



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

NOTICE OF REGULAR MEETING AND AGENDA

Marin Local Agency Formation Commission

Thursday, June 11, 2020 ▪ 7:00 PM

***** BY VIRTUAL TELECONFERENCE ONLY *****

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting will be held by teleconference only. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting.

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

PUBLIC ACCESS

Members of the public may access and watch a live stream of the meeting on Zoom at <https://zoom.us/j/4350473750>. Alternately, the public may listen in to the meeting by dialing **(669) 900-6833** and entering **Meeting ID 4350473750#** when prompted.

WRITTEN PUBLIC COMMENTS may be submitted by email to staff@marinlafco.org. Written comments will be distributed to the Commission as quickly as possible. Please note that documents may take up to 24 hours to be posted to the agenda on the LAFCO website.

SPOKEN PUBLIC COMMENTS will be accepted through the teleconference meeting. To address the Commission, click on the link <https://zoom.us/j/4350473750> to access the Zoom-based meeting.

1. You will be asked to enter an email address and name. We request that you identify yourself by name as this will be visible online and will be used to notify you that it is your turn to speak.
2. When the Commission calls for the item on which you wish to speak, click on "raise hand" icon. Staff will activate and unmute speakers in turn. Speakers will be notified shortly before they are called to speak.
3. When called, please limit your remarks to the time limit allotted (3 minutes).

CALL TO ORDER BY CHAIR

ROLL CALL BY EXECUTIVE OFFICER

AGENDA REVIEW

The Chair or designee will consider any requests to remove or rearrange items by members.

PUBLIC OPEN TIME

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on the current agenda. All statements that require a response will be referred to staff for reply in writing or will be placed on the Commission's agenda for consideration at a later meeting. Speakers are limited to three minutes.

CONSENT CALENDAR ITEMS (discussion and possible action)

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. The Chair or designee will also consider requests from the Commission to pull an item for discussion.

1. Approval of Minutes for April 30, 2020 Regular Meeting
2. Commission Ratification of Payments from April 1, 2020, to May 31, 2020

PUBLIC HEARING

3. Approval for Spheres of Influence for Novato Area Jurisdictions
 - a) Resolution 20-10, Reaffirming City of Novato Sphere of Influence
 - b) Resolution 20-11, Reaffirming Novato Fire Protection District Sphere of Influence
 - c) Resolution 20-12, Amending Novato Sanitary District Sphere of Influence
 - d) Resolution 20-13, Reaffirming County Service Area #1 (Loma Verde) Sphere of Influence
 - e) Resolution 20-14, Reaffirming County Service Area #20 (Indian Valley) Sphere of Influence
 - f) Resolution 20-15, Amending Bel Marin Keys Community Services District Sphere of Influence
4. Approval of Municipal Service Review and Sphere of Influence for Tiburon Peninsula Area
 - a) Approve Work Plan Resulting from Report
 - b) Resolution 20-16, Accepting Final Draft of the Tiburon Peninsula Area Municipal Service Review
 - c) Resolution 20-17, Reaffirming Town of Tiburon Sphere of Influence
 - d) Resolution 20-18, Reaffirming Strawberry Recreation District Sphere of Influence
 - e) Resolution 20-19, Amending City of Belvedere Sphere of Influence
 - f) Resolution 20-20, Amending Tiburon Fire Protection District Sphere of Influence
 - g) Resolution 20-21, Amending Tiburon Sanitary District #5 Sphere of Influence
5. Approving a Final Operating Budget for Fiscal Year 2020-21
6. Approval of Resolution 20-22, Reorganization of County Service Area #29, Including Detachment of Six Parcels (APNs: 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16) and the Attachment of One Parcel (APN: 038-460-03) (LAFCo File #1348)

BUSINESS ITEMS (discussion and possible action)

Business Items involve administrative, budgetary, legislative or personnel matters and may or may not be subject to public hearings.

7. Election of Chair and Vice-Chair
8. Discussion and Possible Amendment of the LAFCo Workplan
9. Discussion and Approval of Temporary Policy for Remote Working Condition for COVID-19 planning purposes.
10. Authorizing the Executive Officer to Investigate Payroll Service Options.
11. Approval of Third Amendment to Executive Officer's Employment Agreement
12. Approval of Update to Current Reserve Fund and the Creation of Two New Funds

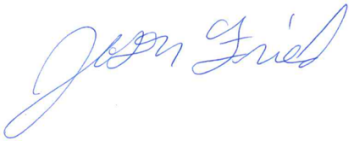
EXECUTIVE OFFICER REPORT (discussion and possible action)

- a) Budget Update FY 2019-20
- b) Current and Pending Proposals
- c) Update on MSR(s) [Verbal Report Only]

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

ADJOURNMENT TO NEXT MEETING

Thursday, August 13, 2020 | 7:00 P.M.



Attest: Jason Fried
Executive Officer

Any writings or documents pertaining to an open session item provided to a majority of the Commission less than 72 hours prior to a regular meeting shall be made available for public inspection at Marin LAFCo Administrative Office, 1401 Los Gamos Drive, Suite 220, San Rafael, CA 94903, during normal business hours.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCo and continues until 3 months after a final decision is rendered by LAFCo. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings. Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCo office at least three (3) working days prior to the meeting for any requested arraignments or accommodations.

Marin LAFCo

Administrative Office
1401 Los Gamos Drive, Suite 220
San Rafael California 94903

T: 415-448-5877
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W: marinlafco.org



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 1 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Policy Analyst

SUBJECT: Approval of Minutes for April 30, 2020 Regular Meeting

Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards and processes therein for the public to attend and participate in meetings of local government bodies as well as those local legislative bodies created by State law; the latter category applying to LAFCos.

Discussion

The action minutes for the April 30th regular meeting accurately reflect the Commission's actions as recorded by staff. A video recording of the meetings are also available online for viewing at <http://marinlafco.org/AgendaCenter>

Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the April 30, 2020 meeting with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item to the next regular meeting and provide direction to staff, as needed.

Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation as provided unless otherwise specified by the Commission.

Attachment:

- 1) Draft Minutes for April 30, 2020

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Dennis J. Rodoni, Regular
County of Marin

Judy Arnold, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiouss, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

DRAFT

NOTICE OF REGULAR MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, April 30, 2020

Marin Clean Energy | Charles McGlashan Room | 1125 Tamalpais Avenue, San Rafael, California

CALL TO ORDER

Chair McEntee called the meeting to order at 7:01 P.M.

ROLL CALL BY COMMISSION CLERK

Roll was taken and quorum was met. The following were in attendance:

Commissioners Present: Sashi McEntee, Chair
 Craig K. Murray, Vice-Chair
 Lew Kious
 Barbara Coler
 Damon Connolly
 Larry Loder
 Judy Arnold

Alternate Commissioners Present: Tod Moody
 Chris Skelton
 Dennis Rodoni
 James Campbell

Marin LAFCo Staff Present: Jason Fried, Executive Officer
 Jeren Seibel, Policy Analyst

Marin LAFCo Counsel Present: Mala Subramanian

Members Absent:

AGENDA REVIEW

Executive Officer Fried suggested that item 5 be moved to the front of the public hearing items as there were public members in attendance to speak on those items.

Approved: M/S by Commissioners Coler and Arnold to accept the amended agenda.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, Connolly, and Arnold

Nays: None

Abstain: None

Motion approved unanimously.

PUBLIC OPEN TIME

Chair McEntee opened the public comment period. Hearing no request for comment, Chair closed the public open time.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for February 13, 2020, Regular Meeting
2. Commission Ratification of Payments from February 1, 2019, to March 31, 2020
3. Receive and File GASB 75 Report

Approved: M/S by Commissioners Murray and Arnold to accept the consent calendar.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, Connolly, and Arnold

Nays: None

Abstain: None

Motion approved unanimously.

PUBLIC HEARING ITEMS

4. Adoption of Proposed Operating Draft Budget Fiscal Year 2020-21

Executive Officer Fried summarized his efforts in creating the upcoming year's budget and his desire for it to be "status quo" in relation to the current year's budget. He went on to explain that the Budget Committee expressed a desire to reduce the member agency fees by 10% in an effort to ease the budgetary burden on the agencies that are being faced due to COVID-19 impacts.

Commissioner Kious expanded upon the Budget Committee's decision to move for a 10% member fee reductions, explaining that the reduction would be for 1-year only.

Commissioner Connolly expressed concern regarding the line item for staff salaries increasing.

Commissioner Coler explained that while she had originally suggested the 10% reduction, she was having second thoughts about it and was leaning more towards finding other ways to cut costs.

Executive Officer Fried explained that the salary line item is proposed at the highest it could possibly be in the proposed budget in order to allow for the possibility of the maximum increase, however, that by no means signifies that those increase levels will be realized. He went on to say that in reality, that line item would end up being significantly less than what was proposed.

Commissioner Rodoni spoke to the fact that as this is a draft budget, the Commission would not be making any commitment to any specific line item level at this time, and could amend any amount proposed prior to the adoption of the final budget later on.

Commissioner Arnold voiced her support for the budget as it was proposed with the idea of adding purposeful wording around the fact that the budget line items are still open to amendment.

Legal Counsel confirmed Commissioner Rodoni's point of having the opportunity to amend the draft budget if approved.

Chair McEntee opened the public hearing. Hearing no additional public comments, Chair closed the public hearing.

Commissioner Rodoni reminded the Commission members that the LAFCo policy currently states that staff cost of living adjustment increases are congruent with the County of Marin staff increases.

Executive Officer Fried explained that while he does not believe that Marin LAFCo needs to hire a new full-time Clerk, he does believe that a full-time employee should be hired who would split time as a Clerk and as a Junior Analyst.

Chair McEntee expressed her desire to push forward with the status quo budget as proposed and include a note next to the line item for salaries explaining that the amount would change prior to the final budget adoption.

Commissioners Rodoni and Arnold expressed support for staff receiving merit-based step increases upon passing review.

Approved: M/S by Commissioners Loder and Arnold to approve the status quo budget with footnote explaining that two positions are subject to the County cost of living adjustment decision and an additional comment that proposed salary amounts are subject to change prior to June meeting and keeping agency contributions flat with the intention to bring discussion back about it during the June meeting.

Ayes: Commissioners McEntee, Murray, Coler, Loder, Connolly, and Arnold

Nays: Kious

Abstain: None

Motion approved.

4. Approval of Resolution No. 20-09 Annexation of 1501 Lucas Valley Road (APN 164-280-35), to Marin Municipal Water District (LAFCo File #1347)

The Executive Officer communicated the history and current situation surrounding the history of the application having been terminated previously and resubmitted. Marin Municipal Water District requested an agreement that the water use on the property would be for strictly a single-family residence.

Chair McEntee opened the public hearing.

- Property Owner – Briefly outlined the history of the application and the roadblocks that led to the initial termination of the application previously.

Hearing no additional public comments, Chair closed the public hearing.

Approved: M/S by Commissioners Murray and Loder to approve Resolution 20-09, approving the requested annexation as described (File #1347).

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, Connolly, and Arnold

Nays: None

Abstain: None

Motion approved unanimously.

BUSINESS ITEMS

5. Budget Committee Report – Updating Current Reserve Policy and Possible Creation of New Reserve Funds

Executive Officer Fried outlined the current reserve policy of 20% reserves as the only current reserve policy/fund and his desire to create two new reserve funds for consultant fees due to special studies and for technology replacement fees.

Commissioner Kious expressed support from the Budget Committee members for the proposed funds.

Commissioner Rodoni stated that, if approved, the Budget Committee would reconvene in order to help establish the maximum amounts allowed in the funds.

Chair McEntee opened the public comment, and hearing none, closed public comment.

Approved: M/S by Commissioners Kious and Coler to authorize the Budget Committee to establish policies around the new funds and bring them back to the full Commission.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Loder, Connolly, and Arnold

Nays: None

Abstain: None

Motion approved unanimously

EXECUTIVE OFFICER REPORT (discussion and possible action)

- a) Budget Update FY 2019-2020
Staff stated the budget was on track.
- b) Current and Pending Proposals
Update on application from County of Marin for CSA 29. Also updated on West Marin application being completed. Currently only 1 application open at this time.
- c) ADP and Payroll Status [Verbal Report Only]
Still a few outstanding issues to be resolved. Staff is working with County Staff to resolve remaining issues.
- d) Update on MSR(s) [Verbal Report Only]
Research and analysis for Ross Valley MSR is progressing.
- e) LAFCo Operations Under Shelter in Place Orders [Verbal Report Only]
Staff continues to work from home as the LAFCo office building is closed entirely for the time being.
- f) Discussion on LAFCo Study Schedule [Verbal Report Only]
Executive Officer Fried passed this item to Chair McEntee, who raised the idea of changing the study schedule in order to examine a special study in the near future.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Commissioner Murray discussed his efforts with the California Special Districts Association.

Commissioner Murray requested that the Commission do a review of legal services, similar to the Executive Officer Review.

Hearing no additional requests or announcements, the Chair called for adjournment.

Chair McEntee adjourned the meeting at 8:21 P.M.

ADJOURNMENT TO NEXT MEETING

Thursday, June 11th, 2020

Marin Clean Energy | Charles McGlashan Room | 1125 Tamalpais Avenue, San Rafael, CA

Attest: Jeren Seibel
 Policy Analyst

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Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 2 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Commission Ratification of Payments from April 1, 2020, to May 31, 2020

Background

Marin LAFCo adopted a Policy Handbook delegating the Executive Officer to make purchases and related procurements necessary in overseeing the day-to-day business of the agency. The Policy Handbook also directs all payments made by the Executive Officer to be reconciled by LAFCo's contracted bookkeeper. Additionally, all payments are to be reported to the Commission at the next available Commission meeting for formal ratification.

This following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between April 1, 2020, and May 31, 2020, totaling \$58,205.57. The payments are detailed in the attachment.

Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between April 1, 2020, and May 31, 2020, as shown in attachment.
2. Alternate Option - Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

Procedures for Consideration

This item has been placed on the agenda as part of the consent calendar. Accordingly, a successful motion to approve the consent calendar will include taking affirmative action on the staff recommendation unless otherwise specified by the Commission.

Attachment:

- 1) Payments from April 1, 2020, to May 31, 2020

Administrative Office

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Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Marin Local Agency Formation Commission

Expenses by Vendor Detail

April through May 2020

06/03/20

Accrual Basis

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
A and P Moving, Inc.								
Check	04/06/2	20...	Invoic...	5211215 ...		11113...	40.00	40.00
Check	05/22/2	20...	Invoic...	5211215 ...		11113...	40.00	80.00
Total A and P Moving, Inc.							80.00	80.00
ALHAMBRA & SIERRA SPRINGS								
Check	05/01/2	20...	Invoic...	5220110 ...		11113...	39.32	39.32
Check	05/22/2	20...	Invoic...	5220110 ...		11113...	62.27	101.59
Total ALHAMBRA & SIERRA SPRINGS							101.59	101.59
ARNOLD, JUDY								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total ARNOLD, JUDY							125.00	125.00
BEST BEST & KRIEGER LLP								
Check	05/01/2	20...	Invoic...	5210131 ...		11113...	243.00	243.00
Check	05/22/2	20...	Invoic...	5210131 ...		11113...	2,513.60	2,756.60
Total BEST BEST & KRIEGER LLP							2,756.60	2,756.60
Coler, Barbara								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	250.00	250.00
Total Coler, Barbara							250.00	250.00
COMCAST								
Check	05/01/2	20...	Bill Da...	5210710 ...		11113...	191.97	191.97
Total COMCAST							191.97	191.97
CONNOLLY, DAMON								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total CONNOLLY, DAMON							125.00	125.00
James Campbell								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total James Campbell							125.00	125.00
KIOUS, LEWIS								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	250.00	250.00
Total KIOUS, LEWIS							250.00	250.00
LIEBERT CASSIDY WHITMORE								
Check	05/01/2	20...	Invoic...	5210131 ...		11113...	2,527.00	2,527.00
Total LIEBERT CASSIDY WHITMORE							2,527.00	2,527.00
LODER, LAWRENCE								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total LODER, LAWRENCE							125.00	125.00
MARIN INDEPENDENT JOURNAL								
Check	05/22/2	20...	Invoic...	5211520 ...		11113...	67.22	67.22
Total MARIN INDEPENDENT JOURNAL							67.22	67.22
MARIN MAC TECH								
Check	04/06/2	20...	Invoic...	5210710 ...		11113...	153.76	153.76
Check	05/01/2	20...	Invoic...	5210710 ...		11113...	632.50	786.26
Check	05/22/2	20...	Invoic...	5210710 ...		11113...	776.50	1,562.76
Total MARIN MAC TECH							1,562.76	1,562.76

Marin Local Agency Formation Commission

Expenses by Vendor Detail

April through May 2020

06/03/20

Accrual Basis

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
McENTEE, SASHI								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total McENTEE, SASHI							125.00	125.00
MOODY, TOD								
Check	05/01/2	20...	April ...	5211533 ...		11113...	125.00	125.00
Total MOODY, TOD							125.00	125.00
MURRAY, CRAIG K								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total MURRAY, CRAIG K							125.00	125.00
PAYROLL								
Check	04/03/2	4/3...	salari...	5110110 ...		11101...	8,217.60	8,217.60
Check	04/03/2	4/3...	salari...	5110323 ...		11101...	612.00	8,829.60
Check	04/03/2	4/3...	salari...	5110324 ...		11101...	0.00	8,829.60
Check	04/03/2	4/3...	salari...	5110313 ...		11101...	0.00	8,829.60
Check	04/03/2	4/3...	salari...	516115 ...		11101...	51.41	8,881.01
Check	04/17/2	4/1...	salari...	5110110 ...		11101...	8,217.60	17,098.61
Check	04/17/2	4/1...	salari...	5110323 ...		11101...	612.00	17,710.61
Check	04/17/2	4/1...	salari...	5110324 ...		11101...	0.00	17,710.61
Check	04/17/2	4/1...	salari...	5110313 ...		11101...	0.00	17,710.61
Check	04/17/2	4/1...	salari...	516115 ...		11101...	51.41	17,762.02
Check	05/01/2	5/1...	salari...	5110110 ...		11101...	8,829.60	26,591.62
Check	05/01/2	5/1...	salari...	5110323 ...		11101...	0.00	26,591.62
Check	05/01/2	5/1...	salari...	5110324 ...		11101...	0.00	26,591.62
Check	05/01/2	5/1...	salari...	5110313 ...		11101...	0.00	26,591.62
Check	05/01/2	5/1...	salari...	516115 ...		11101...	51.41	26,643.03
Check	05/15/2	5/1...	salari...	5110110 ...		11101...	8,829.60	35,472.63
Check	05/15/2	5/1...	salari...	5110323 ...		11101...	0.00	35,472.63
Check	05/15/2	5/1...	salari...	5110324 ...		11101...	0.00	35,472.63
Check	05/15/2	5/1...	salari...	5110313 ...		11101...	0.00	35,472.63
Check	05/15/2	5/1...	salari...	516115 ...		11101...	51.41	35,524.04
Check	05/29/2	5/2...	salari...	5110110 ...		11101...	8,829.60	44,353.64
Check	05/29/2	5/2...	salari...	5110323 ...		11101...	0.00	44,353.64
Check	05/29/2	5/2...	salari...	5110324 ...		11101...	0.00	44,353.64
Check	05/29/2	5/2...	salari...	5110313 ...		11101...	0.00	44,353.64
Check	05/29/2	5/2...	salari...	516115 ...		11101...	51.41	44,405.05
Total PAYROLL							44,405.05	44,405.05
PAYROLL TAXES								
Check	04/03/2	PR...	Medic...	5140140 ...		11101...	129.10	129.10
Check	04/17/2	PR...	Medic...	5140140 ...		11101...	129.10	258.20
Check	05/01/2	PR...	Medic...	5140140 ...		11101...	129.10	387.30
Check	05/15/2	PR...	Medic...	5140140 ...		11101...	129.10	516.40
Check	05/29/2	PR...	Medic...	5140140 ...		11101...	129.10	645.50
Total PAYROLL TAXES							645.50	645.50
RICOH USA INC								
Check	05/22/2	20...	Invoic...	5220110 ...		11113...	98.08	98.08
Total RICOH USA INC							98.08	98.08
RODONI, DENNIS JAMES								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	250.00	250.00
Total RODONI, DENNIS JAMES							250.00	250.00
SCHIFFMANN, ALYSSA								
Check	04/06/2	20...	Invoic...	5210110 ...		11113...	1,105.20	1,105.20
Total SCHIFFMANN, ALYSSA							1,105.20	1,105.20

4:37 PM

06/03/20

Accrual Basis

Marin Local Agency Formation Commission

Expenses by Vendor Detail

April through May 2020

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
SECURITY MORTGAGE GROUP 2								
Check	05/01/2	20...	May 2...	5211270 ...		11113...	2,714.60	2,714.60
Total SECURITY MORTGAGE GROUP 2							2,714.60	2,714.60
SKELTON, CHRIS								
Check	05/01/2	20...	April 2...	5211533 ...		11113...	125.00	125.00
Total SKELTON, CHRIS							125.00	125.00
Streamline								
Check	04/06/2	20...	Invoic...	5210710 ...		11113...	100.00	100.00
Check	05/01/2	20...	Invoic...	5210710 ...		11113...	100.00	200.00
Total Streamline							200.00	200.00
TOTAL							58,205.57	58,205.57



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 3 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Approval for Sphere of Influence for Novato Area Jurisdictions

Background

At the February 13th LAFCo meeting, the commission approved the Novato Area Municipal Service Review (MSR). One of the items that the MSR process looks at is whether the current Sphere of Influence (SOI) for each Jurisdiction is correct or do they need adjustment. Upon review, no changes to the SOI for the City of Novato, Novato Fire Protection District, County Service Area #1, and County Service Area #20 are needed. Bel Marin Keys Community Service District and Novato Sanitary District will have a slight adjustment to their boundaries. Not included in this is the reaffirming or amending of SOI for County Service Area #25 (CSA #25).

