

MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On February 14, 2002, the regular meeting was held at the San Rafael Council Chambers, 1400 Fifth Avenue, San Rafael. Chairperson Blanchfield called the meeting to order at 7:00 p.m.

ROLL CALL

Commissioners Present: Jeffry Blanchfield
Judy Chapman
Pat Eklund
Barbara Heller
John Kress
Cynthia Murray
Dennis J. Rodoni

Absent: Jeffrey Slavitz

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

1. Public Comment - None

NOTICE OF APPLICATION (Information Only)

2. New application(s) were received for the following proposals:

Annexation of the Lands of Simple Math to Tiburon Sanitary District (File #1213)

Reorganization of Hamilton Field Water Service Area including Detachment from Marin Municipal Water District and Annexation to North Marin Water District (File #1214)

CONSENT CALENDAR ITEM(S)

3. *Regular Meeting Minutes, December 13, 2001
4. *Financial Reports - December 2001 and January 2002
5. *Extension of Time for Completion of Boundary Change ["Reorganization of Novato Heights including Annexation to the City of Novato and Novato Sanitary District (File #1191)"]

M/S Eklund - Chapman to approve the consent calendar. Commissioners Murray and Eklund abstained from the December 13, 2001 meeting minutes.

Approved unanimously.

PUBLIC HEARING(S)

6. Fee Schedule Amendment

The Executive Officer reported that proposed revisions to the fee schedule were for recovery of the cost for map-checking performed by the County Department of Public Works and recovery of the cost for filing environmental documents.

M/S Chapman - Eklund to approve the amended fee schedule.

Approved unanimously.

7. Strategic Plan Review

The Executive Officer reported that some budget-related objectives initiated at the Strategic Planning Workshop held January 28, 2002 did not mesh with the timing requirements for the budget process under the Commission's Policies & Procedures. Staff proposed moving deadlines up for the Budget Committee by approximately one month with a preliminary budget to be released for comment after the March meeting. This would allow for a two-month review period before budget final action at the May meeting.

M/S Eklund - Chapman to approve the amendments to the Strategic Plan.

Approved unanimously.

8. Progress Report on Policies, Procedures and Guidelines

The Executive Officer reported that the emphasis of previous policies was on the cities' spheres of influence and reorganization of special districts through consolidation with cities. The policies did not give recognition to the possibility that it could be more efficient to consolidate special districts with other districts. Also the policies may have become out of date in relation to changes in the Cortese-Knox-Hertzberg Act. Cities have become less able to annex unincorporated areas to the extent anticipated in the current spheres of influence. Existing policy did not focus on the basic function of a sphere of influence - to be the Commission's primary method of determining where

services will be extended and where growth may or may not occur. This item was on the agenda to apprise the Commission of the Committee work and to provide an opportunity for discussion of policy issues.

Chairman Blanchfield stated that the Policy Committee's work has been to address what was meant by the language of the policy. One of the focuses of the spheres should be on a way of directing growth at the County, special district or city level. The Commission should discuss what the function of the spheres of influence should be in order to give guidance to the committees in their consideration of these matters.

Commissioner Murray stated that housing quotas that come from the State Office for Housing and Community Development to the Association of Bay Area Governments use the spheres in their formulas. Changes to the spheres which would affect the quotas of subject agencies should be identified to make informed decisions.

Commissioner Blanchfield summed up by saying draft policies would be distributed to the entire Commission and the Policy Committee would be working to highlight the issues. An administrative draft would be distributed to interested agencies before adoption.

9. **State/CALAFCO Guidelines for Service Reviews**

The Executive Officer reported that the 2002 Strategic Plan called for the Commission to authorize LAFCO staff to participate in CALAFCO efforts to further development of guidelines for the conduct of service reviews. This effort is not yet underway. The Executive Officer recommended that the Commission authorize him to participate if CALAFCO sponsors an effort to improve on the guidelines.

M/S Eklund - Heller to approve staff recommendation.

Approved unanimously.

10. **Southern Marin Service and Sphere-of-Influence Proposed Study Plan**

The Executive Officer stated that Government Code Section 56430 required LAFCOs to perform service reviews prior to or in conjunction with sphere of influence reviews. Instead of studying each agency in isolation and determining a plan for its boundaries, LAFCOs were to look comprehensively at all of the agencies providing the same service in the same general area and make findings on nine factors.

