

MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On September 9, 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 7:06 p.m.

ROLL CALL

Commissioners Present: Susan Adams
Jeffry Blanchfield
Barbara Heller
George Quesada
Dennis J. Rodoni
Annette Rose (7:20)
Jeffrey Slavitz

Absent: Einar Asbo

Staff present: Peter Banning, Executive Officer
Candice Bozzard, Clerical Assistant

1. **Public Comment** - None

CONSENT CALENDAR ITEM(S)

2. **Regular Meeting Minutes, August 12, 2004**
3. **Financial Report - August 2004**

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

Approved unanimously.

CONTINUED PUBLIC HEARING(S)

4. **Southern Marin Service Review and Sphere-of-Influence Update**

The Executive Officer stated that this was a continuation of the public hearing on the sphere of influence of the Tiburon and Southern Marin Fire Protection Districts. The Executive Officer added to his written report that he had spoken with the fire chiefs of the Tiburon and Southern Marin Fire Districts and they were both satisfied with staff's recommendation. He also noted that no additional comments were received since the opening of the public hearing in August.

Commissioner Adams inquired if at some point the sphere of influence designation moves from "interim" sphere to "permanent" and if there was any idea of the timeline.

Staff responded that the term "interim" is used to indicate a recommended consolidation and was an appropriate sphere of influence designation as long as consolidation was a possibility. He also responded that no timeline could be estimated at this point.

Chairman Blanchfield asked if Southern Marin and the City of Sausalito have moved closer to agreement on consolidation.

Staff responded that the two agencies have a joint powers agreement in effect already. The next step would be for the City of Sausalito fire employees to become employees of the Southern Marin Fire District, which had not yet happened. The next step would be annexation of the City of Sausalito to Southern Marin Fire District.

Commissioner Heller asked if the City of Sausalito was ready for further consolidation with Southern Marin Fire.

Staff responded that there was still concern with regard to the transfer of property tax and loss of discretionary revenue that would occur with the annexation.

Chairman Blanchfield requested that there be a legal description or map included or referenced in the sphere of influence resolution.

The Executive Officer responded that staff's recommendation would be to amend the text of the resolution to include the reference to map number 19 in the staff report for resolution 04-14 and map number 20 for resolution 04-15.

Commissioner Quesada stated for the record that he had reviewed the minutes and was familiar with the current issues.

M/S Adams - Heller to close the public hearing on the sphere of influence of the Tiburon and Southern Marin Fire Protection Districts.

Approved unanimously.

M/S Adams - Heller to approve staff recommendation including the amendment to reference the corresponding map number in the text of both resolutions.

(Commissioner Rose arrived at 7:20 pm.)

Approved unanimously.

BUSINESS ITEM**5. Staff Reclassification**

The Executive Officer reported that since the departure of Dory Miller, Clerk to the Commission, staff had analyzed the most effective way to pursue the Commission's overall goals and objectives. In order to maintain productivity, staff recommended that the Commission adopt a revised job description for the position of Clerk to the Commission and to create an Assistant Planner position. Both of these positions would be at three-quarter time, keeping the size of the Commission's staff unchanged at 2.5 full time equivalent employees.

The Commissioners expressed a concern about the cost implications to the current budget. Staff responded that the delay in hiring the Assistant Planner would offset the increase in the budget and also the Assistant Planner position would decrease the costs of consultant services for the special studies.

Commissioner Rodoni stated that he would have liked to have reviewed the organizational chart of the staff before any changes were made. Chairman Blanchfield responded that he had spoken to the Executive Officer soon after Dory's departure regarding the possibility of new reclassifications and other options. Chairman Blanchfield also stated that prior to the August meeting, the Administrative Services Committee met briefly regarding possible changes, but did not make a report to the Commission.

Commissioners Rodoni and Adams inquired about the possibility of hiring a retiree on a consulting basis to help reduce the budget impact. Staff responded that hiring someone with experience as a consultant would require a higher wage than that proposed for the new position.

M/S Heller - Rose to adopt the revised job description for the position of Clerk to the Commission and to create the new position of Assistant Planner.

Approved unanimously.

M/S Heller - Slavitz to authorize the Executive Officer to incur hourly expenses up to approximately \$2,000 for recruitment of an Assistant Planner.

Approved unanimously.

COMMISSIONER'S REPORT

Commissioner Adams reported that Senate Bill, AB2702 (standards for second unit housing) in fact did pass and was now waiting on the Governor's decision.

EXECUTIVE OFFICER'S REPORT

6. California Performance Review

As requested by Commissioner Adams at the August meeting, the Executive Officer reviewed the California Performance Review for any impact on Marin LAFCO. The Executive Officer reported that the primary focus of the California Performance Review was on programs or facilities controlled by centralized State agencies. No mention of LAFCO was found. Even though LAFCO is a State agency, it was implemented exclusively at the local level. He felt the recent reform of LAFCOs under the Hertzberg bill of 2000 might have removed the need for additional reform.

Commissioner Adams asked if there were any policies that could effect the Commission in the sections related to agriculture or environmental issues. Staff responded that he did not find anything specific to LAFCO and that if an issue were to arise, it would be brought up at the CALAFCO conference.

7. Progress Report

The Executive Officer had nothing to add to his written report.

CLOSED SESSION

8. Conference with Legal Counsel - Anticipated Litigation

9. Performance Review for Executive Officer

The Commission entered into closed session at 7:55 p.m. and reopened at 8:40 p.m.

Chairman Blanchfield noted for the record that the Commission took no action at this time regarding the anticipated litigation and the performance review was discussed with the Executive Officer.

ADJOURNMENT

M/S Adams - Heller to adjourn.

Approved unanimously.

The meeting was adjourned at 8:42 p.m. The next regular LAFCO meeting was scheduled for Thursday, October 14, 2004.

Respectfully submitted,

PETER V. BANNING, Executive Officer

ATTEST:

JEFFRY BLANCHFIELD, Chairperson