

MINUTES - MARIN LOCAL AGENCY FORMATION COMMISSION

On December 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 7:11 p.m.

ROLL CALL

Commissioners Present: Susan Adams
Einar Asbo
Jeffry Blanchfield
Barbara Heller
Dennis J. Rodoni
Cliff Waldeck

Absent: Jeff Slavitz
Annette Rose

Alternate Commissioners
Present but not seated: Chris Burdick

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

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 Hodge at Hill Road to Novato Sanitary District (File #1258)
 - Outside Service Agreement - Extension of Sewer Service to the Throckmorton Ridge Fire Station by the City of Mill Valley (File #1261)
 - Annexation of the City of Belvedere to Sanitary District #5 (Tiburon) (File #1262)

Commissioner Waldeck inquired if LAFCO had been in contact with the City of Novato regarding the Lands of Hodge annexation. The Executive Officer responded that he had been in contact with the new city manager of Novato.

Commissioner Rodoni asked if there would be conditions on the outside service agreement that would prohibit the Throckmorton Ridge fire station from joining a district or service area if one was formed. Staff responded that the outside service agreement would not preclude that.

CONSENT CALENDAR ITEM(S)

3. Regular Meeting Minutes, November 4, 2004

4. Financial Report – November 2004

Commissioner Heller abstained from approval of the minutes.

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

Approved unanimously.

BUSINESS ITEM(S)

5. Sewer Alternative Study Selection

The Executive Officer reported that staff and Sphere of Influence Committee members met with LAFCO's consultants on November 10th to discuss recommendations for alternatives for the Southern Marin Sewer Service Study. The outcome of the meeting was to recommend the Commission to direct the consultants to analyze two political consolidation alternatives and three functional consolidation alternatives. The committee felt that shifting the emphasis to more functional consolidation alternatives would be of practical value to the sewer agencies in response to the new regulations.

The two political consolidation alternatives recommended by the Committee, if implemented, would result in the current eleven sewer agencies becoming three sanitary districts, each operating one of the three major treatment plants and each plant's tributary collection systems. That would require:

1. Consolidation of agencies and systems using the Sausalito-Marín City Sanitary District (SMCSD) treatment plant.
2. Consolidation of all SASM agencies to form a single sanitary district.

The Executive Officer stated that these alternatives would affect sewer collection activities provided by the cities of Sausalito and Mill Valley. At the suggestion of

Commissioner Heller, staff has discussed these study alternatives with each of the city managers. Staff of the City of Mill Valley stated that although they were not averse to the study of the complete consolidation of SASM agencies, the City's manager and Public Works Director would prefer that LAFCO consultants first study consolidation of the five special district members of SASM as an intermediate step.

At this point, the Executive Officer invited one of LAFCO's consultant team, Paul Eisenhardt, to briefly describe their process for identifying the functional consolidation alternatives and to bring the Commission up to date on the emerging regulations of the Regional Water Quality Control Board.

Mr. Eisenhardt distributed an outline of the study and then gave a brief explanation on each of the main topics.

Commissioner Heller asked how the agencies received the new regulations and were they positive about consolidation. The Executive Officer responded that all the agencies in southern Marin had been represented at the workshop and were taking the study seriously.

Commissioner Asbo requested that the draft of the final report distinguish between the cost of sewage collection and treatment functions. Eisenhardt responded that they would do their best to break down the wastewater treatment facility and operations separately from the collections side to give proper insight. Commissioner Asbo asked if there was a timeline for when the agencies would receive the requirements for the System Service Management Plan (SSMP). Mr. Eisenhardt didn't have the specific timeline, but suggested that it was not too early to start assessing the key elements in preparation. Commissioner Asbo then commented on Commissioner Heller's question by adding that he felt the agencies were responding positively however, they felt that more specific information was still needed.

Commissioner Adams inquired whether the reuse wastewater option was part of the study. Mr. Eisenhardt responded that the reuse of wastewater was not part of this study, however the sewer agencies may want to consider joining together to research that option at a later date.