When reviewing Bel Marin Keys Community Service District (BMKCSD) boundary, it was discovered that the SOI was smaller than the district lines. This is not normally done unless it is the desire of LAFCo to shrink the boundaries to the SOI line. Staff could find no reason to shrink the boundary and actually thinks the current boundary makes the most sense, so staff is suggesting the Commission move the SOI boundary to be coterminous with the current district boundary. Novato Sanitary District has a similar issue as BMKCSD that was discovered when Jeren was creating the maps for this item.

CSA #25 had only one responsibility, to pay off a bond for land in the San Marin area. This bond has been paid off so the CSA has no other reason to operate. The State Controller's office in 2018 created a process to dissolve districts that no longer meet. LAFCo staff is waiting for a letter informing us that we can use this process to dissolve CSA #25 since it is a quicker and more cost-effective way to proceed with this process than the other ways under CKH. While LAFCo can issue a zero area SOI to indicate we plan to dissolve the area, it is staff's suggestion to wait for the letter from the State Controller's office and handle everything in one process.

Staff Recommendation for Action

1. Staff Recommendation – Approve all attached resolutions authorizing the reaffirmation or amendment for each SOI in the Novato MSR area
2. Alternate Option - Do not approve the attached resolutions and give staff instruction on what the Commission would like to do.

Attachments:

1. Resolution 20-10 Reaffirming the Sphere of Influence of City of Novato
2. Resolution 20-11 Reaffirming the Sphere of Influence of Novato Fire Protection District
3. Resolution 20-12 Amending the Sphere of Influence of Novato Sanitary District
4. Resolution 20-13 Reaffirming the Sphere of Influence of County Service Area #1
5. Resolution 20-14 Reaffirming the Sphere of Influence of County Service Area #20
6. Resolution 20-15 Amending the Sphere of Influence of Bel Marin Keys Community Service District

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kiou, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-10

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF
THE CITY OF NOVATO**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the City of Novato is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the City of Novato is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-10

- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

CITY OF NOVATO SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

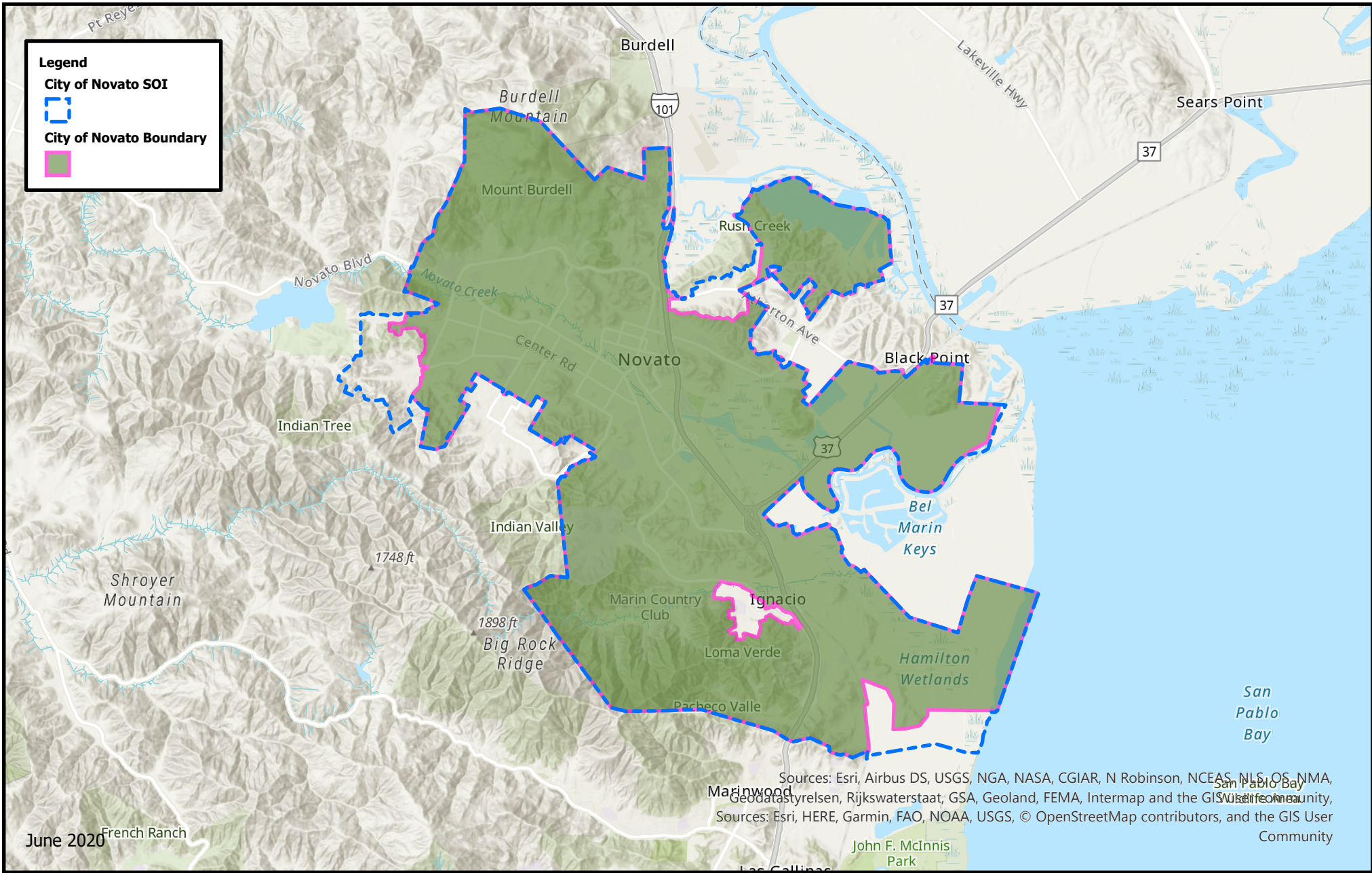
- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of Novato and the Marin Countywide Plan. The voter-approved Urban Growth Boundary states the City's unwillingness to annex or extend services to areas outside of current boundaries.

- 2) The present and probable need for public facilities and services in the area.
 - The City of Novato's current facilities and services included in the City of Novato sphere of influence are sufficient to provide those services to the area within the designated city sphere of influence.

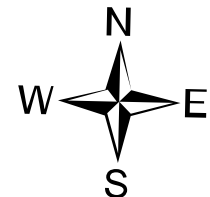
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the City of Novato are adequate to provide service to the City's currently incorporated area and areas within its sphere of influence. Unincorporated areas included in the sphere of influence are located closely to City facilities and may already be deemed to benefit from City services and facilities.

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the City of Novato and the area surrounding its jurisdiction are not relevant to the determination of the City's sphere of influence.

- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



City of Novato Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-11

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF
THE NOVATO FIRE PROTECTION DISTRICT**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Novato Fire Protection District (Novato FPD) is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the Novato Fire Protection District is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-11

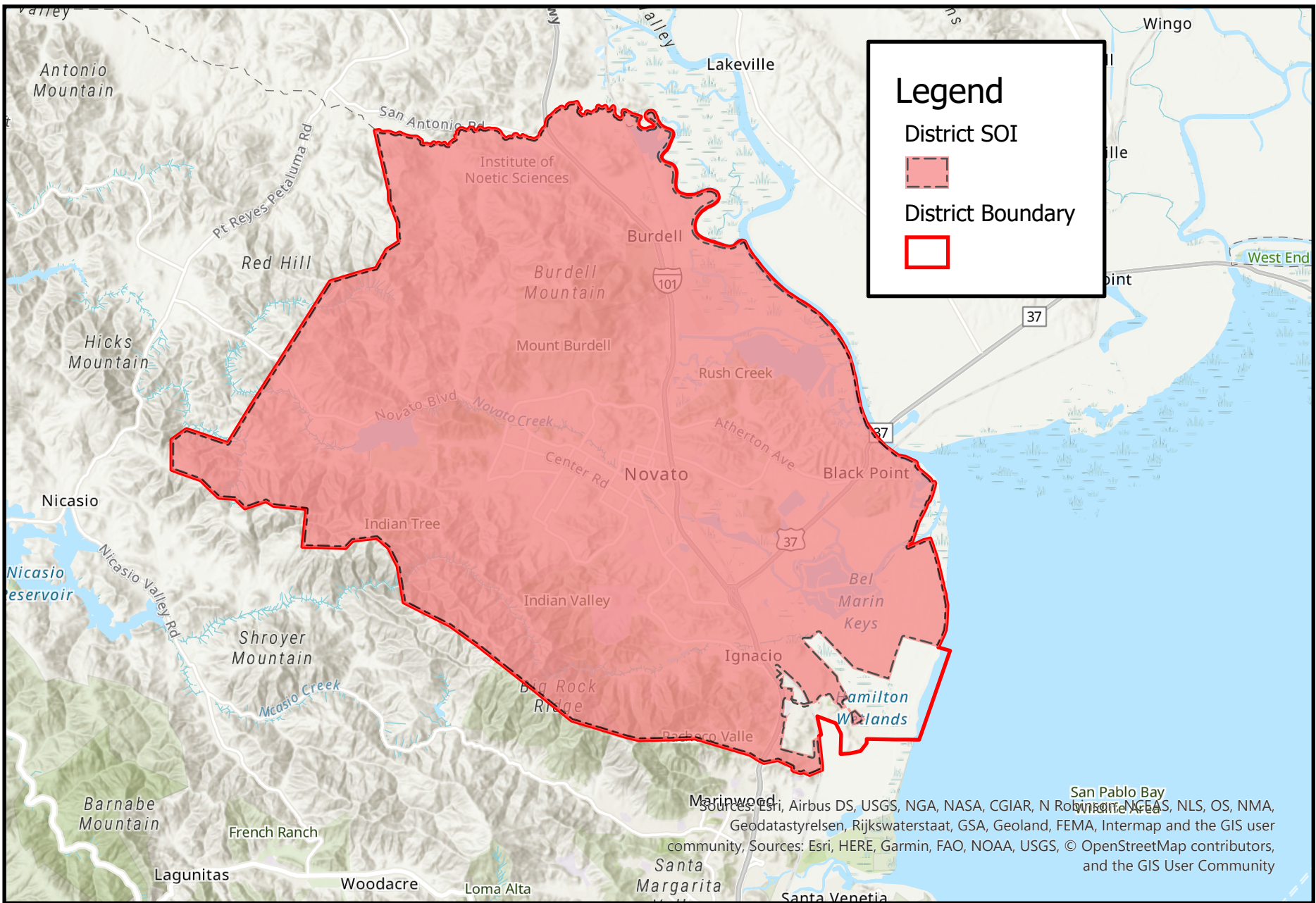
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

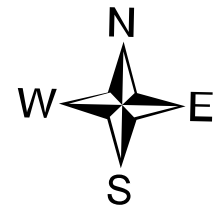
NOVATO FIRE PROTECTION DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of Novato and the Marin Countywide Plan. The plans cover areas that include low and medium density, open space and conservation uses.
- 2) The present and probable need for public facilities and services in the area.
 - The Novato FPD current facilities and services included in the Novato FPD sphere of influence are sufficient to provide those services to the area within the designated district sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the Novato FPD are adequate to provide service to the Districts currently designated district boundaries and areas within its sphere of influence.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Novato FPD and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Novato Fire Protection District Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-12

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE NOVATO SANITARY DISTRICT

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Novato Sanitary District (Novato SD) is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of the Novato SD is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-12

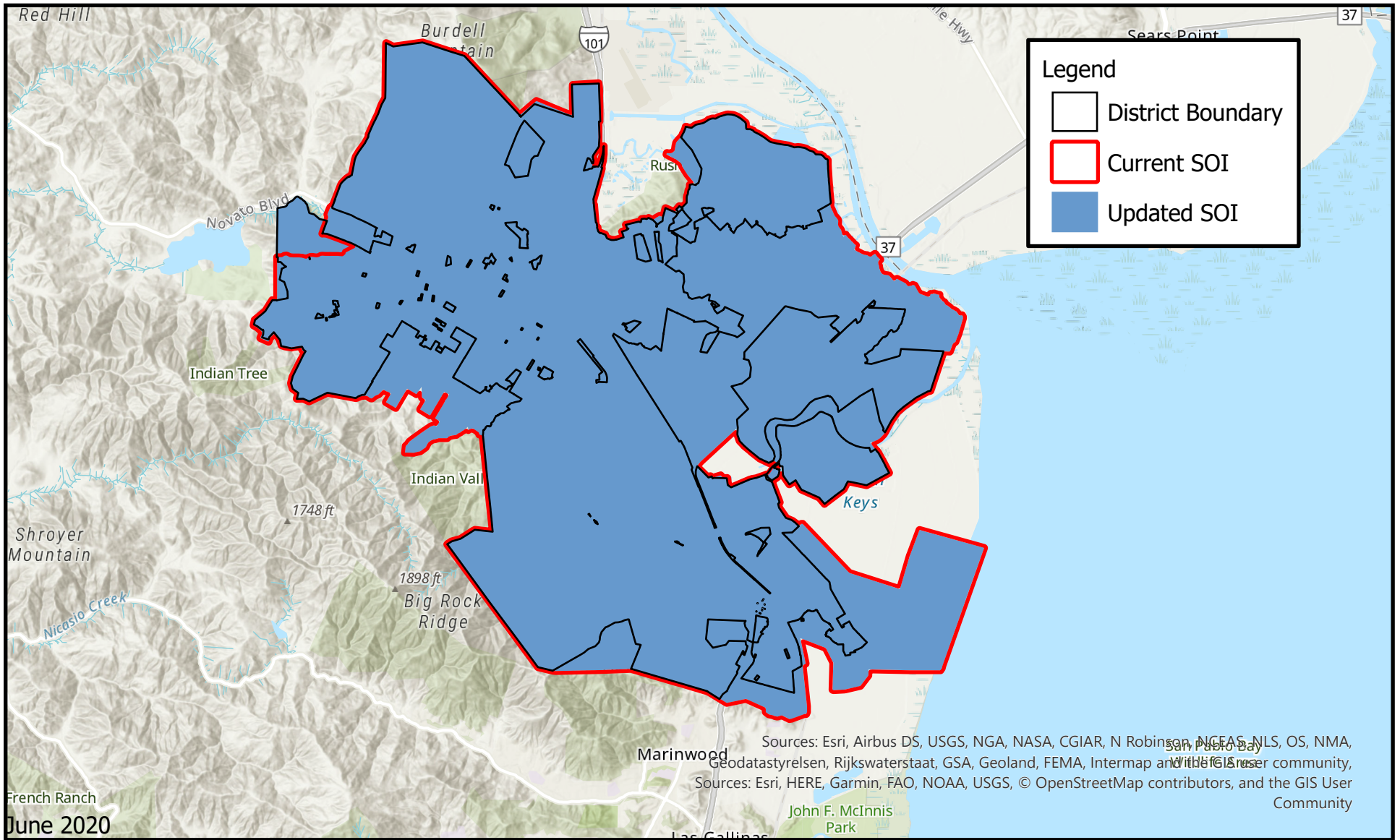
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

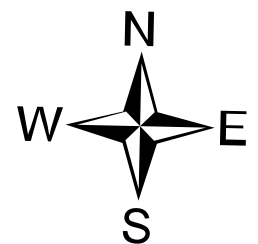
NOVATO SANITARY DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of Novato and the Marin Countywide Plan. The plans cover areas that include low and medium density, open space and conservation uses.
- 2) The present and probable need for public facilities and services in the area.
 - The Novato SD current facilities and services included in the Novato SD sphere of influence are sufficient to provide those services to the area within the designated district sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the Novato SD are adequate to provide service to the District's currently designated district boundaries and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Novato SD and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Novato Sanitary District Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-13

RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF COUNTY SERVICE AREA #1

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the County Service Area #1 (CSA #1) is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the CSA #1 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-13

- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

COUNTY SERVICE AREA #1 SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land use in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the Marin Countywide Plan. The planning area mainly covers single-family homes and open space.

- 2) The present and probable need for public facilities and services in the area.
 - The CSA #1 current facilities and services included in the CSA #1 sphere of influence are sufficient to provide those services to the area within the designated CSA #1 sphere of influence.

- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of CSA #1 are adequate to provide service to CSA #1 currently designated district boundaries and areas within its sphere of influence

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the CSA #1 and the area surrounding its jurisdiction are not relevant to the determination of the CSA's sphere of influence.

- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-14

RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF COUNTY SERVICE AREA #20

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the County Service Area #20 (CSA #20) is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the CSA #20 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-14

- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

COUNTY SERVICE AREA #20 SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

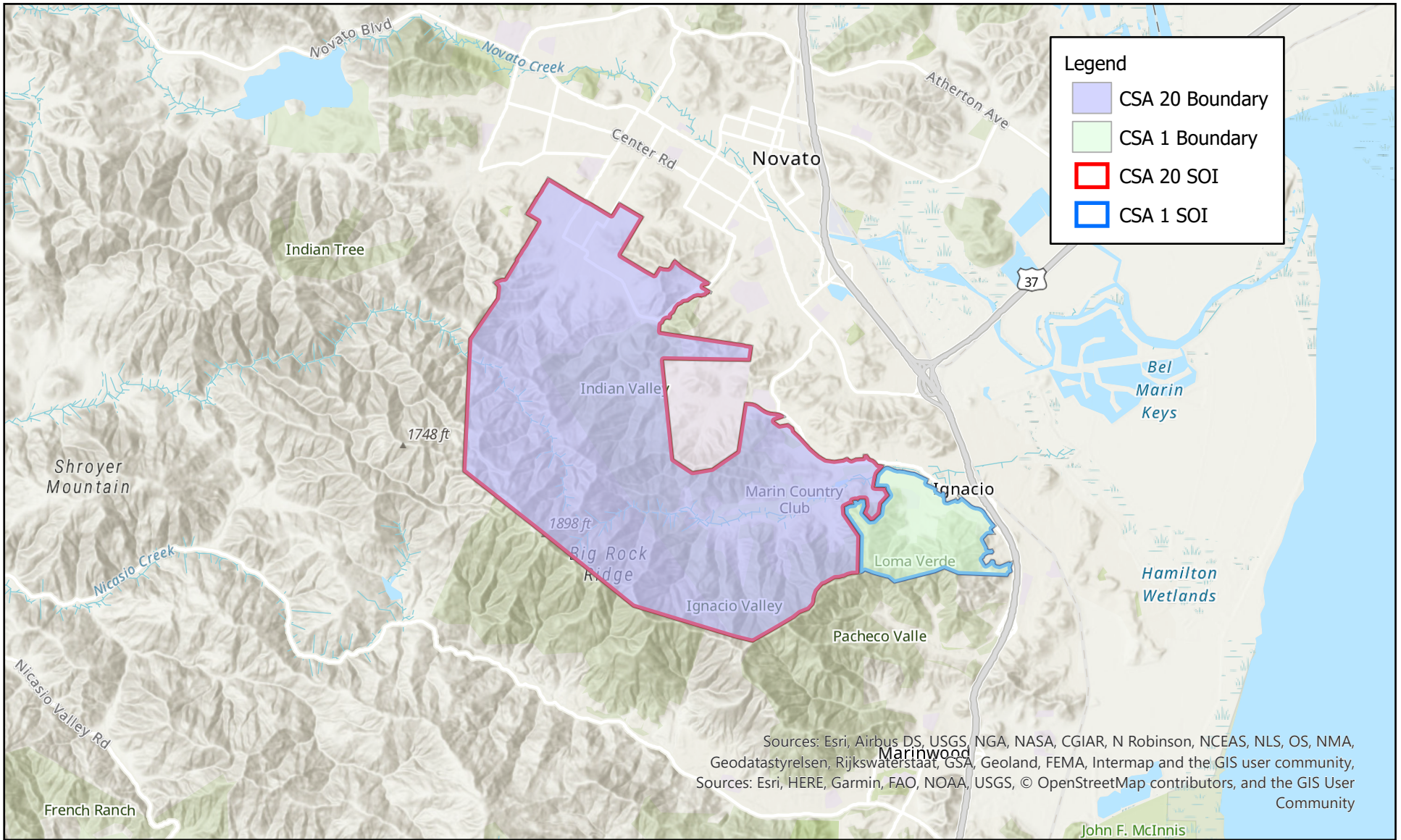
- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the Marin Countywide Plan. The planning area mainly covers single family homes and open space.

- 2) The present and probable need for public facilities and services in the area.
 - The CSA #20 current facilities and services included in the CSA #20 sphere of influence are sufficient to provide those services to the area within the designated CSA #20 sphere of influence.

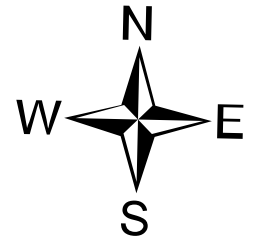
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the CSA #20 are adequate to provide service to the District's currently designated district boundary and areas within its sphere of influence

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the CSA #20 and the area surrounding its jurisdiction are not relevant to the determination of the CSA #20 sphere of influence.

- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



CSA 1 and CSA 20 Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-15

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF BEL MARIN KEYS COMMUNITY SERVICE DISTRICT

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Novato area, prepared a summary, *Novato Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Novato Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Bel Marin Keys Community Service District (BMKCSD) is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of the BMKCSD is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Novato area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-15

- a) Exhibit A - Determinations
- b) Exhibit B - Map




EXHIBIT A

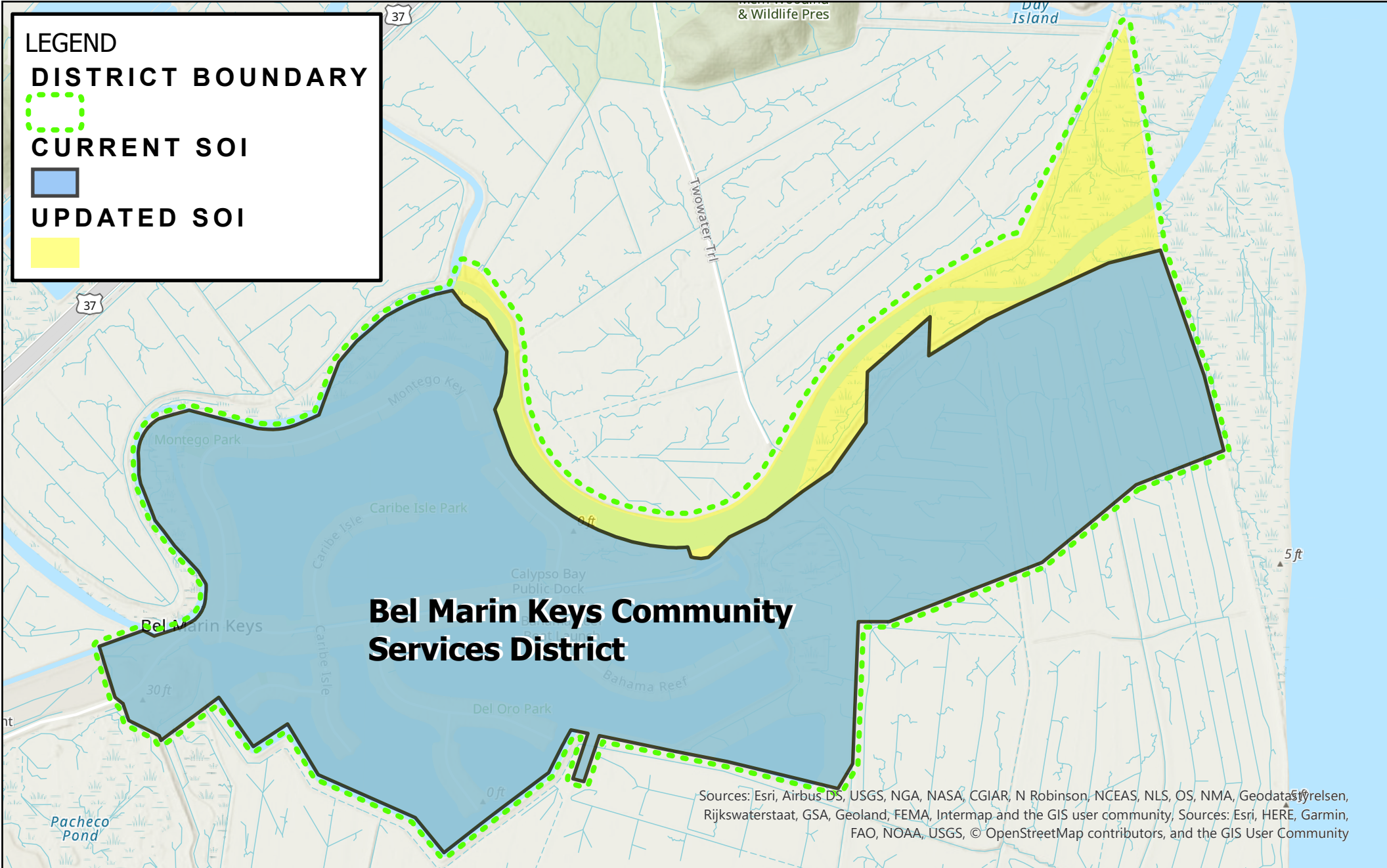
BEL MARIN KEYS COMMUNITY SERVICE DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the Marin Countywide Plan. The planning area mainly covers single-family homes and open space which includes water right of ways.
- 2) The present and probable need for public facilities and services in the area.
 - The BMKCSO current facilities and services included in the BMKCSO sphere of influence are sufficient to provide those services to the area within the designated district sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the BMKCSO are adequate to provide service to the District's currently designated district boundaries and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the BMKCSO and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

LEGEND

- DISTRICT BOUNDARY**

- CURRENT SOI**

- UPDATED SOI**




Bel Marin Keys Community Services District Sphere of Influence Update





Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11th, 2020

Item No. 4 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jeren Seibel, Policy Analyst

SUBJECT: Approval of Municipal Service Review and Sphere of Influence for Tiburon Peninsula Area

Background

During the February 13th LAFCo meeting, staff presented to the Commission the draft Tiburon Peninsula Area Municipal Service Review (MSR). The public comment period for the MSR closed on Tuesday, February 25th. LAFCo received comments from 2 separate parties. The Commission at the February meeting had received one of the two written comments, with the second being minor edits from the City of Belvedere. After completion of the public comment period, LAFCo staff reviewed comments and created a Final Draft (attachment 1). Staff has responded to all who submitted comment with what we were able to or unable to address in the MSR. This final draft has been shown with the impacted jurisdiction to ensure that we got all detailed changes they requested correct. Only a couple of minor edits were made based on that last review. The final draft that is being presented to you today is the culmination of countless hours of hard work by Marin LAFCo staff and all the jurisdiction staffs being reviewed by the MSR. LAFCo staff would like to thank them for their time and efforts.

From this MSR staff has 4 items (attachment 2) that should be added to LAFCo's work plan moving forward. Those items include creating a working group to explore to remove dredging from the purview of Strawberry Recreation District, creating a working group to explore the formal annexation of the City of Belvedere into the Tiburon Fire Protection District, creating a working group to explore options for emergency services to Angel Island, and creating a working group to explore amending the boundaries along Paradise Drive.

Staff Recommendation for Action

1. Staff recommendation – Approve all the attached resolutions on Tiburon Peninsula Area MSR, SOI approvals, and work plan with any amendments as desired by the Commission.
2. Alternate Option – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachment:

- 1) Final Draft of Tiburon Peninsula Area MSR
- 2) Workplan from MSR
- 3) Resolution 20-16, Accepting Final Draft of the Tiburon Peninsula Area Municipal Service Review
- 4) Resolution 20-17, Reaffirming Town of Tiburon Sphere of Influence
- 5) Resolution 20-18, Reaffirming Strawberry Recreation District Sphere of Influence
- 6) Resolution 20-19, Amending City of Belvedere Sphere of Influence
- 7) Resolution 20-20, Amending Tiburon Fire Protection District Sphere of Influence
- 8) Resolution 20-21, Amending Tiburon Sanitary District #5 Sphere of Influence

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Dennis J. Rodoni, Regular
County of Marin

Judy Arnold, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Sloan Bailey, Regular
Town of Corte Madera

Matthew Brown, Alternate
City of San Anselmo

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission

Municipal Service Review

Tiburon Peninsula Region

FINAL DRAFT

JUNE 2020

PREFACE

This Municipal Services Review (MSR) documents and analyzes services provided by local governmental agencies in the Tiburon Peninsula region. Specifically, it evaluates the adequacy and efficiency of local government structure and boundaries within the region and provides a basis for boundary planning decisions by the Marin Local Agency Formation Commission (LAFCo).

Context

Marin LAFCo is required to prepare this MSR in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56000, et seq.), which took effect on January 1, 2001. The MSR reviews services provided by public agencies—cities and special districts—whose boundaries and governance are subject to LAFCo. The analysis and recommendations included herein serve to promote and coordinate the efficient delivery of local government services and encourage the preservation of open space and agricultural lands.

Commissioners, Staff, Municipal Services Review Preparers

Commissioners

Sashi McEntee, Chair	City	City of Mill Valley
Craig Murray, Vice Chair	Special District	Las Gallinas Valley Sanitary District
Damon Connolly	County	District 1 Supervisor
Judy Arnold	County	District 5 Supervisor
Sloan Bailey	City	Town of Corte Madera
Lew Kious	Special District	Almonte Sanitary District
Larry Loder	Public	Commission
Chris Skelton	Public Alternate	Commission
Tod Moody	Special District Alternate	Sanitary District #5
Barbara Coler	City Alternate	Town of Fairfax
Dennis Rodoni	County Alternate	District 4 Supervisor

Staff

Jason Fried	Executive Director
Candice Bozzard	Commission Clerk
Jeren Seibel	Policy Analyst

MSR Preparers

Jeren Seibel, Policy Analyst

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1.0 INTRODUCTION

1.1 ROLE AND RESPONSIBILITY OF LAFCO

Local Agency Formation Commissions (LAFCOs) were established in 1963 and are political subdivisions of the State of California responsible for providing regional growth management oversight in all 58 counties. LAFCOs' authority is currently codified under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH"), which specifies regulatory and planning powers delegated by the Legislature to coordinate and oversee the establishment, expansion, and organization of cities and special districts as well as their municipal service areas.

Guiding LAFCOs' regulatory and planning powers is to fulfill specific purposes and objectives that collectively construct the Legislature's regional growth management priorities under Government Code (G.C.) Section 56301. This statute reads:

"Among the purposes of the commission are discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing governmental services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities."

LAFCo decisions are legislative in nature and not subject to an outside appeal process. LAFCOs also have broad powers with respect to conditioning regulatory and planning approvals so long as not establishing terms that directly control land uses, densities, or subdivision requirements.

Regulatory Responsibilities

LAFCOs' principal regulatory responsibility involves approving or disapproving all jurisdictional changes involving the establishment, expansion, and reorganization of cities and most special districts.¹ More recently LAFCOs have been tasked with also overseeing the approval process for cities and districts to provide new or extended services beyond their jurisdictional boundaries by contract or agreement as well as district actions to either activate a new service or divest an existing service. LAFCOs generally exercise their regulatory authority in response to applications submitted by the affected agencies, landowners, or registered voters.

Recent CKH amendments, however, now authorize and encourage LAFCOs to initiate on their own jurisdictional changes to form, consolidate, and dissolve special districts consistent with current and future community needs. LAFCo regulatory powers are described in Table 1.1 below.

¹ CKH defines "special district" to mean any agency of the State formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. All special districts in California are subject to LAFCo with the following exceptions: school districts; community college districts; assessment districts; improvement districts; community facilities districts; and air pollution control districts.

Table 1-1: LAFCo's Regulatory Powers

Regulatory Powers Granted by Government Code (G.C.) Section 56301	
• City Incorporations / Disincorporations	• City and District Annexations
• District Formations / Dissolutions	• City and District Detachments
• City and District Consolidations	• Merge/Establish Subsidiary Districts
• City and District Outside Service Extensions	• District Service Activations / Divestitures

Planning Responsibilities

LAFCos inform their regulatory actions through two central planning responsibilities: (a) making sphere of influence (“sphere”) determinations and (b) preparing municipal service reviews. Sphere determinations have been a core planning function of LAFCos since 1971 and effectively serve as the Legislature’s version of “urban growth boundaries” with regard to cumulatively delineating the appropriate interface between urban and non-urban uses within each county. Municipal service reviews, in contrast, are a relatively new planning responsibility enacted as part of CKH and are intended to inform – among other activities – sphere determinations. The Legislature mandates, notably, all sphere changes as of 2001 be accompanied by preceding municipal service reviews to help ensure LAFCos are effectively aligning governmental services with current and anticipated community needs.

1.2 MUNICIPAL SERVICE REVIEWS

Municipal service reviews were a centerpiece to CKH’s enactment in 2001 and are comprehensive studies of the availability, range, and performance of governmental services provided within a defined geographic area. LAFCos generally prepare municipal service reviews to explicitly inform subsequent sphere determinations. LAFCos also prepare municipal service reviews irrespective of making any specific sphere determinations in order to obtain and furnish information to contribute to the overall orderly development of local communities. Municipal service reviews vary in scope and can focus on a particular agency or governmental service. LAFCos may use the information generated from municipal service reviews to initiate other actions under their authority, such as forming, consolidating, or dissolving one or more local agencies.

All municipal service reviews – regardless of their intended purpose – culminate with LAFCos preparing written statements addressing seven specific service factors listed under G.C. Section 56430. This includes, most notably, infrastructure needs or deficiencies, growth and population trends, and financial standing. The seven mandated service factors are summarized in the following table.

Table 1-2: Mandatory Determinations

Mandatory Determinations / Municipal Service Reviews (Government Code Section 56430)
1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to affected spheres of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status and opportunities for shared facilities.
6. Accountability for community service needs, including structure and operational efficiencies.
7. Matters relating to effective or efficient service delivery as required by LAFCo policy.

1.3 MARIN LAFCO COMPOSITION

Marin LAFCo is governed by a 7-member board comprised of two county supervisors, two city councilmembers, two independent special district members, and one representative of the general public. Each group also gets to appoint one “alternate” member. Each member must exercise their independent judgment, separate from their appointing group, on behalf of the interests of all residents, landowners, and the public. Marin LAFCo is independent of local government and employs its own staff. Marin LAFCo’s current commission membership is provided below in Table 1-3.

Table 1-3: Marin LAFCo Commission Membership

Name	Position	Agency Affiliation
Sashi McEntee, Chair	City	<i>City of Mill Valley</i>
Craig Murray, Vice Chair	Special District	<i>Las Gallinas Valley Sanitary District</i>
Damon Connolly	County	<i>District 1 Supervisor</i>
Judy Arnold	County	<i>District 5 Supervisor</i>
Sloan Bailey	City	<i>Town of Corte Madera</i>
Lew Kious	Special District	<i>Almonte Sanitary District</i>
Larry Loder	Public	<i>Commission</i>
Chris Skelton	Public Alternate	<i>Commission</i>
Tod Moody	Special District Alternate	<i>Sanitary District #5</i>
Barbara Coler	City Alternate	<i>Town of Fairfax</i>
Dennis Rodoni	County Alternate	<i>District 4 Supervisor</i>

Marin LAFCo offices are located at 1401 Los Gamos Drive, Suite 220 in San Rafael. Information on Marin LAFCo’s functions and activities, including reorganization applications, are available by calling (415) 448-5877 by e-mail to staff@marinlafco.org or by visiting www.marinlafco.org.

2.0 EXECUTIVE SUMMARY

This study represents Marin LAFCo’s scheduled regional municipal service review of local agencies in the Tiburon Peninsula region of southern Marin County. The underlying aim of the study is to produce an independent assessment of municipal services in the region over the next five to ten years relative to the Commission’s regional growth management duties and responsibilities. The information generated as part of the study will be directly used by the Commission in (a) guiding subsequent sphere of influence updates, (b) informing future boundary changes, and – if merited – (c) initiating government reorganizations, such as special district formations, consolidations, and/or dissolutions.

2.1 AFFECTED PUBLIC AGENCIES

This report focuses on seven agencies operating in the Tiburon Peninsula Region as listed below and shown in Figure 2.1.

