

## MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On March 13, 2008, the regular meeting of the Marin Local Agency Formation Commission was held at the San Rafael Council Chambers, 1400 Fifth Avenue in San Rafael. Chair Blanchfield called the meeting to order at 7:09 p.m.

### ROLL CALL

Commissioners Present: Susan Adams  
Einar Asbo  
Jeffry Blanchfield  
Carla Condon  
Barbara Heller  
Charles McGlashan (7:16pm)  
Dennis J. Rodoni

Commissioners Absent: Jeff Slavitz

#### Alternate Commissioners

Present: Christopher Burdick (7:13pm)  
Fred Hannahs

Staff present: Peter Banning, Executive Officer  
Candice Bozzard, Clerk to the Commission  
Evelyn Ellis, Assistant Planner

Chair Blanchfield introduced and welcomed the new alternate special district member, Fred Hannahs.

1. **Public Comment** - None.

### NOTICE OF APPLICATION (Information Only)

2. New application(s) have been received for the following proposals:
  - Annexation of the Lands of Las Gallinas Valley Sanitary District Area 2 to Las Gallinas Valley Sanitary District (File #1292)
  - Annexation of the Lands of Hamilton Main Gate Area to Novato Sanitary District (File #1293)

**ACTION OR POSSIBLE ACTION ITEMS****CONSENT CALENDAR ITEM(S)**

3. **Regular Meeting Minutes - February 1, 2008**
4. **Financial Report - January and February 2008**
5. **Reorganization of the Lands of Von der Werth (File #1287)**: A resolution ordering completion of the reorganization of the Lands of Von der Werth including annexation to the City of Mill Valley and detachment from Homestead Valley, Almonte Sanitary and Southern Marin Fire Protection Districts.

M/S Adams - Rodoni to approve the consent calendar.

Approved unanimously.

Due to the interest of a majority of audience members and with the consent of the other Commissioners, Chair Blanchfield advanced agenda item #11, Study Session: Inhabited Area Annexations to be heard next.

**11. Study Session: Inhabited Area Annexations:**

Staff presented a case study of legal and processing issues for boundary changes involving annexation of inhabited and uninhabited areas that occurred in San Mateo County. The Executive Officer touched on the legal aspects that San Mateo LAFCO took into account while making their decision to approve the application to annex the territory. The City of San Carlos and the Harbor Industrial Association sued San Mateo LAFCO asserting that LAFCO had abused its discretion by failing to consider the improper joining of inhabited and uninhabited territories. San Mateo Superior Court sided with the plaintiffs. Staff noted that an upcoming proposal, although different in some respects, might similarly combine developed and undeveloped territory.

Chair Blanchfield noting the agenda item was not a public hearing, asked if any of the audience members had questions regarding the presentation. There were no additional questions.

## **PUBLIC HEARING(S)**

### **6. Stinson Beach Area Service Review and Sphere of Influence Update:**

Staff stated that the *Stinson Beach Area Service Review and Sphere of Influence Update* had been distributed and posted on the LAFCO website. The Executive Officer reported that no annexation of additional territory or extension of service to new areas was likely for this area. Staff recommended that the Commission open the public hearing for testimony, direct staff to respond to any public comment and continue the public hearing to the Commission's May meeting.

Commissioner Rodoni inquired why the Stinson Beach County Water District was interested in keeping the Golden Gate National Recreation Area in their sphere of influence. The Executive Officer responded that staff would discuss that area with the water district's manager.

The Chair opened the hearing for public comment. Having no public comment at this time, the hearing was continued to the May 8, 2008 meeting.

### **7. Strategic Plan Review:**

Staff explained that a draft Strategic Plan had been compiled from the "Key Outcomes" documented from the workshop held February 1, 2008. Staff recommended that the Commission review the draft, direct any revisions and then adopt the Strategic Plan for 2008.

Commissioner Adams suggested adding the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) to the list of meetings staff should attend to exchange information and explore partnerships with.

M/S Adams - Condon to approve, as revised, the goals and objectives for the 2008 Strategic Plan.