Commissioner Heller suggested that a possible easy option for a functional consolidation would be to have the sewer agencies that outsourced for sewer service, to join together for one contract instead of individual contracts.

Commissioner Rodoni commented that the consultant's presentation seemed to be too conclusive in some areas and that if the report left more areas open for discussion, it may invite more participation from the sewer agencies.

Chairman Blanchfield noted that a member of the public had requested the opportunity to comment.

- Sandra Glading - Homeowner, Tam Valley: Ms. Glading shared her concerns regarding the quality of life for the residents in the low lying areas of southern Marin that have poor drainage and possible sewer problems. She also stated that she agreed with the recommendations from the Sphere of Influence Committee.

Commissioner Adams requested to hear from Commissioner Waldeck on the viewpoint of the City of Mill Valley. Commissioner Waldeck responded that the City of Mill Valley preferred the two-step process alternative but was not opposed to the Committee's recommendation. Chairperson Blanchfield asked if the City had considered contributing funds to cover their preferred alternative that was not included in the study. Staff responded that City's contribution to the study budget was mentioned to the City Manager as well as to the consultants. Commissioner Adams added that if any of the other sewer agencies were interested in a more detailed analysis on the functional consolidation that they were welcome to add an alternative onto this study and contribute to the study's budget.

M/S Adams - Heller to approve recommendations as submitted by staff and the Sphere of Influence Committee.

Approved unanimously.

COMMISSIONERS' REPORTS

Commissioner Adams commented that in regards to the article in the Marin Independent Journal regarding the San Rafael and Marinwood fire departments being in discussion, that perhaps the Commission should consider a North Marin fire consolidation alternative, which could include the San Rafael, Marinwood, and Novato fire agencies. The Executive Officer responded that staff is currently outlining the report and will include that proposition.

Commissioner Rodoni stated that since the annexation of the West Marin area to the Marin/Sonoma Mosquito and Vector Control District, he received several phone calls from residents, commenting that Marin had not been adequately notified of the annexation and they were concerned about the possibility of pesticide spraying. Commissioner Rodoni made note that he would discuss that in greater depth with staff after the meeting.

EXECUTIVE OFFICER'S REPORT

6. Progress Reports

The Executive Officer added to his written report the following:

- The Commission will be notified soon regarding the annexation of the City of Belvedere to Sanitary District #5.
- The Las Gallinas Valley Sanitary District filed a lawsuit against the City of San Rafael regarding the take over of the solid waste franchise in the Terra Linda area that had previously been with the Las Gallinas Valley Sanitary District. Both parties agreed the issues were matters of law and there will be no testimony at trial. The tentative ruling will be December 21st with arguments (if necessary) on December 22nd.
- The City of San Rafael adopted its General Plan update and EIR in November and there were only about ten days left for parties to file suit. Representatives from St. Vincent's had recently inquired about the status of the City of San Rafael's sphere of influence update to which staff responded that LAFCO was in the middle of the process.
- Supervisor-elect Charles McGlashan had expressed interest in appointment to LAFCO and participating in LAFCO's Strategic Planning Workshop, January 21st. Staff has set up a briefing session that will bring him up to speed prior to the workshop.
- The new staff training was going well, however staff has realized that a new computer and chair will be needed for the Assistant Planner.
- Staff will be reviewing the current application process with the civil engineers regarding the maps and legal descriptions that are included with the applications, to simplify the process.

7. Recognition of Service

M/S Adams - Rodoni to approve the resolution for the Recognition of Service for Commissioner Rose.

Approved unanimously.

Since Commissioner Rose was unable to attend the meeting, the executive officer will present the plaque to her next week.

ADJOURNMENT

M/S Adams - Heller to adjourn.

Approved unanimously.

The meeting was adjourned at 9:07 p.m. The January LAFCO meeting was cancelled; therefore, the next regular LAFCO meeting was scheduled for Thursday, February 10, 2005.

Respectfully submitted,

PETER V. BANNING, Executive Officer

ATTEST:

JEFFRY BLANCHFIELD, Chairperson