Table 2-1: Tiburon Peninsula Regional MSR Agencies

Tiburon Peninsula Agency Names
City of Belvedere
Town of Tiburon
Sanitary District No. 5
Tiburon Fire Protection District
Strawberry Recreation District
CSA No. 29 (Paradise Cay)
Flood Control Zone 4/4a

Together, these agencies provide a range of municipal services to the communities in which they serve, including:

Water

Water services include the access to, treatment of and distribution of water for municipal purposes. An in-depth review of countywide water services was prepared by Marin LAFCo in 2016.

Wastewater

Wastewater services include the collection, transmission, and treatment of wastewater. An in-depth review of wastewater services in the central Marin County was prepared by Marin LAFCo in 2017. The agencies included in this study were Central Marin Sanitation Agency, County Sanitary District No. 1, County Sanitary District No. 2, Las Gallinas Valley Sanitary District, Murray Park Sewer Maintenance District, San Rafael Sanitation District, and San Quentin Village Sewer Maintenance District.

Fire Protection and Emergency Services

Fire protection and emergency services consist of firefighting and fire prevention, emergency medical response, hospital service, ambulance, and rescue services. These services are somewhat interrelated in nature and overlap in functional application.

Parks and Recreation Services

Parks and recreation services include the provision and maintenance of parks and recreation services.

Open Space Management

Open Space land is commonly set aside for recreation and stormwater management purposes, as well as for natural resource protection, preservation of cultural and historic resources, preservation of scenic vistas, and many other reasons.

Channel Maintenance

Channel maintenance includes periodic dredging of creek channels.

Roadway Services

Roadway services include construction, maintenance, planning of roads, and roadway lighting.

2.2 PLANS, POLICIES, STUDIES

Key references and information sources for this study were gathered for each district considered. The references utilized in this study include published reports; review of agency files and databases (agendas, minutes, budgets, contracts, audits, etc.); Master Plans; Capital Improvement Plans; engineering reports; EIRs; finance studies; general plans; and state and regional agency information (permits, reviews, communications, regulatory requirements, etc.). Additionally, the LAFCo Executive Officer and Policy Analyst contacted each agency with requests for information.

The study area for this MSR includes communities within the City/Town as well as unincorporated areas adjacent to the city. In the areas entirely outside of the City, Marin County has the primary authority over local land-use and development policies (and growth). The City of Belvedere and Town of Tiburon have authority over land use and development policies within the City/Town. City, County, and Community plans were vital for the collection of baseline and background data for each agency. The following is a list of documents used in the preparation of this MSR:

- City and County General Plans
- Specific Plans
- Community Plans
- Agency databases and online archives (agendas, meeting minutes, website information)

2.3 AGENCY AND PUBLIC PARTICIPATION

Within the approved scope of work, this study has been prepared with an emphasis in soliciting outside public review and comment as well as multiple opportunities for input from the affected agencies. This included an agency startup meeting with Marin LAFCo, information requests sent to individual agencies, draft agency profiles also sent to agencies, and review of the draft report prior to Commission action.

This MSR is posted on the Commission’s website (www.marinlafco.org). It may also be reviewed at the LAFCo office located at 1401 Los Gamos Drive, Suite 220 in San Rafael during open hours.

Table 2-2: Tiburon Peninsula Regional Agencies’ Meeting Information

Tiburon Peninsula Municipal Service Review – Agency Transparency					
Agency	Governing Body	Meeting Date/Time	Meeting Location	Televised/Streaming	Website
Town of Tiburon	Town Council	1 st and 3 rd Wednesday at 7:30 p.m.	Tiburon Town Hall Council Chambers 1505 Tiburon Blvd, Tiburon, CA 94920	N/A	https://www.townoftiburon.org/163/Town-Council
City of Belvedere	City Council	2 nd Monday at 6:30 p.m.	Belvedere City Hall Council Chambers 450 San Rafael Avenue Belvedere, CA 94920	N/A	https://www.cityofbelvedere.org/95/City-Council
Tiburon Fire Protection District	Board of Directors	2 nd Wednesday at 6:30 p.m.	TFPD Headquarters 1679 Tiburon Blvd. Tiburon, CA 94920	N/A	https://www.tiburonfire.org/board-of-directors/
Sanitary District No. 5	Board of Directors	3 rd Thursday at 5:00 p.m.	SD5 Main Plant 2001 Paradise Drive Tiburon, CA 94920	N/A	https://www.sani5.org/about/board
Strawberry Recreation District	Board of Directors	2 nd Tuesday at 6:30 p.m.	SRD 1 st Floor Mtg Room 118 E. Strawberry Drive Mill Valley, CA 94941	N/A	https://strawberry.marin.org/about_directors
County Service Area 29	Advisory Board	Twice per year or as needed	Tiburon Yacht Club 400 Trinidad Drive Tiburon, CA 94920	N/A	https://www.marincounty.org/depts/pw/divisions/public-services/county-service-areas?tabnum=1
Flood Control Zone 4/4A	Advisory Board	Once per year or more as needed	County of Marin Civic Building 3501 Civic Center Drive - Suite 329, San Rafael, CA 94903	N/A	https://www.marinwatersheds.org/flood-protection/flood-control-zones#undefined3

2.4 WRITTEN DETERMINATIONS

The Commission is directed to prepare written determinations to address the multiple governance factors enumerated under G.C. Section 56430 anytime it prepares a municipal service review. These determinations are similar to findings and serve as independent statements based on information collected, analyzed, and presented in this study's subsequent sections. The underlying intent of the determinations is to identify all pertinent issues relating to the planning, delivery, and funding of municipal services as it relates to the Commission's role and responsibilities. An explanation of these seven determination categories is provided below.

1. Growth and Population

This determination evaluates existing and projected population estimates for the City of Belvedere, Town of Tiburon, and the adjacent unincorporated communities within the study area.

2. Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence.

This determination was added by Senate Bill (SB) 244, which became effective in January 2012. A disadvantaged community is defined as an inhabited community of 12 or more registered voters having a median household income of 80 percent or less than the statewide median household income.

3. Capacity and Infrastructure

Also discussed is the adequacy and quality of the services provided by each agency, including whether sufficient infrastructure and capital are in place (or planned for) to accommodate planned future growth and expansions.

4. Financing

This determination provides an analysis of the financial structure and health of each service provider, including the consideration of rates and service operations, as well as other factors affecting the financial health and stability of each provider. Other factors considered include those that affect the financing of needed infrastructure improvements and compliance with existing requirements relative to financial reporting and management.

5. Shared Facilities

Opportunities for districts to share facilities are described throughout this MSR. Practices and opportunities that may help to reduce or eliminate unnecessary costs are examined, along with cost avoidance measures that are already being utilized. Occurrences of facilities sharing are listed and assessed for more efficient delivery of services.

6. Government Structure and Local Accountability

This subsection addresses the adequacy and appropriateness of existing boundaries and spheres of influence and evaluates the ability of each service provider to meet its demands under its existing government structure. Also included is an evaluation of compliance by each provider with public meeting and records laws (Brown Act).

7. Other Matters Related to Effective or Efficient Service Delivery, as Required by Commission Policy

Marin LAFCo has specified the sustainability of local agencies as a priority matter for consideration in this MSR. Sustainability is not simply about the environment but can consider the sustainability of an organization and its ability to continue to provide services efficiently for many years to come. Sustainable local governments that take practical steps to protect the environment and our natural resources through land conservations, water recycling and reuse, preservation of open space, and opting to use renewable energy are the key players in determining the sustainability of the region.

In addition, other matters for consideration could relate to the potential future SOI determination and/or additional effort to review potential advantages or disadvantages of consolidation or reorganization.

A summary of determinations regarding each of the above categories is provided in Chapter 3 of this document and will be considered by Marin LAFCo in assessing potential future changes to an SOI or other reorganization.

3.0 DETERMINATIONS

1. Growth and population projections for the affected area.

a) Projected growth in the study area is expected to be minimal. The Tiburon population is expected to increase to a total population of 9,500² by 2030, a .32% annual growth rate. The Belvedere population is expected to increase to a total population of 2,200³ by 2030, a .47% annual growth rate.

b) The expected population and growth rate in unincorporated spaces around the study area is all fairly minimal. The communities of Paradise Cay and Strawberry are predominantly built out, with little relative future development potential, while areas along Paradise Drive have modest development potential at best due to adverse topography and a history of lengthy development processes.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) There are no identified DUCs within the study area.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) As noted above, there are no unincorporated communities within the study area that have been identified as disadvantaged.

4. Financial ability of agencies to provide services.

a) The City of Belvedere, Town of Tiburon, Tiburon Fire Protection District, Strawberry Recreation District, Sanitary District No. 5, CSA 29, and Marin County Flood Control and Water Conservation District Zone 4/4a all prepare annual budgets and prepare financial statements in accordance with established governmental accounting standards. The City Council, Town Council, TFPD, SRD, and SD5 Boards, and the County Board of Supervisors, acting as the Board for the Marin County Flood Control and Water Conservation District, may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities.

² [Town of Tiburon General Plan, Pg. 34](#)

³ [City of Belvedere General Plan, Pg. 11](#)

Expenditures may not exceed appropriations at the fund level, which is the legal level of control.

b) The City Manager, Town Manager, Fire Chief, Special District General Managers, and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments or funds under certain circumstances, however; the City Council, Town Council, Special District Boards, and County Board of Supervisors must approve any increase in the operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for each agency by independent certified public accounting firms.

c) While additional revenues are needed to provide some services and maintain infrastructure covered in this MSR, the agencies meet their financial responsibilities to provide services.

5. Status of, and opportunities for, shared facilities.

a) Though currently outside of Tiburon Fire Protection District's jurisdictional boundary, TFPD consistently finds itself handling initial response duties for both fire and medical calls on Angel Island. With no stationed equipment or facility on the island, the opportunity presents itself for both/either CSA 31 and/or the Town of Tiburon to erect a structure in order to store necessary emergency response equipment that can be accessed by the responding agency.

6. Accountability for community service needs, including governmental structure and operational efficiencies.

a) Tiburon Fire Protection District and the City of Belvedere may consider formal annexation of the City of Belvedere into the District. At this time, the City contracts with the District for both fire and emergency medical response services. With no foreseeable plans for the City to create those municipal services of its own, annexation would allow the residents of Belvedere to vote for representation on the District's Board of Directors. A working group should be formed by LAFCo to help determine what is in the best interest both the City and District along with the general public.

b) Strawberry Recreation District and the County of Marin may consider the creation of a new County Service Area in order to remove dredging operations from the District's oversight and administration as it is not a listed function of a recreation district according to State Government Code. A working group should be formed by LAFCo to help facilitate further discussions as to what is in the best interest of the Recreation District along with the members of the area needing dredging.

c) CSA 29 may consider a collaborative bidding process with the other county service areas that do dredging specific services throughout Marin County in an effort to realize overall cost savings on dredging operations by contracting with a larger vendor that may otherwise have been unwilling to bid on single small-scale projects.

d) At this time, Angel Island is currently designated as California State Parkland, is a part of Incorporated Tiburon, and is in the jurisdictional boundary of CSA 31. Despite this multiple agency oversight of the land, calls for service, especially medical emergencies, oftentimes fall to Tiburon Fire Protection District simply as a matter of physical proximity in response time. Angel Island is not currently within the jurisdictional boundary of TFPD. From 2007-2018, TFPD incurred just over \$1.9 million in costs to service Angel Island calls, with an average annual cost of \$173,370. Despite multiple attempts to recoup the costs for services rendered, to this point the District has been unsuccessful. Future emergency medical and fire services to Angel Island should be addressed through planning and consideration of long-term reorganization options. A LAFCo working group should be established with representation from each agency, other local stakeholders, and local decision-makers to lead this process. Such a working group could consider options to help ensure the future efficiency and accountability of emergency services to Angel Island.

7. Any other matter related to effective or efficient service delivery, as required by commission policy

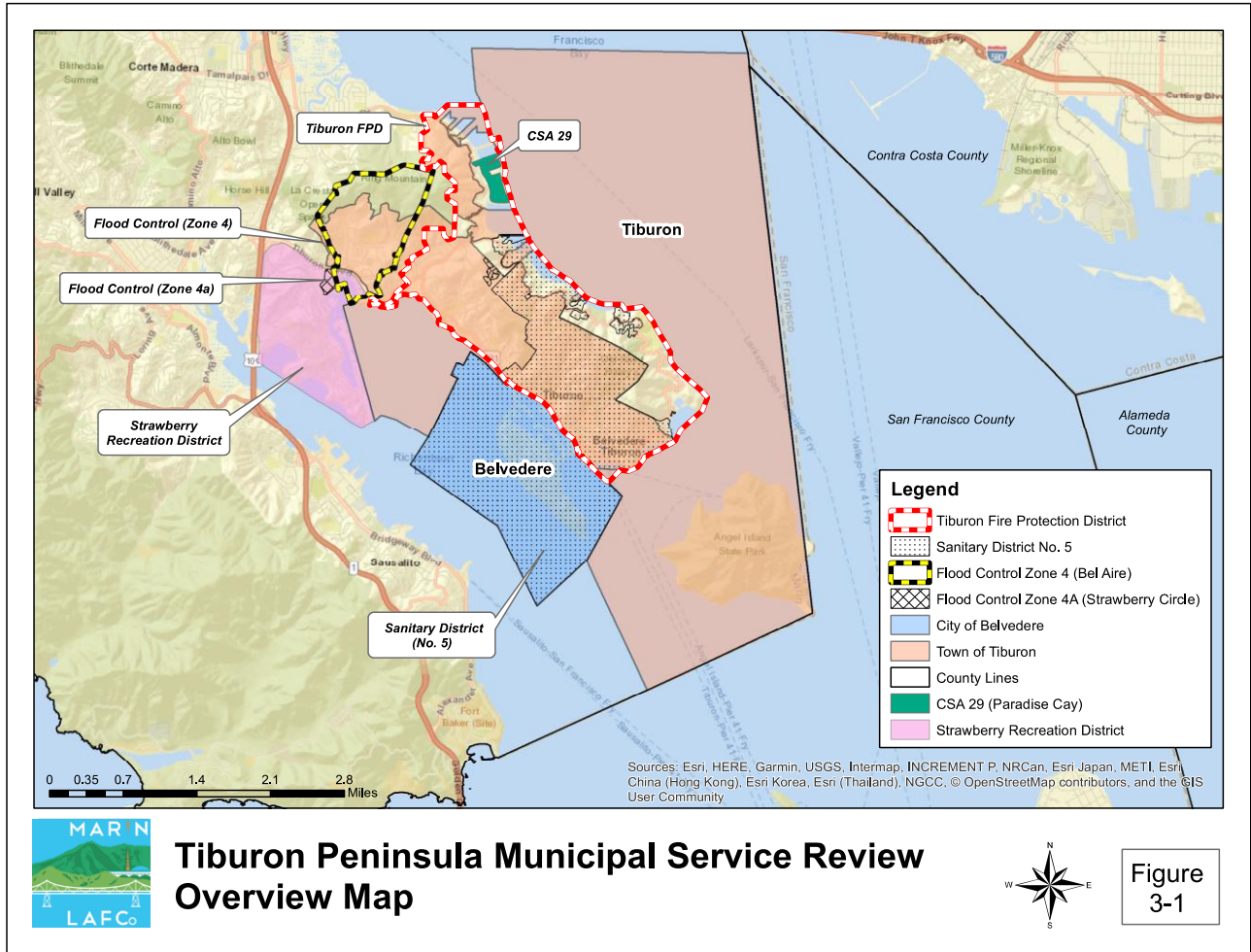
a) Within and adjacent to the Town of Tiburon are areas completely surrounded by Town jurisdiction and therefore considered to be “unincorporated islands”. Marin LAFCo encourages unincorporated island annexations to the Town of Tiburon when there is resident interest. Whenever applicable, Marin LAFCo will consider making amendments to annexation proposals involving affected lands to further reduce and/or eliminate islands to provide more orderly boundaries and cost-efficiencies.

b) The City of Belvedere and the Town of Tiburon may consider addressing the current jurisdictional boundary along the Boardwalk and Corinthian Island areas. While not technically splitting any parcels, the boundary currently splits through buildings that encompass a shopping center as well as an apartment complex, which is highly irregular. Currently, sales tax in the shopping center is divided between the two municipalities depending upon which side of the boundary the business’s cash register physically resides.

c) The Paradise Drive area contains multiple instances of irregular jurisdictional boundary issues between the Town of Tiburon and the County of Marin. A working group should be formed by LAFCo with representation from each agency to address both the current areas of irregularity, as well as the long-term planning model for how to address a road that goes between County and Town of Tiburon jurisdictions.

4.0 REGIONAL SETTING

Figure 4-1: Tiburon Peninsula Municipal Service Review Overview Map



The Municipal Service Review (MSR) study area consists of Marin County’s southeastern peninsula serving the Tiburon, Belvedere, and Strawberry communities. Seven public agencies, including Flood Control Zones (FCZ), are included (See Figure 4.1). Additionally, there are a handful of agencies that serve small pockets within the region that are not reviewed in this document but are either scheduled to be reviewed in upcoming MSRs or have been recently reviewed by previous MSRs. These agencies include Southern Marin Fire Protection District, Richardson Bay Sanitary District, Sanitary District No. 2, and Sewerage Agency of Southern Marin.

Many distinct communities lie within and adjacent to the Tiburon Peninsula study area. These communities are served by a number of municipal service providers that have been established

over time to meet local conditions and needs. While jurisdictional boundaries define the geographical extent of an agency’s authority and responsibility to provide services, there are several instances of overlapping boundaries and service responsibilities in the study area. These service arrangements and relationships for providing fire protection, parks and recreation, open space management, and other municipal services within the study area are described in this report.

Within the study area, all incorporated and unincorporated communities are within the current boundary or service area of fire protection and emergency medical service providers. The only developed areas not provided sanitary sewer service are some parcels in unincorporated portions along Paradise Drive. The Marin Municipal Water District provides water for domestic use and fire-flow to the entire Tiburon Peninsula study area.

West of the study area is the City of Sausalito and the City of Mill Valley. To the north of the study area is the Town of Corte Madera. To the east and south of the study area lies the San Francisco Bay.

4.1 UNINCORPORATED ISLANDS

The State Legislature has recognized that pockets of unincorporated territory that are surrounded or substantially surrounded by incorporated cities, typically known as “islands”, create governance and service delivery inefficiencies and deficiencies. Marin LAFCo’s Unincorporated Island policy encourages annexations of islands to cities, where supported by the island community, to further reduce and/or eliminate islands to provide more orderly local governmental boundaries and cost-efficiencies. However, Marin LAFCo will not independently proceed with an entire island annexation to a municipality where local residents have voiced opposition.

There is one unincorporated island in the Tiburon Peninsula region: The Paradise Drive Community. This community is described in more detail in the discussion below. While the Community of Strawberry is unincorporated, it is surrounded by multiple jurisdictions including the Town of Tiburon, the City of Mill Valley, and the Town of Corte Madera. Additionally, the community carries the denotation of a Census Designated Place (CDP) and is not within the sphere of influence of any of the jurisdictions by which it is surrounded. It was most recently removed from the Town of Tiburon’s sphere of influence in 2004 after consensus was reached by Marin LAFCo that annexation of the community by the Town of Tiburon carried a high likelihood of overwhelming the Town’s municipal services as it would nearly double the current population.

Paradise Drive

The Paradise Drive Community is an island of unincorporated territory located along the east side of the Tiburon Peninsula from the top of the Tiburon Ridge to the bay shore. The area encompasses approximately 900 acres. The east side of the peninsula faces northeast toward San Francisco Bay with views toward the Richmond-San Rafael Bridge and Contra Costa County. The shoreline is characterized by coves and small beaches. Steep wooded hills rise from the shoreline to grasslands at the top of the Tiburon Ridge.