Approved unanimously.

### **8. FY 2008-2009 Budget and Work Plan:**

The Executive Officer reported that staff met with the Budget Committee on February 21, 2008, to prepare a draft budget for review by the Commission. The budget proposal reviewed and recommended by the members of the Committee contained changes in the staffing level for the Assistant Planner position eliminating the position at the end of calendar year. The Commission's total expenditures would be reduced by 3% from the budget adopted for FY 2007-08 and the draft budget assumed that the

application fee revenues would meet or exceed the budgeted amount of \$35,000. The Committee proposed appropriating from reserves approximately \$20,000 to maintain a constant contribution compared to the previous fiscal year.

In accordance with the Commission's adopted policies and procedures, the Budget Committee and staff recommended that the Commission direct staff to circulate the proposed budget to the affected agencies and continue consideration of the budget to the May 8<sup>th</sup> meeting for final adoption.

M/S Adams - McGlashan to circulate the preliminary budget to the contributing agencies for comment.

Approved unanimously.

### **BUSINESS ITEM(S)**

#### **9. Meeting Plan:**

The Executive Officer reported that the Offices of Assemblyman Huffman and Supervisor McGlashan had approached staff to coordinate an informational meeting of southern Marin sewer agencies for discussion of organizational issues following the recent sewage spill by the Sewerage Agency of Southern Marin (SASM) treatment plant into Richardson Bay. Staff had completed some preliminary groundwork to establish a meeting date of March 27<sup>th</sup>, a venue for the meeting, a facilitator and a tentative invitation list. At that point staff felt it necessary to obtain authorization from the Commission to move forward.

Staff reported that Assemblyman Huffman was no longer available to attend on March 27<sup>th</sup>, that the attorney advising SASM and its member agencies has advised them not to speak about the spill events until current investigations are complete and that Mr. Huffman's staff has voiced an interest in convening the meeting rather than LAFCO.

Staff recognized that it would be more informative to hold a meeting as an invitation only format than in a public forum. Therefore, staff recommended that the Commission appoint a three member committee to and to participate in this meeting and give its general authorization to staff to either convene the meeting or work with the Assemblyman's staff to do so.

Commissioner Adams stated that it was important for staff to be present at any discussion regarding this matter.

The Commissioners discussed the benefit of LAFCO leading the meeting rather than the Offices of Assemblyman Huffman. The Commissioners felt the meeting

discussion would be more open and constructive with a less “political tone” if LAFCO was to host the meeting.

Chair Blanchfield called for volunteers for an ad hoc committee to set up an initial meeting with Mr. Huffman in order to organize the structure of the sewer agency meeting and possibly set an agenda. Commissioners Asbo, McGlashan and Hannahs volunteered. There was some discussion about Commissioner Asbo being on the Committee since he currently sits on the board of the Homestead Valley Sanitary District a member agency of SASM. The consensus was that it would be beneficial to have Commissioner Asbo on the ad hoc committee to assist in planning the agenda for the meeting.

10. **Merit Salary Increase:**

The Executive Officer reported that the Clerk to the Commission had received an excellent performance review and recommended a merit increase.

M/S Adams – Condon to approve the merit increase for the Clerk to the Commission.

Approved unanimously.

**COMMISSIONER REPORTS**

Commissioner Adams reported that she attended the National Association of Counties meeting in Washington D.C. and that one of the issues at the meeting was Indian gaming and casinos. Marin County includes some native lands and therefore this could become a boundary related issue in the future.

**EXECUTIVE OFFICER’S REPORT**

12. **Progress Reports:**

The Executive Officer had no additional information to add to his written report.

**ADJOURNMENT**

M/S Adams - Condon to adjourn.

Approved unanimously.

The meeting was adjourned at 8:52 p.m. The next regular LAFCO meeting was scheduled for Thursday, April 10, 2008.

Respectfully submitted,

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PETER V. BANNING, Executive Officer

ATTEST:

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JEFFRY BLANCHFIELD, Chair