

MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On April 8, 2004, the regular meeting of the Marin Local Agency Formation Commission was held at the San Rafael Council Chambers, 1400 Fifth Avenue, San Rafael. Vice-Chair Heller called the meeting to order at 7:00 p.m.

ROLL CALL

Commissioners Present: Susan Adams
Einar Asbo
Chris Burdick
Barbara Heller
Dennis J. Rodoni
Jeffrey Slavitz

Absent: Jeffry Blanchfield
Annette Rose

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:
Reorganization of Lands of Daniels Including Annexations to the City of Novato and Novato Sanitary District (File #1255)

CONSENT CALENDAR ITEM(S)

3. Regular Meeting Minutes, February 12, 2004
4. Regular Meeting Minutes, March 11, 2004
5. Financial Report - March 2004

Commissioners Asbo, Burdick and Heller abstained from the February 12, 2004 minutes. Since there was no quorum for approval, this item was postponed to the next regular meeting on May 13, 2004.

Commissioners Asbo and Burdick abstained from the March 11, 2004 minutes.

M/S Adams – Slavitz to approve the consent calendar.

Approved unanimously.

CONTINUED PUBLIC HEARING(S)

6. FY 2004-5 Budget and Work Plan

The Executive Officer reported the Commission had requested staff at the March meeting to prepare alternate budgets reflecting the Commission's intent to fully fund the Southern Marin Sewer Alternatives Study pursuant to policy adopted at that meeting. The study's cost would affect the FY2004-5 budget and activities especially with respect to timing of the San Rafael area sphere of influence (SOI) study. The preliminary budget drafted by staff and the Budget Committee and presented at the March meeting included \$45,500 for Special Study contracts: \$15,500 for the portion of the Southern Marin Sewer Alternatives Study not funded in the current fiscal year, \$5,000 for the Commission's strategic planning retreat in January 2005, and \$25,000 for consultant services for the San Rafael area SOI study. Under this proposal, the Commission's budget had increased by 8.6% from the previous year and the cost to contributing agencies increased by 24.5% due to costs of the sewer study, lower expected fee revenues, added fees for payroll services from the County and previous depletion of reserves.

The Executive Officer also responded to the Commission's question at the March meeting regarding the result of postponing or relaxing the timetables for producing the San Rafael area SOI study. He stated that, in reviewing of the scope of the upcoming study, he found that much of the information was readily available and boundary issues were less complex than previous studies. Accordingly, he recommended that the budget for consultant services for the San Rafael area SOI study be reduced from \$25,000 to \$5,000. He advised the Commission that the study could move forward as planned but with the expectation that the study could be performed on an in-house basis.

The Executive Officer noted that the recommended budget with this reduction would affect the proposed budget by lowering the cost to contributing agencies. He added that the last year's budget had included a decrease of 7% that had reduced reserves making the increase in the proposed FY2004-5 budget necessary. He recommended that the Commission adopt the budget alternative shown as

Attachments D and E in the staff report as the proposed budget and continue the public hearing to allow for public comment until the May 13th meeting.

Commissioner Burdick requested that staff research alternatives for payroll services for comparison with the fees to be charged by the County Auditor-Controller.

Commissioner Rodoni stated he appreciated staff's effort toward finding a much more comfortable budget. He suggested that the Commission consider a fee schedule revision for further cost recovery.

The Commission discussed finding a correlation between proposal fees and cost recovery. The Executive Officer noted staff time is spent on preapplication conferences to avoid nonsensical applications. He stated communications with groups and citizens meetings, such as for west Marin septic management, were necessary and could not be realistically charged to the applicants.

M/S Adams - Slavitz to accept the staff recommendation to adopt Attachments D and E as the proposed budget and continue the public hearing until the May meeting.

Approved unanimously.

BUSINESS ITEM(S)

7. Countywide General Plan Update - Agricultural and Open Space Lands

The Executive Officer summarized the staff report and stated the Commission had directed staff to assess the protection of agricultural land as provided under the draft Countywide Plan Update and to compare agricultural preservation under that update to LAFCO mandates in the Cortese-Knox-Hertzberg Act. He stated that staff's efforts to participate in the County's planning process were ongoing and he would be giving a presentation to the County Planning Commission on May 3rd.

Commissioner Adams asked the Executive Officer about a statement on Page 4 of staff's written report that "none of the County's small amount of significant farmland is located in the city centered corridor". She asked how the St. Vincents/Silveira land was categorized and if the rating was based on the soil type or land use. The Executive Officer referred to the map excerpt attached to the staff report taken from the map "Marin County Important Farmland 2002" produced by

the Department of Conservation Division of Land Resource Protection, Farmland Mapping and Monitoring Program.

Commissioner Adams stated the area continued to be classified by the County as having agricultural activity. Commissioner Adams asked for clarification about the designations on the map since reports had established that the soil in that area was some of the richest in the County. The Executive Officer stated there was some disagreement about the designation of agricultural lands and his reference in the report was based on the distinctions between Classes 1 - 4 as shown on the legend of the map attached to the report.

Commissioner Rodoni stated a reason for the designation might be that area had been made ineligible for Williamson Act tax benefits.

COMMISSIONERS' REPORTS

Vice-Chair Heller stated she and Commissioner Slavitz had reported at the Marin County Council of Mayors and Councilmembers meeting on the LAFCO budget. She also noted the publication of the Commission's new brochure.

EXECUTIVE OFFICER'S REPORT

9. Progress Reports

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

- ❑ Staff attended the conference of the North Bay Watershed Association, organized and chaired by Supervisor Cynthia Murray.
- ❑ Staff was regularly meeting with the East Shore Planning Group and with Supervisor Kinsey's office about the CSA formation for wastewater management in the Tomales Bay area.
- ❑ Staff would be giving a presentation about the Commission's web-based geographic information system at the CALAFCO Staff Workshop in Santa Cruz on April 22nd.

ADJOURNMENT

M/S Slavitz – Rodoni to adjourn.

Approved unanimously.

The meeting was adjourned at 7:30 p.m. The next regular LAFCO meeting was scheduled for Thursday, May 13, 2004.

Respectfully submitted,

PETER V. BANNING, Executive Officer

ATTEST:

JEFFRY BLANCHFIELD, Chairperson