The community spawned in the early 20th century with the first subdivisions being developed in 50's and 60's. There is a difference in visual character of the community north and south of Trestle Glen Boulevard. The area north of Trestle Glen is characterized by open hillsides with little tree cover and a denser pattern of development than the area south of Trestle Glen. Paradise Cay, a water-oriented shoreline community built in the 1960's, is located north of Trestle Glen. San Francisco State University's Romberg Center for marine research is located near the shore as is the County Paradise Beach Park.

The area is served by one narrow winding two-lane road, Paradise Drive. There are steep slopes on either side of the road. The residential areas on both sides of Paradise Drive are served by narrow, steep, rural roadways, some of which are maintained by the County of Marin or the Town of Tiburon and some of which are private roads and driveways. According to Marin County's Paradise Drive Visioning Plan⁴, residents would like to limit the bulk and mass of new structures and encourage a rural style of design. They also want to preserve the rural wooded environment, visual access to the Bay, and a pattern of rural residential development.

⁴ [Marin County Paradise Drive Visioning Plan. September 28, 1998. Pg. 3](#)

5.0 CITY OF BELVEDERE

5.1 OVERVIEW

The City of Belvedere is located 11 miles north of San Francisco in Marin County and is surrounded by the Richardson Bay, San Francisco Bay, and the Town of Tiburon. Seated just across the Richardson Bay from Sausalito, Belvedere maintains a comfortable temperate climate throughout the year. The City encompasses 2.4 Square Miles and has a population of 2,126, making it the 11th most populous city⁵ (not including census designated places) in Marin County.

Belvedere provides its residents with the municipal services of police, road maintenance, storm drain maintenance, and parks and recreation (in partnership with the Town of Tiburon). Water, wastewater, fire protection and emergency services are provided by several special districts. See *Municipal Services* Section below.

Table 5-1: City of Belvedere Overview

City of Belvedere Overview
City Manager: Craig Middleton
Main Office: 450 San Rafael Ave, Belvedere, CA 94920
Formation Date: 1896
Services Provided: Police, Parks & Recreation, Library, Road Maintenance and Construction
Population Served: 2,126
Budget: \$9,276,626

5.2 JURISDICTIONAL BOUNDARY

Incorporation and City Boundary

Prior to being incorporated in 1896, Belvedere's earliest inhabitants were fishery workers brought to the shores by an entrepreneur named Israel Kashow. The fishery famously produced dried codfish and cod liver oil. With this early industrial endeavor, in combination with the land ownership by the Belvedere Land Company, by the time of incorporation there were already numerous structures, a water system, roads, and other amenities available in the area. Population growth stemmed in the early years after World War 2 when Harry B. Allen, owner of the Belvedere Land Company, began dredging in order to create the Lagoon area.

This allowed for the expansion of housing sites directly on the water of the Lagoon. With the close proximity to San Francisco and its desirable temperate climate, Belvedere was relatively quickly built out within its boundaries. Today, the City of Belvedere's jurisdictional boundary is 2.4 square miles, with roughly 20% of this being land and 80% being the Richardson Bay and San Francisco Bay⁶.

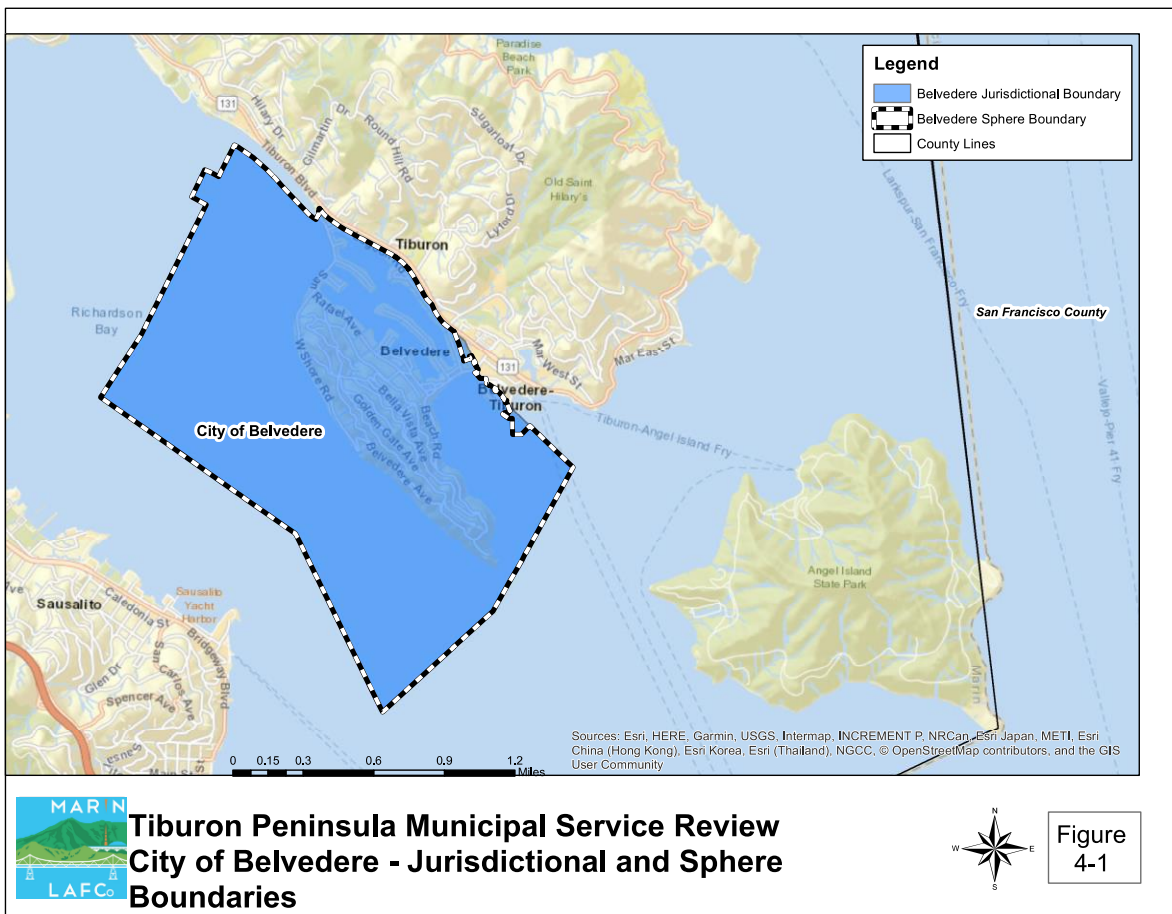
⁵ [Bay Area Census, Decennial Census Data](#)

⁶ [Marin Map Viewer, Cities](#)

Sphere of Influence

The City of Belvedere’s Sphere of Influence (SOI) is coterminous to its jurisdictional boundary. The SOI was last updated by LAFCo in 2004. The boundary between the City of Belvedere and the Town of Tiburon splits through the shopping area on the Boardwalk, as well as through Corinthian Island. The boundary in this area has been acknowledged as disorderly⁷ and recommendations to correct the boundary were originally made in a 1971 independent study done by the consulting firm of Livingston and Blaney. The recommendations to amend both the jurisdictional boundary and the sphere of influence were made again in 2004 by Marin LAFCo staff. The negotiations to correct the boundary between the City of Belvedere and the Town of Tiburon have not been successful up to this point, and there is no record of any recent discussions on the matter.

Figure 5-1: City of Belvedere Boundaries



5.3 POPULATION AND GROWTH

The City of Belvedere is essentially built out at this time. The City population has seen a slight decline each year from 2014-2017⁸ (2140 – 2126). With the City having averaged less than 2 new

⁷ Marin LAFCo. *Southern Marin Service Review and Sphere of Influence Update. April 26, 2004. Pg. 75*

⁸ United States Census Bureau. *Quickfacts City of Belvedere. Population estimates. July 1, 2018*

housing permits per year since 1990, combined with the high cost of property in the area, the current projection is for population number to be fairly stagnant into the foreseeable future.

5.4 LAND USE AND GEOGRAPHIC FACTORS

When reviewing municipal services and making a sphere determination, LAFCo evaluates current and future land uses in the area, including agriculture and open space.

Land Use

Belvedere's General Plan 2030 serves as the key visioning document for the City's desired land use and related management policies. The primary land use designations within city limits include Single Family Residential (21%), Open Space (.6%), Multi-Family Residential (.9%), Public Parks/Recreation (.5%), Offices/Commercial (.2%), and undeveloped (.4%)⁹. The majority of the area within the City's boundaries is water (76.6%).

Open Space

The majority of the open space uses in Belvedere are related to the San Francisco Bay and the Richardson Bay. Much of the open space falls within the policies set forth in the Richardson Bay Special Area Plan (RBSAP). The RBSAP includes policies for aquatic and wildlife resources, water quality, navigation channels/marinas/anchorage, dredging and spoils disposal, residential vessels and floating structures, public access, and tidal restoration/marsh enhancement.

5.5 ORGANIZATION STRUCTURE

Governance

Belvedere is a general law city operating under a council-manager form of government, in which legislative and policy functions are vested in the City Council while the City manager conducts the day to day city business. The City Council is comprised of 5 members. Mayor and Vice-Mayor are chosen by a vote of the Council. All members serve 4-year terms.

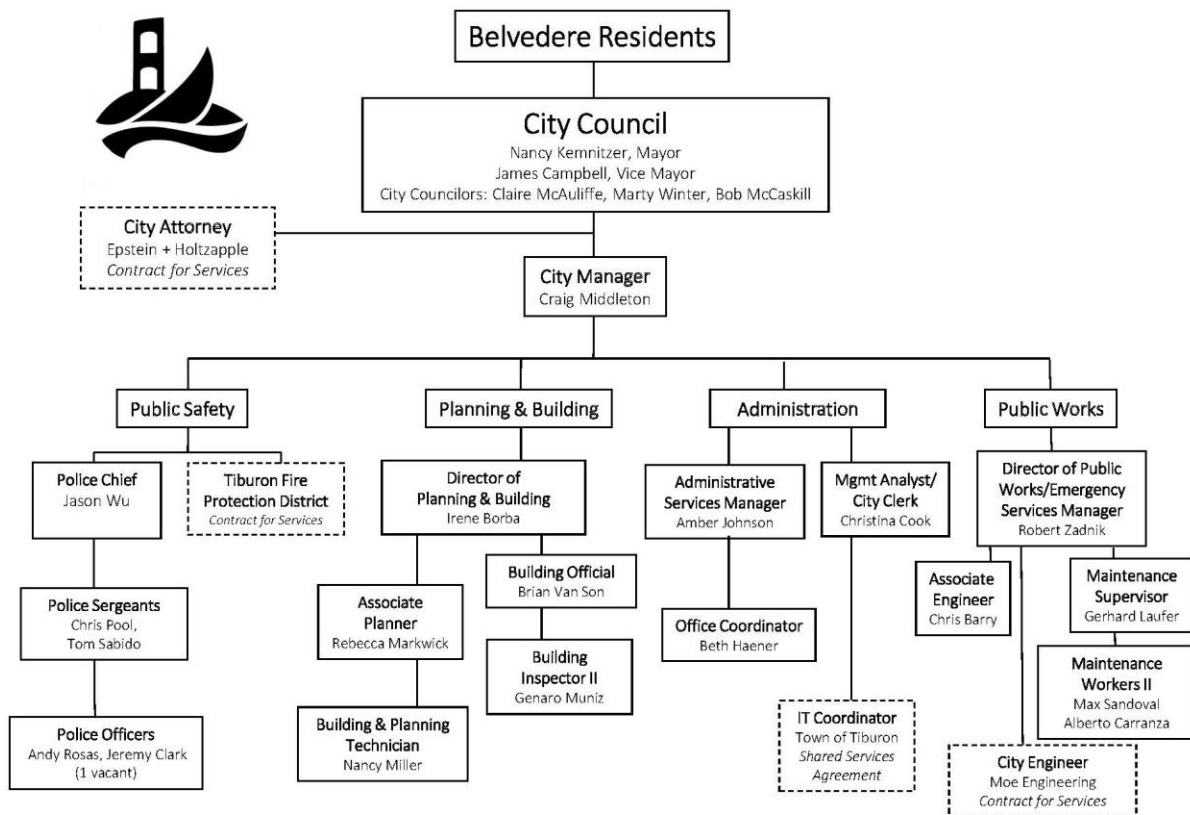
City Council duties include establishing legislation and policies governing the City; adopting all ordinances, resolutions and major contracts; approving and modifying annual budgets; making appointments to advisory boards; commission and committees; and appointing the City manager. City Council meetings are regularly scheduled for the second Monday of each month at 6:30pm in the Belvedere City Hall Council Chambers located at 450 San Rafael Avenue.

⁹ [City of Belvedere. General Plan 2030, Land Use Element. 2010. Pg. 17](#)

Administration

The City Manager is appointed by the City Council and is responsible for City operations management and policy implementation on behalf of the City Council. The City Manager is an at-will employee and administers the City of Belvedere’s departments. The Current staffing level is 21 Full-Time Equivalent (FTE) employees. The City’s organization chart¹⁰ can be seen below.

Figure 5-2: City of Belvedere Organization Chart



5.6 ACCOUNTABILITY AND TRANSPARENCY

When conducting service reviews and reviewing proposals, LAFCo considers an agency’s accountability for community service needs, including governmental structure, operational efficiencies, financial resources, and promoting public access. The City offers multiple ways to keep citizens informed about services, meetings, finances, and decision-making processes. Public notices are posted on the website. Past meeting agendas and meeting minutes can be found in the Agenda and Minutes section of the City’s website. The public may also provide verbal comments or concerns by phone or in person at City Hall during business hours and/or at City Council meetings during the public comment period.

¹⁰ [City of Belvedere Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. ix](#)

5.7 MUNICIPAL SERVICES

Belvedere provides a range of municipal services such as police, parks and recreation, road maintenance, and library services. The City also partners with outside agencies for the provision of certain municipal services including water treatment and distribution, wastewater collection/treatment and disposal, garbage collection, and fire/paramedic response.

Fire and Emergency Response

Fire related services are provided by contract by the Tiburon Fire Protection District. The District provides Belvedere a full range of services, including fire protection, fire investigation, emergency medical services, vegetation management, hazardous materials response, and fire prevention services. Projected expenditures for FY 2019/20 are \$1.7 million (20% of the City of Belvedere General Fund expenditures), up from \$1.53 million approved for the previous year. A full report on the District can be found in this municipal service review in Chapter 7.

Law Enforcement

The City of Belvedere provides law enforcement and dispatch services to all areas within the City limits. The Belvedere Police Department is located on the lower level of City Hall, at 450 San Rafael Avenue in Belvedere.

Projected expenditures for FY 2019/20 are \$1.9 million (20% of the General Fund expenditures), similar to the 2018/19 adopted budget. The Police Department employs 14 full-time equivalents (FTE) positions, including 7 sworn officers. This equates to 3.29 full-time sworn officers per 1,000 population. The national average in 2016 (most recent data available) was 2.17 full-time sworn officers per 1,000 population.

Table 5-2: City of Belvedere Police Department Service Indicators

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Calls for Service	3179	4055	4407	5831	5299	6182	4715	4287	4423	6087
Arrests	21	26	33	27	18	10	10	15	10	8
Parking Violations	242	178	155	183	236	232	427	571	386	270
Traffic Violations	86	135	136	129	86	98	82	56	47	12

Over the last 10 years, the Belvedere Police calls for service have nearly doubled, while arrests have been cut by over 50%¹¹. Over the same time span, parking violations have seen a slight increase, while traffic violations have seen a dramatic decline.

¹¹ [City of Belvedere Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 104](#)

Public Works

The Public Works Department's municipal service responsibilities include developing and maintaining city facilities and infrastructure; maintaining the public rights of way, performing pedestrian walkway maintenance, cleaning and maintaining storm drains, and maintaining the City's buildings and other public facilities. The department employs 4 full-time equivalent (FTE) positions and maintains 3 parks, a community playground, 13 miles of streets, 250 storm drain inlets, 17 leans, and all of the public irrigation systems.

The projected expenditures for 2019/20 are \$1.14 million (13% of the General Fund expenditures), a 22% increase from \$931,654 in the 2018/19 adopted budget. Projects completed by the department as part of their Capital Improvement Plan are funded partially by a transfer from the General Fund and the remainder by multiple other funding sources. Some of the major projects completed in FY 18/19 included:

- Golden Gate Lane project design and fundraising
- Complete replacement of City Hall roof
- Belvedere Lagoon coastal levee evaluation
- Beach Road Seawall Stabilization
- Installation of wooden retaining walls on Bayview Avenue

Some of the major projects for FY 19/20 include:

- Implementation of Fire Department and Public Works annual Fire Risk Reduction Program
- Beach Road and San Rafael Avenue levee stabilization
- Underground district project management
- Lagoon Road flood mitigation project construction
- Lanes initiative and design of new priority lane
- Installation of staff EV charging stations at City Hall

Parks and Recreation

The City of Belvedere administers its Parks and Recreation by way of a joint powers agreement with the Town of Tiburon. Upon entering the agreement in June of 1975, the JPA established the Belvedere-Tiburon Joint Recreation Committee. In 2013, the title of the JPA was changed to The Ranch. The Ranch has a governing committee that is made up of 9 members: four appointed by the City of Belvedere; four appointed by the Town of Tiburon; one member appointed by and a member of the Reed Union School District

Both the City of Belvedere and the Town of Tiburon annually contribute agreed upon amounts towards the department's main building at 600 Ned's Way in Tiburon, known as Dairy Knoll. For FY 2019-20, the City of Belvedere has made appropriations totaling \$57,800 towards liability insurance and building maintenance for the facility. The construction of the facility was completed in 2014, thanks in part to a Recreation Needs and Existing Condition Assessment Study performed by the independent firm of Godbe Research in 2011. This assessment pointed to multiple

recommendations of the building of a community center in order to better accommodate the recreation needs of the greater peninsula area. In addition to the Dairy Knoll facility, The Ranch has facility use agreements for programming at multiple locations throughout Belvedere, including Belvedere Community Center, Belvedere Park, and the Lagoon Tennis Courts.

Other than these annual contributions towards this facility, The Ranch is completely funded by program fees, fundraising, and donations, and is not supported by any sort of annual tax assessment. The programs offered in 2018 had a total number of 4435 youth participants and 10,764 adult participants. Roughly 33% of the program revenue for The Ranch comes from its after-school programming, with another 29% coming by way of the department’s popular camps that it offers. The Ranch has a total projected expense budget for FY 2019-20 of \$1,963,618.