The Executive Officer reported that the draft guidelines distributed in August were not well received among LAFCOs across the State. Marin LAFCO determined the need to commence with service reviews without waiting for State guidance. This

Commission was the first, or among the first, to have prepared a service review with the Novato Area Service Review and Sphere of Influence study.

He stated that the Commission's Strategic Plan called for a workshop to receive comment on the conduct of service reviews from cities, districts and the County. With the Commission's direction, a proposed study plan could be put before the attendees of that workshop.

The Southern Marin study would be a larger project than the Novato area project depending on the designation of the appropriate geographic area for study. Instead of one city and four districts, a study of Southern Marin could include four cities, six sewer agencies, two community services districts, two fire districts and a recreation district, along with County departments and joint-powers agencies.

The Executive Officer stated that the draft guidelines for service reviews recognized the need for local flexibility and provided a useful concept for "staging" service reviews:

Stage 1 - A descriptive study in consultation with local agencies that identifies issues and opportunities. Stage 1 study stops at a point where further study by LAFCO would not be productive and where the Commission could render an informed determination.

Stages 2 & 3 - Provides for more collaboration with local agencies, greater public outreach and development of more substantive recommendations and determinations. These types of review would more actively deal with consolidation issues.

The Executive Officer pointed out that the issue beyond determining the study area was whether or not to conduct Stage 2 service reviews for fire and sewer services. Staff was recommending designation of all of Southern Marin as the study area, to perform Stage 2 service reviews for sewer and fire services, and to perform Stage 1 service reviews for the other services provided in the area.

Chairman Blanchfield questioned the Executive Officer regarding the geographic area he was considering for the Southern Marin study. The Executive Officer stated he thought the study area should include territory from the northern boundary of the City of Mill Valley proceeding east to the boundary between Tiburon and Corte Madera, south to include Sausalito. It would include Muir Woods Park, but not the Muir Beach area.

Commissioner Heller asked the Executive Officer how he planned to proceed with such a large study. Would he need additional staff? Was the cost included in the current budget? The Executive Officer stated the budget for the current fiscal year included funds for consultants to assist evaluation of the general plans of the County

and four cities. The budget also included adequate funds to retain an intern for data tasks. Similar funding would be expected in the next fiscal year's budget. He would be meeting with the special districts regarding the budget and could also address this topic.

M/S Eklund - Rodoni to approve the staff recommendation, also to include the Stage 2 study of sewer and fire services.

Approved unanimously.

11. Adjustment to Staff Fringe Benefit Packages

Staff reported that the County Board of Supervisors had recently approved an increase in its benefit package to help cover increased costs in medical insurance for its unrepresented workers, including the classification that was comparable to the Commission's clerk position.

In researching the effect of the adjustment described above, it was discovered that the Commission's Executive Officer had not been receiving fringe benefits comparable to similar County staff positions due to obsolete fixed-dollar amounts specified in his employment agreement.

Staff recommended approval of the benefits package increase for the Commission Clerk position and amendment of the Executive Officer's employment agreement in order to preserve the similarity in compensation levels of LAFCO staff and comparable County staff positions.

M/S Chapman - Eklund to approve staff recommendation.

Approved unanimously.

COMMISSIONERS' REPORTS

Commissioner Chapman stated that the Executive Officer gave an excellent report at the Special Districts dinner which was appreciated by the attendees. The Executive Officer had spoken on the Commission's upcoming Southern Marin Service Reviews and Sphere of Influence study.

EXECUTIVE OFFICER'S REPORT

12. **Progress Report**

The Executive Officer stated he had nothing additional to report beyond his attendance to the Special District's dinner. The Strategic Plan tracking charts in the agenda packets were self-explanatory.

ADJOURNMENT

M/S Kress - Murray to adjourn.

Approved unanimously.

The meeting was adjourned at 7:50 p.m. The next regular LAFCO meeting was scheduled for Thursday, March 14, 2002.

Respectfully submitted,

PETER V. BANNING, Executive Officer

ATTEST:

JEFFRY BLANCHFIELD, Chairperson