

MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On February 12, 2004, the regular meeting of the Marin Local Agency Formation Commission was held at the San Rafael Council Chambers, 1400 Fifth Avenue, San Rafael. Chairperson Blanchfield called the meeting to order at 7:03 p.m.

ROLL CALL

Commissioners Present: Susan Adams
Jeffry Blanchfield
Pat Eklund
Dennis J. Rodoni
Annette Rose
Jeffrey Slavitz

Absent: Barbara Heller

Alternate Commissioners
Present but not seated: Chris Burdick

Staff present: Peter Banning, Executive Officer
Dory Miller, Clerk to the Commission

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 Schoepp to Novato Sanitary District (File #1252)

CONSENT CALENDAR ITEM(S)

3. **Regular Meeting Minutes, December 11, 2003**
4. **Financial Reports - December 2003 & January 2004**
5. **Annexation of the Lands of Urban to San Rafael Sanitation District (File #1251)**

M/S Slavitz - Rodoni to approve the consent calendar. Commissioner Eklund abstained from the minutes.

Approved unanimously.

BUSINESS ITEM(S)**6. Strategic Plan Review**

The Executive Officer reported that staff had drafted a strategic plan from the results of the workshop held on January 29th. Staff recommended that the Commission review the document to ensure the document represented the plan as intended including the dates assigned for objectives.

Commissioner Adams stated that the goal of the Policy Committee to “meet to assess policy on special studies resulting as an expansion of SOI updates/service reviews” should be accomplished by the end of March instead of October.

Commissioner Eklund noted corrections to the “Key Outcomes” provided by the workshop facilitator. She asked if a goal might be added for website enhancement to include the ability to receive applications submitted electronically. Chairman Blanchfield suggested that this goal could be pursued by the Public Information Committee.

M/S Adams - Eklund to adopt the strategic plan with the amendment of assigned dates as discussed and to allow for future revisions.

Approved unanimously.

7. Replacement of Office Equipment

The Executive Officer stated staff was experiencing problems with outdated equipment. The office printer and the Executive Officer’s computer had reach the end of their expected useful lives, resulting in system crashes, compatibility problems, and printing difficulties. Staff requested that the Commission amend the budget to transfer \$4,150 from budget item 2713, “Legal Fees”, since it was unlikely to be used during this fiscal year. Although the office had increased its use of color maps, staff recommended purchase of equipment comparable to existing machines since an outside source for color copies could meet current needs.

The Commission discussed the age of the equipment, future upgrades in equipment and systems, and sources for purchase or lease of equipment.

M/S Adams - Rodoni to support purchase of the equipment including amendment of the budget to implement to purchase.

Approved unanimously.

The Commission suggested that future budgets include an item to accumulate funds earmarked for scheduled replacement of equipment to keep the office up-to-date. This would be a topic for discussion for the Policy and Budget Committees.

8. **Southern Marin Sewer Alternatives Study**

The Executive Officer stated that the Commission had received support from about half of the southern Marin sewer agencies from which LAFCO had requested funding participation in the study. Much of the support received was conditional on the participation of other agencies out of concern that the cost would rise beyond their ability provide support. At the Commission's strategic planning workshop, the Commission had directed staff to take action to implement the study and offer recommendations on how the funds could be assembled from available resources. After the workshop, staff contacted the agencies and found that most were likely to participate without conditions. Staff recommended the Commission release encumbrances in the amount of \$21,545, transfer funds within the current year's budget of \$17,000, and appropriate from reserves up to \$29,105, if necessary, to provide the remaining necessary funds. If other agencies that had expressed conditional participation reaffirmed support, the appropriation from reserves could decrease or be eliminated altogether.

The Executive Officer stated that these issues would be addressed in the Budget Committee meeting held to prepare the draft FY2004-5 budget for the March meeting and that the Commission could revisit the issue at the May meeting before adoption of the budget to make provision in the next year's budget if necessary.

The Executive Officer stressed that all ten sewer agencies would be equally interested in the content of the study and the proposal submitted by the consultants would be partially evaluated on the adequacy of how they would incorporate information and ideas from all of the agencies.

Commissioner Adams stated her main concern was that accepting contributions to fund the study from only a portion of the agencies would set a precedent that would affect future studies. She asked that the Policy Committee meet to discuss setting policy to clarify funding issues prior to proceeding with the study.