Table 5-3: The Ranch Program Budget Summary FY 2019/20

The Ranch Program Budget Summary FY 2019/20			
	Revenue	Expense	Net
Academy	\$666,500	\$390,197	\$276,303
Adult	\$293,600	\$215,900	\$77,700
Camps	\$583,000	\$330,600	\$252,400
Other	\$431,400	\$301,200	\$130,200
Facility Rental	\$18,000	\$735	\$17,265
Subtotal	\$1,992,500	\$1,238,632	\$753,868

Water

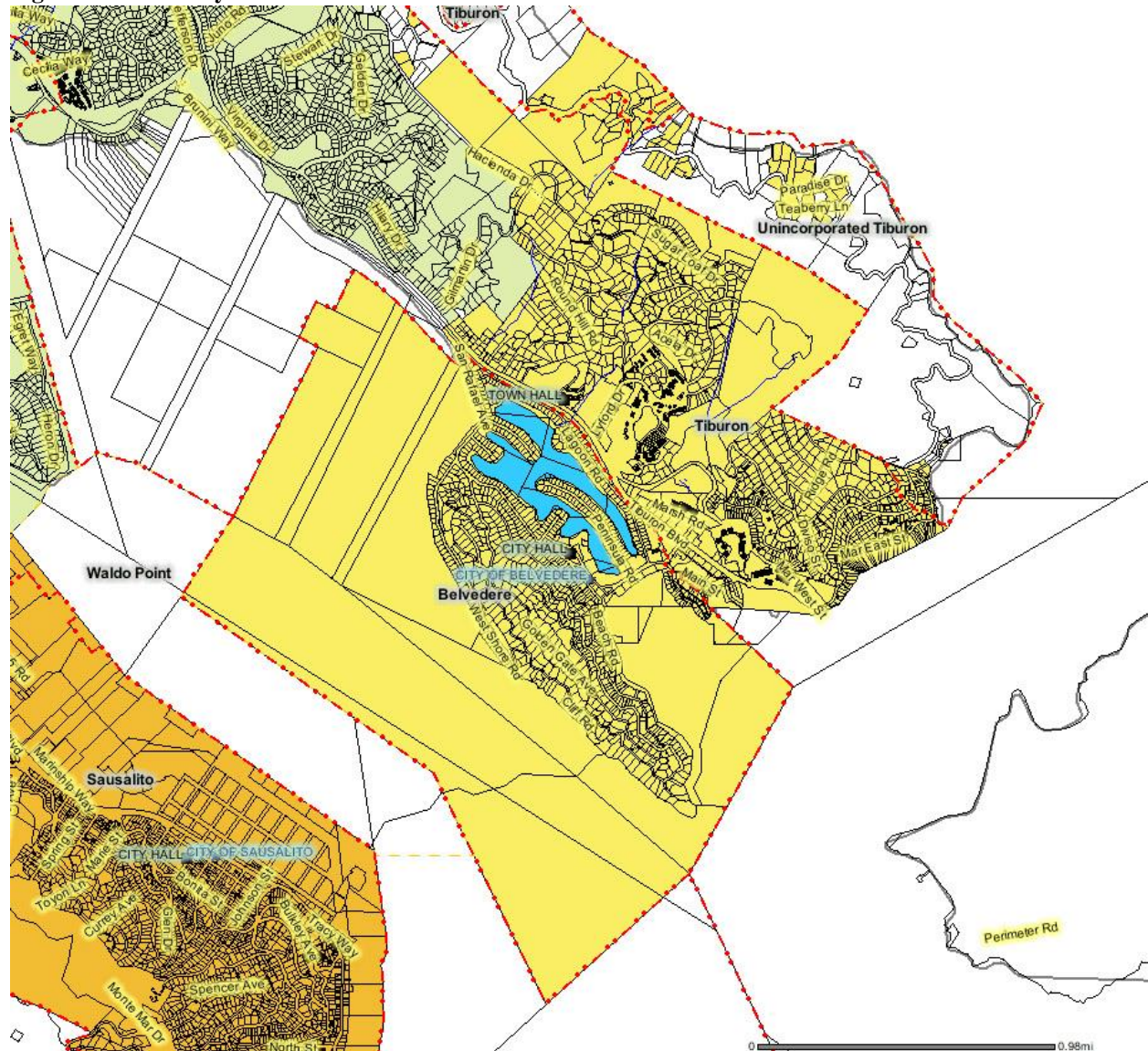
Water services to the City of Belvedere are provided by the Marin Municipal Water District (MMWD), an independent special district, which is separate from the City of Belvedere. The District’s services are reviewed separately in Marin LAFCo’s Countywide Water Service Study (2016). This study can be viewed at marinlafco.org.

MMWD’s jurisdictional boundary spans 148 square miles, of which Belvedere makes up roughly one-third of one percent. 61% of this area is unincorporated and the additional 39% lies in 10 cities/towns, including the entirety of Belvedere. MMWD is currently authorized to provide three specific services within its jurisdictional boundary: (1) domestic water; (2) non-potable water; (3) and recreation. The district’s governing board is comprised of 5 members who are elected by electoral divisions to staggered 4-year terms. The City of Belvedere is represented by electoral division 5. Larry Russell is currently the elected official holding that seat. MMWD currently meets on the first and third Tuesday of each month at 7:30pm at the District’s Administrative Office at 220 Nellan Avenue in Corte Madera.

Wastewater

Wastewater services to the City of Belvedere are provided by Sanitary District Number 5. The District receives a full review in Chapter 6 of this document. The District’s service area can be seen below in yellow.

Figure 5-3: Sanitary District No. 5 Service Area



5.8 FINANCIAL OVERVIEW

The City of Belvedere prepares an annual report on the City’s financial statements in accordance with established governmental accounting standards. The most recent audited financial statement was prepared by the independent certified accounting firm, Maze and Associates Accountancy Corporation, which issued an unqualified, or “clean” opinion on the City’s financial statements for the fiscal year ending in June 30, 2018.

The City adopts an annual budget which is effective July 1st for the ensuing fiscal year. The budget reflects estimated revenues and expenditures. Appropriations and spending authorizations are approved by the City Council. The City Council may amend the budget by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.

The City Manager is authorized to transfer budgeted amounts between accounts, departments or funds.

Revenues and Expenditures

The FY 2019-20 expenditure budget for Belvedere is \$9,276,626. This reflects all funds and operations for the City, including active capital projects. The expenditure budget is supported predominantly by a projected revenue of \$8,665,738, with the remaining difference coming from funds retained from previous periods for capital projects and prior year unallocated resources.

For the FY 2019-20, the City reports that funds for general operations are projected to be \$245,292, or 3.1% higher than those of the previous year, however, operating uses are projected to grow by a larger amount: \$568,217, or 8.1% over the previous year. This increase in both expenses and revenues does not follow any particular pattern shown in the previous five years other than revenues consistently outpacing expenses. Under the FY 2019-20 budget, funds are projected to continue to have a positive balance at fiscal year end, however, the General Fund balance is expected to decrease due to some of the larger transfers out.

In addition to municipal services in the General Fund, the annual expenditure plan includes provisions for the Richardson's Bay Regional Agency contribution, contribution to the Countywide Homeless Fund, and participation in the Tiburon Peninsula Traffic Relief JPA (Yellow Bus Challenge). The up-tick in expenditures can also be attributed to rising personnel costs, with a 3% salary increase for all employees except the City Manager. The City expects the fiscal year 2019-20 contributions made to the California Public Employees' Retirement System (CalPERS) to be \$329,482, which is on the lower end of the payments over the past 5 years.

Table 5-4: City of Belvedere Major Fund Summary

<i>Fund</i>	<i>Fund Balance 7/1/2019</i>	<i>Revenues</i>	<i>Expenditures</i>	<i>Transfers (out)/in</i>	<i>Fund Balance 6/30/2020</i>
General Fund	\$3,823,019	\$7,122,798	(\$5,631,958)	(\$1,889,221)	\$3,424,639
Fire Fund	\$0	\$923,750	(\$1,690,600)	\$766,850	\$0
Insurance Reserve Fund	\$56,804	\$0	(\$525)	\$525	\$56,804
Pension Reserve Fund	\$100,000	\$0	\$0	\$100,000	\$200,000
Pension-related Debt Obligation Fund	\$0	\$0	(\$238,044)	\$238,044	\$0
Capital Improvement Fund	\$282,000	\$416,500	(\$1,287,411)	\$588,911	\$0
Road Impact Fee Fund	\$30,508	\$185,000	(\$320,000)	\$104,492	\$0
Measure A Parks Fund	\$0	\$17,089	(\$17,089)	\$0	\$0
Equipment Replacement Fund	\$0	\$600	(\$91,000)	\$90,400	\$0
Total City Funds	\$4,292,331	\$8,665,738	(\$9,276,626)	\$0	\$3,681,443

The City derives revenue from several sources. Primary revenue sources include property tax (66%), fire tax (11%), and capital improvements (7%). Other revenues include service charges, licenses, and non-property tax

General Fund

The General Fund spending for the current fiscal year is estimated to be \$5.6 million. This fund accounts for most of the general operations of the City and major services to residents and businesses (such as police, planning, building, public works, and recreation)

Table 5-5: City of Belvedere General Fund Budget FY 2019/20

<i>Preliminary FY 19/20 General Fund Budget</i>		
Revenues		\$7,122,798
Expenses	(\$5,631,958)	
Total Transfers Out	(\$1,889,221)	
Expenses Plus Transfers Out		(\$7,521,179)
Surplus/(Deficit)		(\$398,380)

Debt

The City generally incurs long-term debt to finance projects or purchase assets which will have useful lives equal to or greater than the related debt. High debt levels can overburden a municipality, while low debt levels may indicate underutilized capital investment capacity. The totality of the City's debt obligations for the fiscal year ended June 30, 2018, are \$2,595,000. This debt was incurred in an effort to refinance a large apportionment of its CalPERS pension obligations.

“In August 2017, the City entered into a site and facility lease with the Belvedere Public Financing Authority (Authority) whereby the City leased its corporation yard and adjacent parking lot to the Authority, and the Authority, in turn, leased the property back to the City where the City agreed to make semi-annual lease payments to the Authority. The Authority subsequently assigned the lease to ZB, National Association (Purchaser). The Purchasers paid the Authority \$2,655,000 which the Authority remitted to the City as an advance rental on the lease agreement, for the City to use to refinance a portion of its unfunded actuarial accrued liability with respect to the City's pension obligations, and to pay for costs related to the preparation, execution, and delivery of the lease agreement, site and facility lease and the assignment agreement.

Using the proceeds from the capital lease, the City remitted \$2,600,000 to the California Public Employees' Retirement System (CalPERS) in payment of the pension obligations, and the remaining \$55,000 was used to pay costs of issuance. The lease revenue bonds accrue interest at 4.46% per annum, and principal and interest payments are due semi-annually on March 1 and September 1, through September 1, 2032, and are payable from the general funds of the City.”¹²

The City also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the City's Net Pension Liability was \$4,645,998. The Town's pension funded ratio is currently 39.45%. In addition to the pension plan, the Town provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2018, the Town carried a net OPEB liability of \$1,229,000. The Town currently has 34 employees, both active and inactive, in its OPEB plan.¹³

Reserves

The City of Belvedere has established a policy of maintaining a General Fund reserve equal to 50% of annual operating expenses plus the General Fund transfer to the Fire Fund. For FY 2019-20, this would equate to \$3,199,404. If revenues are received and funds expended as projected, the reserve policy should exceed its goal by 4% and reach \$3,424,639.

¹² [City of Belvedere Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 40](#)

¹³ [Marin County Local Government Reform of Pensions and Other Post-Employment Benefits. September 13, 2019. Pg. 48-56](#)

5.9 SUSTAINABILITY

In April of 2011, the City of Belvedere adopted its Climate Action Plan, assessing its “footprint” and proposed policies and programs to reduce greenhouse gas emissions citywide by 15% from 2005 levels by 2020. The plan outlines specific programs for attaining sustainable lifestyles, building standards, environmental protection, and economic development within the City. Additionally, the City completed a Sustainability Element in its General Plan 2030. A Sustainability Element is an optional element of the General Plan and is not mandated by the State of California. Its inclusion in the General Plan demonstrates an added level of commitment by the City to the long-term health and viability of the community. In addition, the City currently seats a Committee to Protect Belvedere’s Seawalls, Levees, and Utilities. The Committee was impaneled by the City Council in order to review recommendations as to how best to protect the City and its residents from the effects of sea-level rise, storm events, and seismic activity, as well as consider opportunities to supplement protection activities with nature-based options that have shown themselves to be useful in other locations.

As of 2016, the City had already not only achieved, but exceeded its goal by cutting community emissions by 21% and cutting government operations emissions by 17%¹⁴. A few of the sustainability milestones that the community has reached include per capita water use declining 24%, waste emissions have done down 17%, and transportation emissions have dropped by 18%. The City sees its next largest opportunity moving forward to cut emissions across the board by a projected 8% through the purchasing of Deep Green Electricity from Marin Clean Energy.

At this time, the City has not yet begun its Climate Action Plan draft for 2030.

¹⁴ [Belvedere City Council, Meeting Minutes December 10, 2018, Pg. 2](#)

6.0 TOWN OF TIBURON

6.1 OVERVIEW

The Town of Tiburon is situated in the south-eastern area of Marin County to the east of Highway 101. It is bordered by Corte Madera to the north and Belvedere for a small apportionment to the south, but a majority of its area is surrounded by the waters of the Richardson Bay and San Francisco Bay. Located just a few miles north of San Francisco, the Town enjoys a very temperate climate year-round. The Town covers a total area of 15.2 square miles, a vast majority being water. With an estimated 2018 population of 9,115, Tiburon ranks as the 6th¹⁵ largest City/Town in Marin County.

The Town of Tiburon provides its community with a range of municipal services including recreation, police, street maintenance, and street lighting. Fire services, emergency medical response, water, and wastewater services are all provided by a number of different special districts throughout the area. See Municipal Services section below.

Table 6-1: Town of Tiburon Overview

Town of Tiburon Overview
Town Manager: Greg Chanis
Main Office: 1505 Tiburon Blvd, Tiburon, CA 94920
Formation Date: June 23, 1964
Services: Police, Recreation, Street Maintenance, Street Lighting
City Boundary: 15.2 square miles; Sphere of Influence: 16.7 square miles
Population served: 9,115
Budget: \$12,610,252

6.2 JURISDICTIONAL BOUNDARY

Incorporation and City Boundary

Originally inhabited by the Coast Miwok Native Americans, Tiburon was first named Punta del Tiburon, or Shark Point, by Lieutenant Juan Manuel de Ayala in late 1775. In 1831, John Reed received a provisional grant for much of Southern Marin, including the Tiburon Peninsula, from the Mexican authorities. In 1882, Peter Donahue brought the San Francisco and North Pacific Railroad to the area. He brokered a deal with the Reed family for a right-of-way and built a railroad terminal to connect with ferries running in the San Francisco Bay. The passenger ferries carried commuters and autos to San Francisco and Sausalito, and barges would take loaded freight cars to Richmond and San Francisco.

Despite numerous attempts to incorporate over the coming years, efforts continuously fell short due to the opposition from large landowners. Land use input at that time was offered from the Tiburon Peninsula Coordinating Council (TPCC).¹⁶ The TPCC was comprised of representatives from each homeowners association, the school, fire and sanitary districts, and the City of

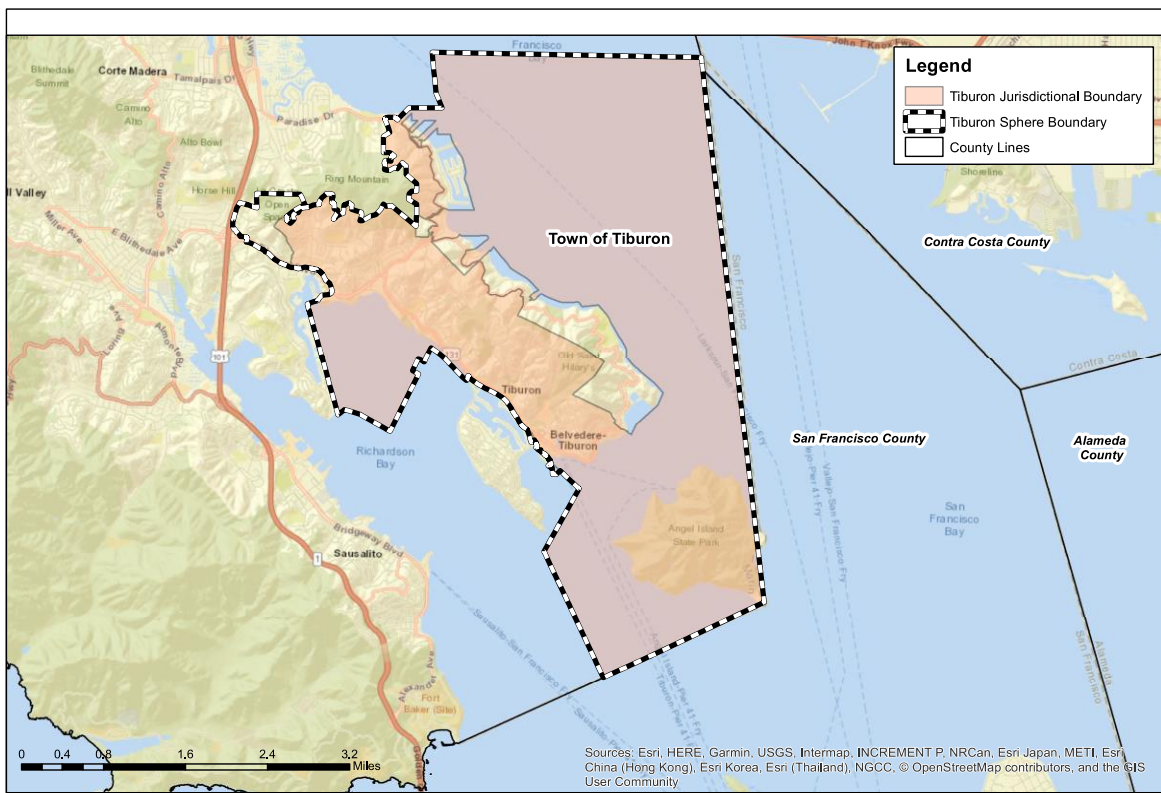
¹⁵ [Bay Area Census, Decennial Census Data](#)

¹⁶ [Landmarks Society, Timeline.](#)

Belvedere. In 1963, a committee was formed from this Council to make another incorporation attempt. Using the Tiburon Fire Protection District map at that time, the Committee was able to push the movement of incorporation to a vote in early 1965 with the concessions that a few specific areas outside of the TFPD boundary, including Angel Island, were added within the boundary in order to have oversight of future development of those areas.

With the first official census data following incorporation coming in 1970 (total population 6,209), it would appear that Tiburon’s most notable growth period came during the 1990s. In that decade, the population of the Town grew by over 1,100 residents. Despite the Town’s close proximity to San Francisco, moderate climate conditions, and relative rural character, the population total has seen a slight decline since peaking in 2014. Today, the Town of Tiburon’s jurisdictional boundary is 15.2 square miles¹⁷ (9741 acres), 67% of which is water and 33% is land.

Figure 6-1: Town of Tiburon Boundaries



MARIN **Tiburon Peninsula Municipal Service Review**
LAFCo **Town of Tiburon - Jurisdictional and Sphere Boundaries**

Figure 5-1

Sphere of Influence

Tiburon’s Sphere of Influence (SOI) extends to areas beyond its jurisdictional boundary to encompass 16.75 square miles and include the unincorporated areas of Paradise Drive, Paradise

¹⁷ [Marin Map Viewer, Cities/SOI](#)

Cay, and West Tiburon/Eagle Rock/Bay Vista (See Section 1, Regional Setting, for full discussion of the Tiburon Peninsula area unincorporated neighborhoods). The SOI was last reviewed and updated in 2004. Notably, the 2004 update excluded the area of Strawberry from the Town’s SOI.

The boundary between the Town of Tiburon and the City of Belvedere splits through the shopping area on the Boardwalk, as well as through an apartment complex and parts of Corinthian Island. The boundary in this area has been acknowledged as disorderly¹⁸ and recommendations to correct the boundary were originally made in a 1971 independent study done by the consulting firm of Livingston and Blaney. The recommendations to amend both the jurisdictional boundary and the sphere of influence were made again in 2004 by Marin LAFCo staff. The negotiations to correct the boundary between the Town of Tiburon and the City of Belvedere have not been successful up to this point, and there is no record of any recent discussions on this matter.

