



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 1 (Consent/Action)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Amanda DeFoe, Administrative Associate

**SUBJECT:** **Approval of Meeting Minutes | February 8, 2018 Regular Meeting**  
Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.

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Local Agency Formation Commissions (LAFCOs) are political subdivisions of the State of California responsible for providing regional growth management services in all 58 counties. LAFCOs' duties and responsibilities are prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

### Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards and processes therein for the public to attend and participate in meetings of local government bodies as well as those local legislative bodies created by State law; the latter category applying to LAFCOs. The "Brown Act" requires – and among other items – public agencies to maintain minutes for all meetings.

### Discussion

This item is for Marin LAFCO ("Commission") to consider approving action minutes for the February 8, 2018 regular meeting. Attendance is noted below:

- All members were present at the meeting held on February 8<sup>th</sup> with the exceptions of Commissioner Condon and Alternate Commissioner Arnold.

The action minutes for both listed meetings accurately reflect the Commission's actions as recorded by staff. A video recording of the February 8<sup>th</sup> meeting is also available online for viewing at [www.marinlafco.org](http://www.marinlafco.org).

**Administrative Office**  
Rachel Jones, Interim 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)

**Damon Connolly, Regular**  
County of Marin  
**Dennis J. Rodoni, Regular**  
County of Marin  
**Judy Arnold, Alternate**  
County of Marin

**Carla Condon, Vice Chair**  
Town of Corte Madera  
**Sashi McEntee, Regular**  
City of Mill Valley  
**Matthew Brown, Alternate**  
Town of San Anselmo

**Jack Baker, Regular**  
North Marin Water District  
**Craig K. Murray, Regular**  
Las Gallinas Valley Sanitary  
**Lew Kious, Alternate**  
Almonte Sanitary District

**Jeffry Blanchfield, Chair**  
Public Member  
**Chris Skelton, Alternate**  
Public Member

## **Alternatives for Action**

The following alternatives are available to the Commission:

### Alternative One (Recommended):

Approve the draft action minutes prepared for the February 8<sup>th</sup> meeting with any desired corrections or clarifications.

### Alternative Two:

Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

## **Recommendation**

It is recommended the Commission proceed with the action identified in the preceding section as Alternative One.

## **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.

On behalf of staff,



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Rachel Jones  
Interim Executive Officer

### Attachments:

- 1) Draft Minutes for February 8, 2018



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## MINUTES

### REGULAR MEETING

Thursday, February 8, 2018

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

#### CALL TO ORDER BY CHAIR

Chair Blanchfield called the meeting to order at 7:00 p.m.

#### ROLL CALL BY CHAIR

**Regulars Present:** Jeff Blanchfield, Chair  
Jack Baker  
Damon Connolly (7:05 p.m.)  
Craig K. Murray  
Dennis Rodoni  
Sashi McEntee

**Alternates Present:** Matt Brown\*  
Chris Skelton  
Lew Kious

*\* voting in place of absent regular members*

#### AGENDA REVIEW

Chair Blanchfield asked if there were any requests for changes to the agenda. No requests were made.

#### OPEN TIME

Chair Blanchfield invited members of the audience to address the Commission on any LAFCO related matters not listed on the agenda. No requests were made.

#### CONSENT CALENDAR

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.

- Approval of Meeting Minutes | December 14, 2017 Regular Meeting (action)**  
Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.
- Commission Ratification | Reconciled Payments from October 1 to November 30, 2017 (action)**  
The Commission will consider ratifying payments made by the Executive Officer during the months of October and November. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$25,445. The payments are being presented for formal ratification per adopted policies.

**3. Budget Update for 2017-2018 and Year End Projections (action)**

The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through January 31, 2018 and its projection Marin LAFCO is on pace to finish with an operating net of \$13,685.28 or 2.5%. This projection marks a significant improvement over the budgeted operating net of (\$10,000) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

**4. Update on Municipal Service Review: San Rafael / Lucas Valley Regional Study (information)**

The Commission will receive a brief update on work to date as well as pending next steps on Marin LAFCO's scheduled municipal service review on public services in the San Rafael / Lucas Valley communities. The update is being presented for information only and in anticipation of bringing forward agency profiles at the next regular meeting.

**5. Progress Report on 2017-2018 Work Plan (action)**

The Commission will receive a progress report on accomplishing specific projects established as part of the adopted work plan for 2017-2018. The report is being presented to the Commission to formally accept as well as provide direction to staff as needed.

**6. Current and Pending Proposals (information)**

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

**7. Joint Powers of Authority | Final Notice of Agreements and Amendments (information)**

The Commission will receive an update on its report identifying Joint Powers Authorities (JPAs) within Marin County that provide a municipal service as part of the requirements imposed by Senate Bill 1266. Staff has identified through the State Controller's office all of the JPAs within the County that provide a local municipal service consistent with Government Code Section 56047.7, and has provided notice to those JPAs that have not submitted copies of their agreements and amendments with Marin LAFCO. The report is being presented to the Commission for information only.

