Landowner (Paul Thompson) requesting annexation approval of 255 Margarita Drive (016-011-29) in the unincorporated island community of Country Club to the San Rafael Sanitation District. The affected territory is approximately 1.6 acres in size and currently developed with a single-family residence. It has also established service with the SRSD as part of a LAFCo approved outside service extension due to evidence of a failing septic system. The outside service extension was conditioned – among other items – on the applicant applying to LAFCo to annex the affected territory to the San Rafael Sanitation District as a permanent means to public wastewater service.	San Rafael Sanitation District	Completed
1371	Completed	Annexation of 3606 Paradise Drive	Landowner (Janet Strauss) requesting approval to annex a lot, approximately 1.02 acres, for construction of a new single family home and moving property off septic system to Sanitary District 5 (SD5). The parcel has a situs address of 3606 Paradise Drive (APN 058-011-13).	Sanitary District 5	Completed