6.3 POPULATION AND GROWTH

As discussed in the Jurisdictional Boundary, the most significant population growth for Tiburon that is captured by census data took place in the 1990s, with the population total ballooning by over 1,100 people. From 2000 – 2014, the population saw an estimated¹⁹ slow but steady tick upwards but has started to see a slight regression in the past 5 years. Despite the recent slight regression, the Association of Bay Area Governments (ABAG) projects that Tiburon will see some modest growth in the future. ABAG estimates the Town’s population will increase by approximately 50 to reach a projected 2030 population of 9,235.

6.4 LAND USE AND GEOGRAPHIC FACTORS

When reviewing municipal services and making a sphere determination, LAFCo evaluates current and future land uses in the area, including agriculture and open space.

Land Use

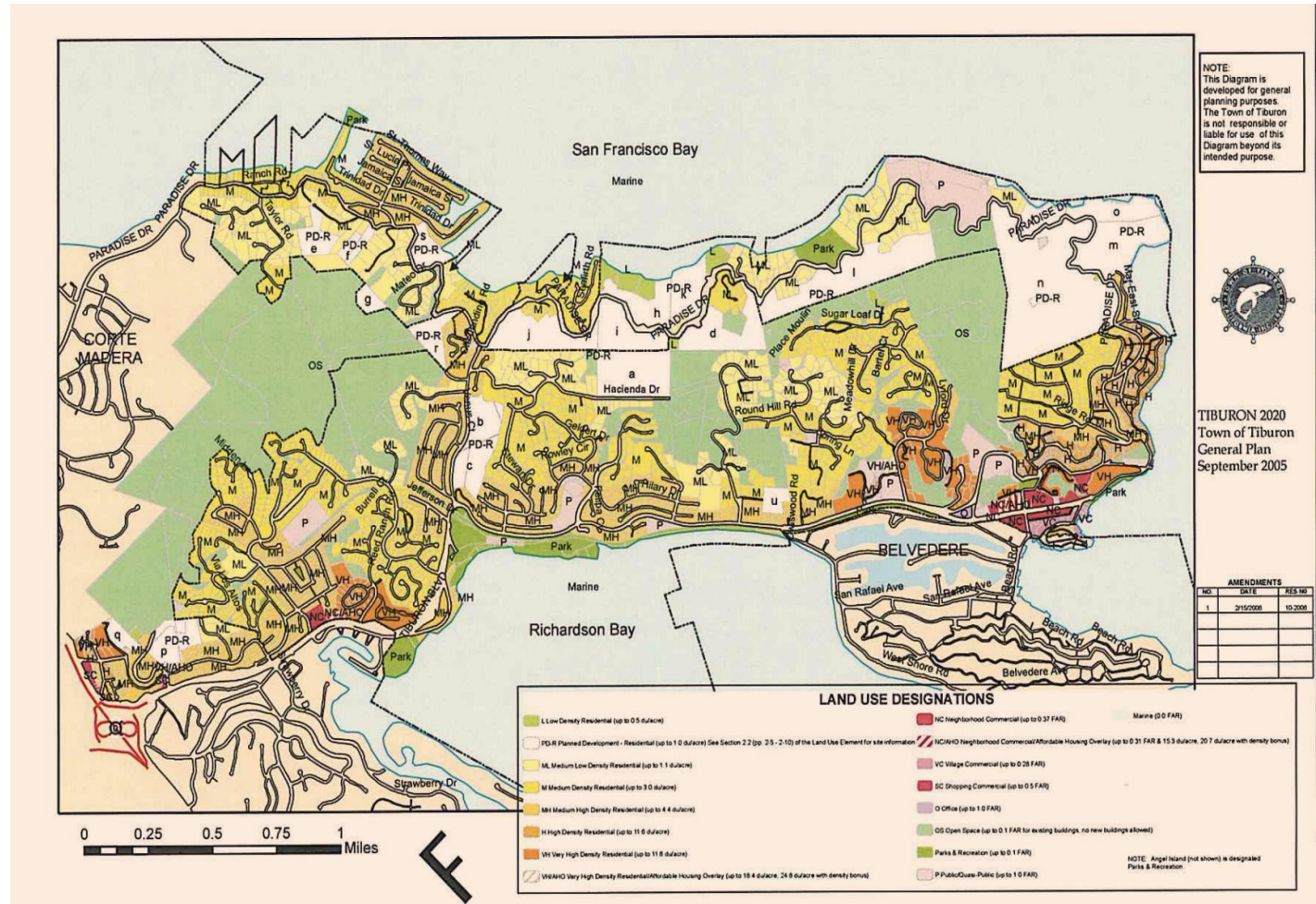
Tiburon’s General Plan 2020 serves as the key visioning document for the Town’s desired land use and related management policies. The primary land use designations within town limits include²⁰ Residential (52%), Open Space (22%), and Parks (22%). The Parks designation is inclusive of the space that Angel Island State Park holds within the Town’s boundary. A land use map is provided in figure 6-2.

¹⁸ [Marin LAFCo. *Southern Marin Service Review and Sphere of Influence Update*. April 26, 2004. Pg. 75](#)

¹⁹ [United States Census Bureau. *Quickfacts Town of Tiburon*. Population estimates. July 1, 2018](#)

²⁰ [Town of Tiburon, *Tiburon General Plan 2020*. February, 2006. Pg. 2-11](#)

Figure 6-2: Town of Tiburon Land Use Designations

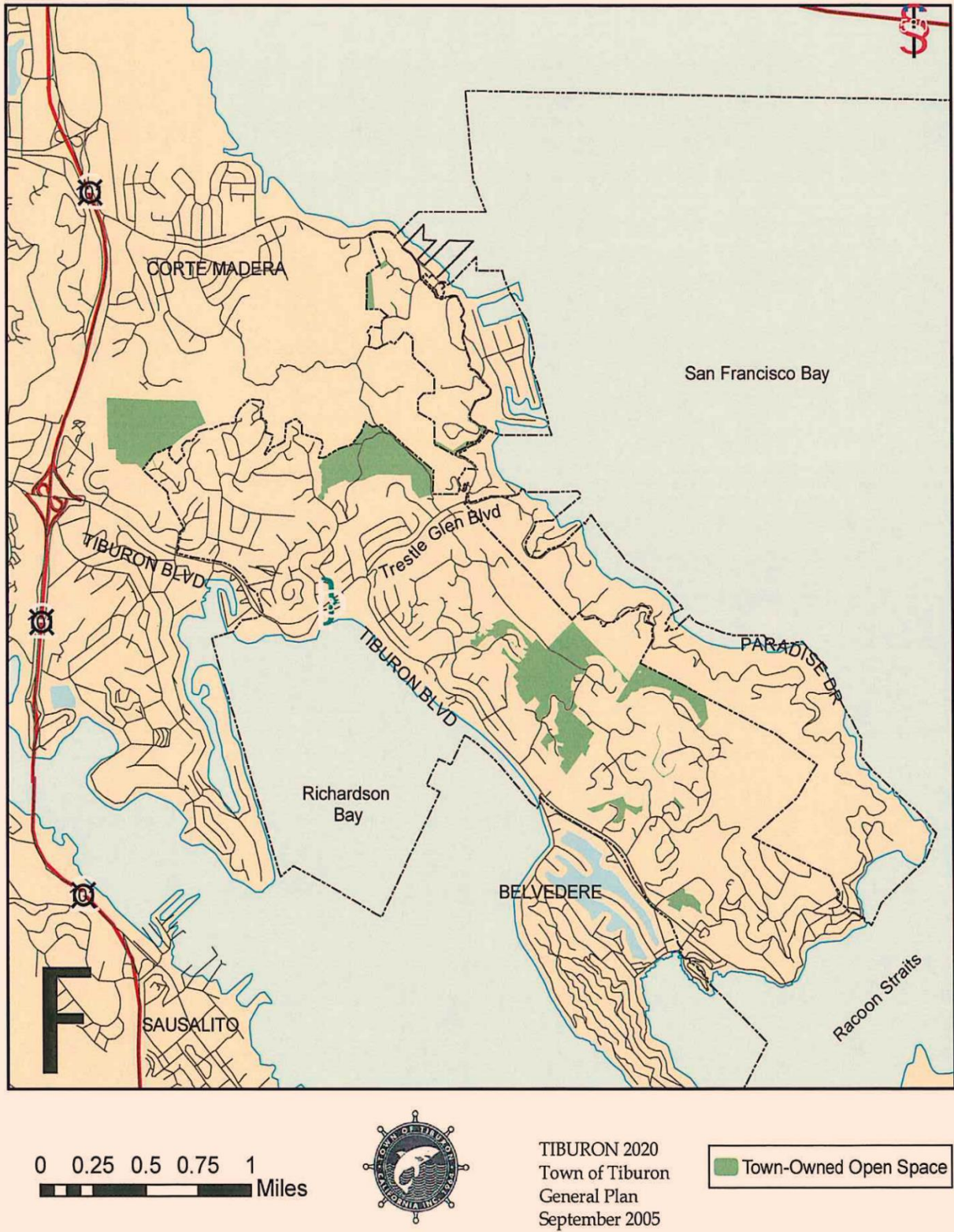


Open Space

The Town of Tiburon’s natural features as a peninsula extending into San Francisco Bay offers a predominantly scenic raw environment that residents and local officials have designated as a primary consideration in the review and approval of any and all development. Resident town planning interests have enabled large tracts of protected open space to remain within town limits. The Town of Tiburon General Plan 2020 recognizes the benefits of maintaining open space and natural resources for their ecological, recreational, and economic value. Within the General Plan, the Open Space and Conservation Element includes policies that address public uses and resource management.

The Town of Tiburon actively owns and maintains a majority of the open space within the town boundary. In 1972, the Town passed a \$1.25 million bond measure for the purpose of acquiring land for open space and recreational purposes. Since then Tiburon has secured over 800 acres of open space within town limits.

Figure 6-3: Open Space Owned by Town of Tiburon



6.5 ORGANIZATION STRUCTURE

Governance

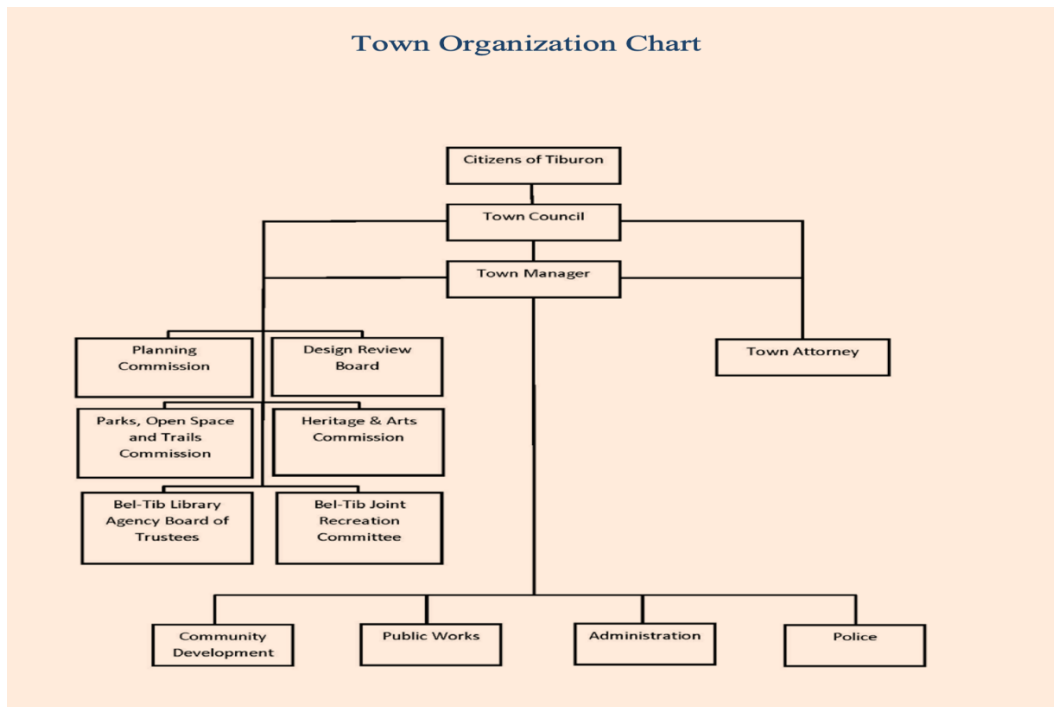
The Town of Tiburon is a general law city operating under a council-manager form of government, in which legislative and policy functions are vested in the Town Council, while the Town Manager conducts the day-to-day city business. There are 5 councilmembers who are elected for staggered, 4-year terms. The Town Council appoints a member to be Mayor during the December Town Council meeting. The position is rotated each year.

Town Council duties include establishing legislation and policies governing the city; adopting all ordinances, resolutions, and major contracts; approving and modifying annual budgets; making appointments to advisory boards; commissions and committees; and appointing the Town Manager and Town Attorney. Town Council meetings are scheduled for the first and third Wednesdays of each month at 7:30 p.m. in the Tiburon Council Chambers at Town Hall, located at 1505 Tiburon Boulevard.

Administration

The Town Manager is appointed by the Town Council and is responsible for town operations management and policy implementation on behalf of the Town Council. The Town Manager is an at-will employee and administers the Town of Tiburon's departments. The Town's organization chart can be seen below. The current staffing level is 40.7 full-time equivalent (FTE)²¹ positions. An organization chart for the Town can be seen below.

Figure 5-4: Town of Tiburon Organization Chart



²¹ Town of Tiburon Staff Correspondence, September 19, 2019

6.6 ACCOUNTABILITY AND TRANSPARENCY

When conducting service reviews and reviewing proposals, LAFCo considers an agency's accountability for community service needs, including governmental structure, operational efficiencies, financial resources, and promoting public access.

The Town offers multiple ways to keep citizens informed about servicing, meetings, finances, and decision-making processes. Public notices are posted on the Town's website. Past meeting agendas and meeting minutes may be found in the Agendas & Minutes section of the Town's website. The public may also provide verbal comments or concerns by phone or in person at Town Hall during business hours and/or at Town Council meetings during the public comment period.

6.7 MUNICIPAL SERVICES

Tiburon provides a range of municipal services including police, parks and recreation, road maintenance, and street lighting. The Town also partners with outside agencies for the provision of certain municipal services including water treatment and distribution, wastewater collection, treatment and disposal, garbage collection, and fire protection and emergency response. A description of these services is provided below.

Fire and Emergency Response

Fire-related services for the majority of the Town of Tiburon are provided by the independent special district, Tiburon Fire Protection District. The District, and all of its correlating services to the Town of Tiburon, receives a full review in Chapter 7 of this document. The northwestern corridor of the Town receives fire protection and emergency response services from Southern Marin Fire Protection District. This district was created through the consolidation of the Tamalpais and Alto Richardson Bay Fire Protection Districts in 1999.

Law Enforcement

The Town of Tiburon provides law enforcement and dispatch services to all areas within the town limit and response to nearby unincorporated neighborhoods as necessary. The Tiburon Police Department is located at 1155 Tiburon Boulevard in Tiburon.

Projected expenditures for FY 19/20 are \$3.6 million (28% of the General Fund expenditures), an increase of 5.26% (\$183,401)²² from the FY 18/19 budget. A majority of this increase is due to an increase in salary and benefits, while the remainder of the budget remains very similar to the prior year. The Police Department employs 17 full-time equivalents (FTE) positions, including 13 sworn officers. This equates to 1.42 full-time sworn officers per 1,000 population. The national average in 2016 (most recent available) was 2.17 full-time sworn officers per 1,000 population.

²² [Town of Tiburon Municipal Budget FY 2019-20, Introduction Pg. 7](#)

Over the last ten years²³, the Tiburon police calls for service have increased by 28%, while physical arrests (adult) have decreased by 49%. Traffic and parking violations are also down for the same time period, by 53% and 56% respectively. See Table 6-2 below for further calls for service and law violation details.

Department community engagement efforts include Safety Day at Reed School, Read Across America, National Night Out, Disaster Preparedness Fairs, Del Mar 8th Grade Graduation Parade, as well as Get Ready disaster preparedness classes that are held approximately 15 times per year at the Police Station.

Table 6-2: Tiburon Police Department Service Indicators

	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Calls for service	7263	7263	7621	8345	8103	7811	7665	8185	10280	10138	10071
Adult Arrest	97	75	93	68	106	71	55	61	47	70	49
Juvenile Arrest	7	6	13	9	2	2	5	7	3	5	4
Traffic Violations	411	370	351	460	325	251	165	97	142	282	191
Parking Violations	2474	1836	2121	1797	1844	1789	1751	1773	1446	1159	1111

Public Works

The Public Works Department’s municipal service responsibilities include developing and maintaining the town facilities and infrastructure, street lighting, parks and playgrounds, storm drain systems, open space parcels, and roads. The department employs 9 full-time equivalents (FTE) positions and is broken down into five divisions. The Administration and Engineering Division oversees the department’s operations and provides administrative and engineering oversight for the Town’s Capital Improvement Program (CIP) projects. This division is also responsible for the grants for capital projects. The Street Maintenance Division is responsible for the Town’s 15 miles of sidewalk, 32 miles of streets, 50 miles of curb and gutter, 13 miles of culverts, 18 miles of v-ditches, and over 500 catch basins. The Parks Maintenance Division takes care of the Town’s 10 parks comprised of nearly 70 acres of land, as well as the multi-use path and the landscaped medians all through the Town. This division also oversees the lighting, landscape, and facilities at the Cypress Hollow park. These efforts are paid for through a special tax assessment on the parcels located in Cypress Hollow.

Projected departmental expenditures for 2019-20 are projected to be \$2.2 million²⁴ (17% of the General Fund expenditures), a slight increase from the \$2.05 million in the 2018-19 adopted budget. Projects completed by the Department as a part of their Capital Improvement Program are

²³ Town of Tiburon Staff Correspondence, September 4th, 2019

²⁴ [Town of Tiburon Municipal Budget FY 2019-20, Pg. 2](#)

funded separately from the General Fund. Approximately \$2.76 million has been budgeted for the program in FY 2019-20. There is a carry-over of funding from the 2018-19 fiscal year in the amount of \$1.36 million for projects that were not completed prior to June 30, 2019.

Recent Projects completed by the Department include:

- Annual drainage improvements
- LED Street Lights
- Pavement Management Program
- Police Department flooring
- Ferry Dock pile replacement
- Shoreline Park pathway lights
- Field improvements to McKegney Green
- Virginia undergrounding design and construction start
- Hawthorne undergrounding design
- Main Street seawall evaluation

Major new projects identified for FY 2019-20 include:

- 2020 Paradise Drive retaining wall
- Paving Hawthorne undergrounding district
- Culvert Old Rail Trail at San Rafael Avenue
- Old Rail Trail bike station
- Old Rail Trail Path Repairs
- Main Street bollards

Parks and Recreation

The Town of Tiburon administers its Recreation by way of a joint powers agreement (JPA) with the City of Belvedere. Upon entering the agreement in June of 1975, the JPA established the Belvedere-Tiburon Joint Recreation Committee. In 2013, the title of the JPA was changed to The Ranch. The Ranch has a governing committee that is made up of 9 members: four appointed by the City of Belvedere; four appointed by the Town of Tiburon; one member appointed by, and a member of, the Reed Union School District.