**8. Time Extension for 347 and 355 Margarita Drive (action)**

The Commission will consider an applicant's request for a time extension to complete the terms established by Marin LAFCO in approving the annexation of territory 347 and 355 Margarita Drive to the San Rafael Sanitation District on February 9, 2017. Staff believes the request is reasonable and recommends approval of a six-month extension. The affected parcels are identified by the County of Marin as 016-011-18 and 016-011-19.

**9. Postponement of Committee Assignments (action)**

The Commission will consider postponing appointments / reappointments to all of Marin LAFCO's standing committees for the 2018 calendar year until the recruitment of the Executive Officer position has been completed. This includes the (a) Policy and Personnel, (b) Legislative, (c) Public and Technical Information, and (d) Budget Committees.

**Agenda Items No. 4 and No. 9 were pulled for discussion by Commissioners Murray and McEntee, respectively.**

**Commissioner Murray inquired about when agency profiles would be available for public review and comment. The Interim Executive Officer explained that the agency profiles would be presented at the next regular meeting which will then open up a 45-day review period for public feedback.**

**Commissioner McEntee suggested reaffirming special committee appointments until the Strategic Planning Workshop. Commission discussion followed.**

**APPROVED; M/S made by Commissioners Baker and Rodoni to approve the consent calendar and recommendations therein; all yes.**

#### **PUBLIC HEARING ITEMS**

Public hearing items require expanded public notification per provisions in State Law or directives of the Commission or Executive Officer.

#### **10. Policy Amendments**

##### **Special District Appointments to Consolidated Redevelopment Oversight Board District (action)**

The Commission will consider recommended amendments to its existing policies governing the administration of the Procedures of Special District Appointments. The amendments address new legislation for LAFCO to conduct elections to appoint a special district representative to a consolidated oversight board tasked with completing the remaining activities of the three successor redevelopment agencies in Marin County. The amendments have been developed with feedback from the Policy and Personnel Committee and establish specific eligibility, allowances, and procedures in conducting an election ahead of the July 1, 2018 appointment deadline.

**Staff gave a brief summary about new legislation impacting LAFCOs.**

**Commission discussion followed. Comments were received by Commissioner McEntee.**

**APPROVED; M/S made by Commissioner McEntee and Connolly to accept recommendations by staff to policies governing the administration on the procedures of Special District appointments with modifications.**

#### **BUSINESS ITEMS**

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

#### **11. Approval of a New Payroll Accounting System and Related Actions (action)**

The Commission will consider approving a new payroll accounting system marked by the transitioning away from the County of Marin to an independent process directly managed by Marin LAFCO through ADP Payroll Solutions. It is also requested the Commission authorize the Executive Officer to enter into a contract with ADP to provide payroll and related services as part of this transition through the end of the calendar year.

**The Interim Executive Officer informed the Commission on the procedures of transitioning to a new accounting payroll system.**

**Commission discussion followed.**

**APPROVED; M/S made by Commissioners McEntee and Baker to approve a new payroll accounting system through ADP Payroll Solutions and for the Executive Officer to enter into a contract with ADP through the end of the calendar year.**

#### **12. Ratification on Selection of Executive Search Firm and Other Related Actions (action)**

The Commission will consider formal ratification of the Policy Committee's recommendation and selection of Peckham & McKenney for professional services tied to the recruitment of the Executive Officer position. This includes entering into a contract agreement of \$29,000 and authorizing the Policy Committee to administer the recruitment process.

**The Policy Committee spoke to the Commission on the competency and experience of the chosen executive search firm Peckham & McKenney.**

**Commission discussion followed.**

**APPROVED; M/S made by Commissioner Baker and Rodoni to formally ratify the Policy Committee's recommendation of Peckham & McKenney for their professional services tied to the search for a new Executive Officer.**

**13. Ratification on Selection of Commission Counsel and Other Related Actions (action)**

The Commission will consider formal ratification of the Policy Committee's recommendation and selection of Best Best & Krieger (BBK) for legal services tied to the appointment of Commission Counsel. This includes entering into a contract agreement at a rate of \$250 per hour for general counsel services.

**Staff explained Marin LAFCO's work plan included finding Commission Counsel and discussed three firms who submitted proposals. Staff outlined the Policy Committee's appointment of Best Best & Krieger as Commission Counsel based on their experience.**

**Comments were received from members of the Policy Committee. Commission discussion followed.**

**APPROVED; M/S made by Commissioners Murray and Baker to formally ratify the Policy Committee's recommendation of Best Best & Krieger for legal services tied to the appointment of Commission Counsel.**

**ADJOURNMENT TO NEXT MEETING**

**Chair Blanchfield adjourned the meeting at 8:05 p.m.**



Attest: Rachel Jones  
Interim Executive Officer

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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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