Chairman Blanchfield stated his understanding was that the study was on the agenda to release the Request for Proposals to potential consultants. He stated that the funding issues should be addressed after further policy discussion on whether the Commission should accept contributions from only a portion of the participants, whether LAFCO should fund the entire cost, or if the study should be conducted over a longer time period. He stated these decisions could be made after the Policy Committee had met and before the Commission adopts the budget.

The Executive Officer stated this item was included on the agenda because the Commission had indicated it wanted the study underway during this fiscal year, but there would be no harm in continuing the matter for a month in order to hold a meeting of the Policy Committee.

Commissioner Eklund suggested the Commission hold approval of the RFP until there could be discussion about the inequity of some agencies paying and some agencies not even responding. She questioned whether there was a real buy-in for the agencies to participate without contributing funds or a conditional agreement with named exceptions.

Commissioner Slavitz stated he thought that even if the agencies did not want to support the study, it should still be conducted. The Policy Committee should consider not accepting any funding. He asked if the Commission would be selecting the consultant and managing the study both with or without funding contributions from the agencies. The Executive Officer responded that the current draft of the RFP included management by the Commission. The Study Committee would help select the consultant and assist in decisions for finalizing the alternatives in the study.

Commissioner Slavitz asked if, in the course of performing the study, there were problems communicating with agencies not participating in funding, what would be the Commission's options? The Executive Officer responded that the agencies were obligated to provide information for the study and would not be able to impede the study's result. He stated that accepting the contributions was an attempt to promote a sense of ownership of the study and encourage creative participation.

Commissioner Rodoni asked that the Policy Committee consider whether it was appropriate to use LAFCO's general budget to fund a study that would exclude any agency's participation or include other agencies in the management of the study. Chairman Blanchfield agreed that would be the result of a "pay to play" method for funding the study and it would be important that LAFCO did not insinuate the need to contribute funds to be a participant. He stated the agencies' involvement should be to make recommendations to the Commission, but the Commission should make the selection of the consultant and guide the study.

Chairman Blanchfield suggested that the selection should not be limited to professional engineering services and that a bidders' conference would be beneficial. He recommended having a common term for the consultant in the RFP text to avoid confusion.

Commissioner Rose stated it was extremely important to go forward with the study. She stated it would be a better philosophy for LAFCO to pay for everything, but not accepting contributions would be undesirable since the agencies were participating with an understanding of the study objectives. She stated political consolidation would

have to be a part of the study in order to consider a range of alternatives. She stated it was interesting that agencies which had agreed to contribute suggested that all agencies be involved equally even if they did not contribute.

M/S Eklund - Adams to refer the item to the Policy Committee for review and be brought back to the Commission on the March agenda.

Approved unanimously.

COMMISSIONERS' REPORTS

Chairman Blanchfield stated he had met with Judy Chapman and she had expressed appreciation for the dinner held in December in her honor. He also stated he thought the strategic planning workshop had been very helpful and was well managed.

EXECUTIVE OFFICER'S REPORT

9. Progress Reports

The Executive Officer added the following items to his written report:

- Staff had met with the Marin/Sonoma Mosquito Abatement and Vector Control District to discuss annexation of rural portions of Sonoma and Marin counties. The Boards of Supervisors of both counties had expressed an interest in dealing with the West Nile virus problem. The annexation would involve about 7,000 parcels in Marin County and 34,000 in Sonoma County. The annexation would be handled by Sonoma LAFCO as the principal county, however staff of both LAFCOs would be proposing a memorandum of understanding between the two LAFCOs that would allow the non-principal county's LAFCO to hold a public hearing and have an opportunity to make a recommendation.
- Staff would be meeting with residents of Indian Valley area to explain the annexation process for a significant annexation of territory to the Novato Sanitary District.
- Proposal activity had increased.

ADJOURNMENT

M/S Adams - Slavitz to adjourn.

Approved unanimously.

The meeting was adjourned at 7:50 p.m. The next regular LAFCO meeting was scheduled for Thursday, March 11, 2004.

Respectfully submitted,

PETER V. BANNING, Executive Officer

ATTEST:

JEFFRY BLANCHFIELD, Chairperson