Both the City of Belvedere and the Town of Tiburon annually contribute agreed upon amounts towards the department's main building at 600 Ned's Way in Tiburon. For FY 2019-20, the Town of Tiburon has made appropriations for \$10,000²⁵ toward's the facility's property insurance and \$30,000 towards maintenance. The construction of the facility was completed in 2014, thanks in part to a Recreation Needs and Existing Condition Assessment Study performed by the independent firm of Godbe Research in 2011. This assessment pointed to multiple recommendations of the building of a community center in order to better accommodate the

²⁵ [Town of Tiburon Municipal Budget FY 2019-20, Pg. 70](#)

recreation needs of the greater peninsula area. In addition to the Dairy Knoll facility, The Ranch has facility use agreements for programming at multiple locations throughout Tiburon, including Reed Elementary School, Bel Aire Elementary School, Del Mar Middle School, Angel Island State Park, Paradise Park, Landmarks Art and Garden Center, and Tiburon Baptist Church.

Other than the aforementioned annual contributions towards the Dairy Knoll facility, The Ranch is completely funded by program fees, fundraising, and donations, and is not supported by any sort of annual tax assessment. The programs offered in 2018 had a total number of 4435 youth participants and 10,764 adult participants. Roughly 33% of the program revenue for The Ranch comes from its after-school programming, with another 29% coming by way of the department’s popular camps that it offers. The Ranch has a total projected expense budget for FY 2019-20 of \$1,963,618.

Table 6-3: The Ranch Program Budget Summary FY 2019-20

The Ranch Program Budget Summary FY 2019-20			
	Revenue	Expense	Net
Academy	\$666,500	\$390,197	\$276,303
Adult	\$293,600	\$215,900	\$77,700
Camps	\$583,000	\$330,600	\$252,400
Other	\$431,400	\$301,200	\$130,200
Facility Rental	\$18,000	\$735	\$17,265
Subtotal	\$1,992,500	\$1,238,632	\$753,868

Water

Water services to the Town of Tiburon are provided by the Marin Municipal Water District (MMWD), an independent special district, which is a separate local agency from the Town of Tiburon. The District’s services are reviewed separately in Marin LAFCo’s Countywide Water Service Study (2016). This study can be viewed at marinlafco.org.

MMWD’s jurisdictional boundary spans 148 square miles. 61% of this area is unincorporated and the additional 39% lies in 10 cities/towns, including the entirety of Tiburon and it’s surrounding unincorporated areas. MMWD is currently authorized to provide three specific services within its jurisdictional boundary: (1) domestic water; (2) non-potable water; (3) and recreation. The district’s governing board is comprised of 5 members who are elected by electoral divisions to staggered 4-year terms. The Town of Tiburon is represented by electoral division 5. Larry Russell is currently the elected official holding that seat. MMWD currently meets on the first and third Tuesday of each month at 7:30 p.m. at the District’s Administrative Office at 220 Nellan Avenue in Corte Madera.

MMWD’s jurisdictional boundary spans 148 square miles, of which Belvedere makes up roughly one-third of one percent. 61% of this area is unincorporated and the additional 39% lies in 10 cities/towns, including the entirety of Belvedere. MMWD is currently authorized to provide three specific services within its jurisdictional boundary: (1) domestic water; (2) non-potable water; (3)

and recreation. The district's governing board is comprised of 5 members who are elected by electoral divisions to staggered 4-year terms. The City of Belvedere is represented by electoral division 5. Larry Russell is currently the elected official holding that seat. MMWD currently meets on the first and third Tuesday of each month at 7:30pm at the District's Administrative Office at 220 Nellan Avenue in Corte Madera.

Wastewater

Wastewater services to the Town of Tiburon are provided by multiple local agencies. The southern half of Tiburon is served by Sanitary District Number 5 (SD5), a majority of the northern half of the Town is served by Richardson Bay Sanitary District (RBSD), and a smaller northeastern portion of the town is served by Sanitary District Number 2 (SD2). Below is an overview of each agency.

Richardson Bay Sanitary District

RBSD is an independent special district, a separate local agency from the Town of Tiburon. It encompasses an approximate 3.1 square mile jurisdictional boundary within southeast Marin County. About 60% of its jurisdictional area is within Tiburon Town limits, and the other 40% covers the unincorporated community of Strawberry.

RBSD is a member of the Sewerage Agency of Southern Marin (SASM) Joint Powers Agency. RBSD provides the services of sewage collection system and water reclamation. The District connects to the main sewer lines owned by SASM which carry the wastewater to the SASM wastewater treatment plant. Once processed, the wastewater is disinfected and pumped 6 miles to Racoon Straits in Tiburon for deep-water discharge into the San Francisco Bay. Processed water is also further treated, or reclaimed, and used for landscape irrigation by the City of Mill Valley Parks Department.

The District's governing board is comprised of five elected members who are seated to four-year terms and are all residents of the District. The Board regularly meets on the third Tuesday of every month at 4:00 pm at the RBSD District Office located at 500 Tiburon Boulevard in Tiburon.

Sewerage Agency of Southern Marin

SASM is a Joint Powers Authority formed in 1979 to consolidate the wastewater collection, treatment, water reclamation and disposal needs in Southern Marin County. SASM is comprised of six-member agencies: City of Mill Valley, Tamalpais Community Services District, Almonte Sanitary District, Alto Sanitary District, Homestead Valley Sanitary District, and Richardson Bay Sanitary District. Each district has one seat on the SASM Board of Commissioners.

Sanitary District No. 2

SD2 is a dependent special district that provides wastewater collection and transportation services in the study area to the northeastern area of incorporated Tiburon, as well as the unincorporated community of Paradise Cay. As a dependent special district, the Corte Madera Town Council serves as Board Members for SD2. Council members are elected at-large to four-year terms that are staggered to maintain a measure of continuity during times of transition. District meetings are

typically held on the 1st and 3rd Tuesday of each month at 6:45 pm, or at the conclusion of the Corte Madera Town Council meeting, in the Town Hall Council Chambers at 300 Tamalpais Drive in Corte Madera.

The District's boundaries are essentially contiguous with that of the Town of Corte Madera, with three main exceptions: the previously mentioned northeast portions of incorporated Tiburon and the surrounding unincorporated area, a portion of Greenbrae to the east of Highway 101 and south of Corte Madera Creek, and the residential area of the City of Larkspur known as Palm Hill. Town of Corte Madera personnel provides all engineering, management, and operational services to the wastewater collection system. The District is a member of the Central Marin Sanitation Agency (CMSA) which is a joint powers agency administered by its own board, separate from the Town Council/District Board of Directors. The District provides one of the six members of the governing board of CMSA.

Sanitary District No. 5

SD5 is an independent special district that serves a majority of the incorporated area of southern Tiburon, all of Belvedere, and patches of the unincorporated area along Paradise Drive. SD5 receives a full review in Chapter 7 of this document.

6.8 FINANCIAL OVERVIEW

The Town of Tiburon prepares an annual report on the Town's financial statements in accordance with established governmental accounting standards. The most recent audited financial statement was prepared by the independent certified public accounting firm, Marcello & Company, which issued an unqualified, or "clean" opinion on the Town's financial statements for the fiscal year ending on June 30, 2018.

The Town adopts an annual budget which is effective July 1 for the ensuing fiscal year. The budget reflects estimated revenues and expenditures and special fund appropriations. The Town Council may amend the budget by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control. The Town Manager is authorized to transfer budgeted amounts between accounts, departments, or funds; the Council must approve any increase in the Town's operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups.

Revenues and Expenditures

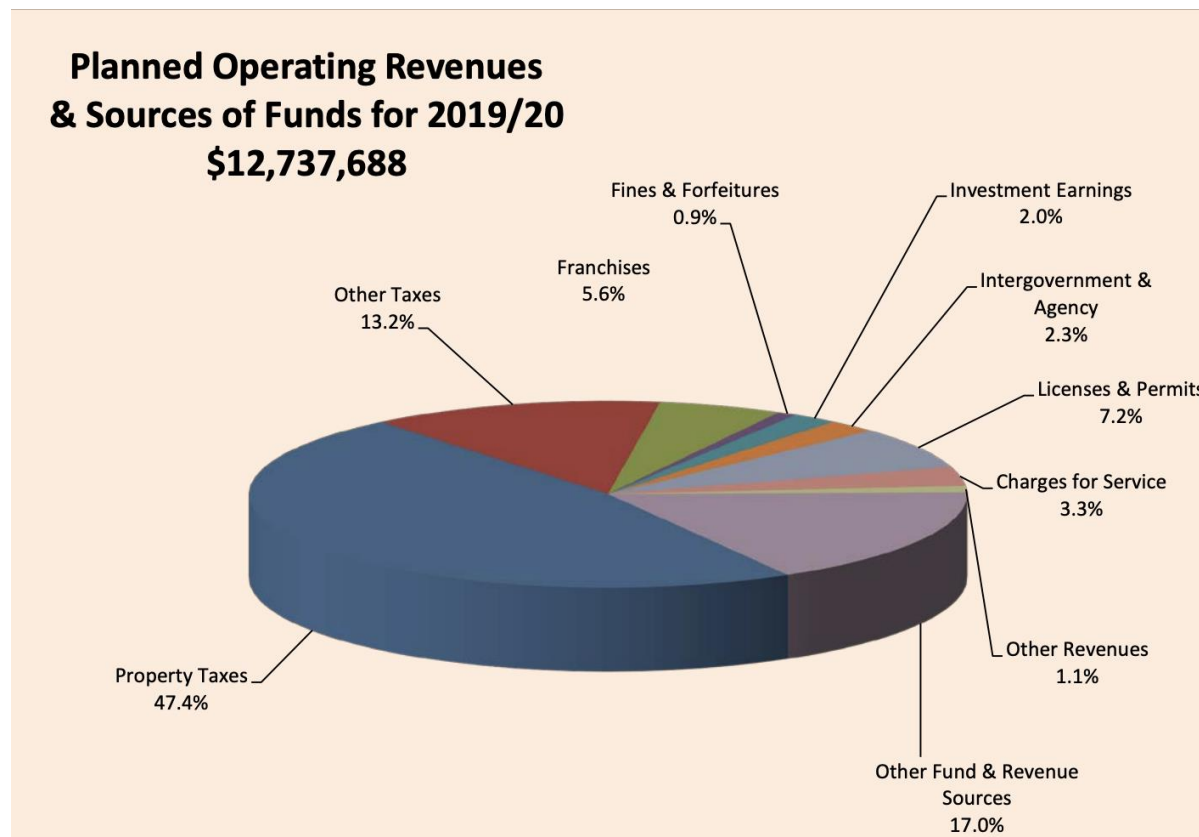
The FY 2019-2020 expenditure budget²⁶ for the Town of Tiburon is \$12,610,252. This reflects all funds and operations for the Town, not including capital improvement. The expenditure budget is supported predominantly by a projected revenue of \$12,737,688. For the FY 2019-20, the Town reports that funds for general operations are projected to be \$238,429, or 1.9% higher than those of the previous year, however operating uses are projected to grow by a marginally larger amount:

²⁶ [Town of Tiburon Municipal Budget FY 2019-20, Pg. 2](#)

\$248,827, or 2.01% over the previous year. This has been the case for the previous two fiscal years as well, whereby expenses grew at a faster rate than revenues. Despite this trend, the Town has maintained an operational surplus in each year with revenues consistently outpacing expenditures. Under the FY 2019-20 Budget, funds are projected to continue to have a positive balance at fiscal year-end, however, the General Fund Discretionary Reserves are proposed to be spent down by \$1.2 million towards capital improvement projects.

The Town derives revenue from several sources. Primary revenue sources include property taxes (47.4%), other taxes (13.2%), other fund & revenue sources (17%), and licenses and permits (7.2%). Other revenues include franchises, investment earnings, charges for service, and fines and forfeitures.

Figure 6-5: Town of Tiburon Funding Sources FY 2019-20



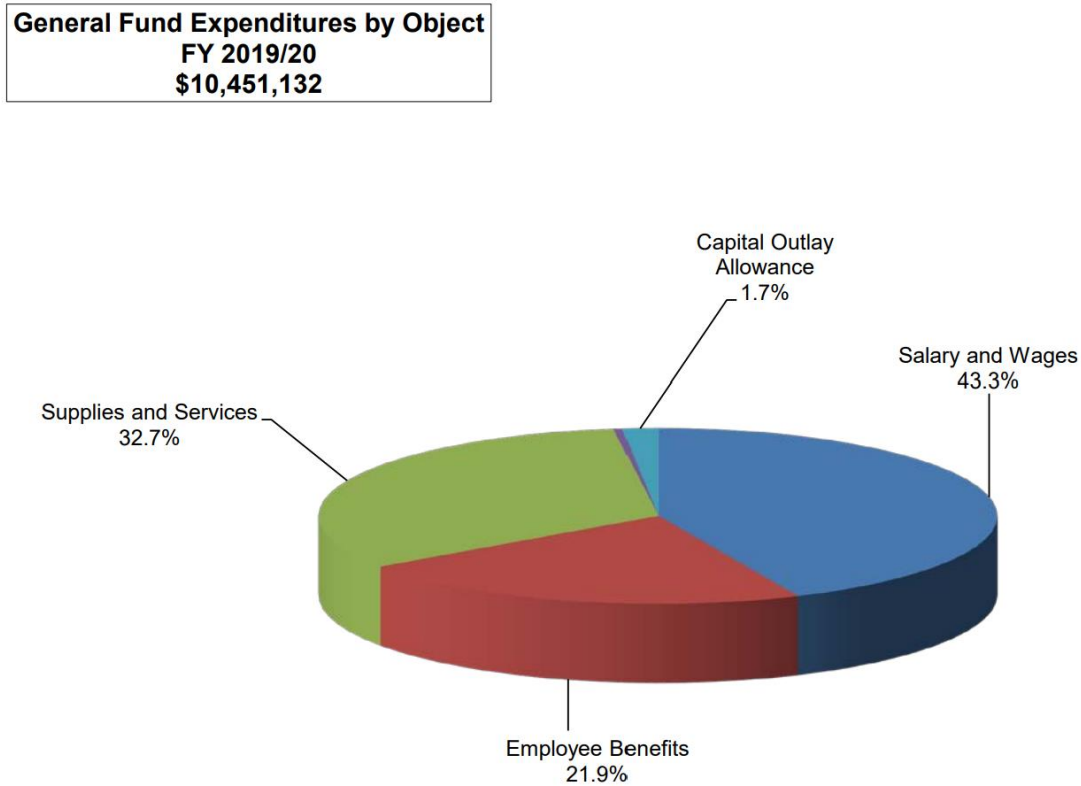
General Fund

The General Fund spending for the current fiscal year²⁷ is estimated to be \$10,451,132. This fund accounts for most of the general operations of the Town and major services to residents and businesses (such as police, planning, building, library, parks, streets, engineering, traffic

²⁷ [Town of Tiburon Municipal Budget FY 2019-20, Pg. 4](#)

enforcement and management). The following chart summarizes the fiscal year allocation of planned General Fund Expenditures by object.

Figure 6-6: Town of Tiburon General Fund Expenditures by Object



Debt

The Town generally incurs long term debt to finance projects or purchase assets which will have useful lives equal to or greater than the related debt. High debt levels can overburden a municipality while low debt levels may indicate underutilized capital investment capacity. The Town supports a Debt Service Program that is comprised of a consolidated municipal bond associated with the financing of public improvements in specific neighborhoods, subdivisions, or development areas. The total appropriation made in FY 2019-20 for governmental and business-type activities debt obligations totaled \$1,334,669. This referenced obligation is solely associated with utility undergrounding assessment districts, and required debt payments are 100% funded by special assessments on the properties located in those districts. No General Fund money is used to satisfy this debt.

The Town also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death benefits based on the employee’s years of service, age, and final compensation. As of June 30, 2018, the Town’s Net Pension Liability²⁸ was \$8,168,481. The Town’s pension funded ratio is

²⁸ [Town of Tiburon Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 12](#)

currently 39.45%. In addition to the pension plan, the Town provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2018, the Town carried a net OPEB liability²⁹ of \$2,128,177. The Town currently has 58 employees³⁰, both active and inactive, in its OPEB plan.

Reserves

The town of Tiburon has established a General Fund Operating Reserve policy to maintain a minimum target reserve levels of 25% of annual General Fund Expenditures. General Fund Reserves are projected to decrease from \$4,041,193 to \$3,127,436 for FY 2019-20, which will still maintain the minimum target reserve levels.

6.9 SUSTAINABILITY

In April 2011, the Town of Tiburon adopted a Climate Action Plan assessing its greenhouse gas footprint and proposed policies and programs to reduce greenhouse gas emissions citywide by 15% from 2005 levels by 2020. The plan outlines specific programs for attaining sustainable lifestyles, building standards, environmental protection, and economic development with the town. As of 2015, the Town had already not only met, but exceeded its goal³¹ by dropping greenhouse gas emissions by 21%.

Since 2005, the town has managed to reduce its total emissions by over 13,000 metric tons of carbon dioxide equivalent (MTCO_{2e}). The most significant apportionment of this reduction came in the form of Residential Energy, which accounted for 46% of the total reductions (-5,958 MTCO_{2e}). This sector represents emissions generated from the use of electricity, natural gas, and propane in Tiburon homes. Other areas that showed significant progress included Transportation (-4,763 MTCO_{2e}) and Commercial Energy (-1,316 MTCO_{2e}).

Other noteworthy sustainability efforts of the Town include:

- A Zero Waste Ordinance
- Creation of a Construction and Demolition Ordinance
- Designation as Tier 1 with the California Green Building Code
- Replacement of 3 vehicles in the Town Fleet with electric vehicles
- Solar panels added to Town Hall
- Approval of plans to add solar panels to the Tiburon Police Department
- Ordinance created for all new Single-Family Dwelling construction to have solar panels
- Town facilities are Deep Green through Marin Clean Energy

The Town has also made significant public outreach and local coordination efforts in order to help educate its residents towards more sustainable day to day lifestyles. These efforts include:

- Utilizing the Town's newsletter, social media, and press to promote sustainability
- Support and promote lectures, workshops, and activities
- Participating in and supporting the Marin Climate and Energy Partnership

²⁹ [Town of Tiburon Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 12](#)

³⁰ [Town of Tiburon Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 30](#)

³¹ [Town of Tiburon Community Greenhouse Gas Emissions Inventory for Year 2015](#)

- Partnering with Resilient Neighborhoods to enroll Tiburon households in a program to learn about sustainability and take actions to reduce household greenhouse gas emissions.

The Town is currently working on the initial draft of its 2030 Climate Action Plan, and hopes to have that document completed by early 2020.

7.0 SANITARY DISTRICT #5

7.1 OVERVIEW

Sanitary District No. 5 of Marin County (SD5) has roots in Southern Marin County that date back nearly 100 years³². The independent special district provides wastewater collection and treatment to the southern half of the Town of Tiburon, all of the City of Belvedere, and parts of the unincorporated eastern side of the Tiburon Peninsula.

Covering approximately 2550 acres³³, SD5 shares a boundary with the Richardson Bay Sanitary District as well as Sanitary District No. 2. SD5 currently has the largest service area boundary of all of the independent sanitary districts in Southern Marin County and shows the potential for continued growth into the unincorporated areas of Paradise Drive as parcels in that area continue to move off of septic systems.

Table 7-1: Sanitary District No. 5 Overview

Sanitary District No. 5	
Primary Contact	Tony Rubio, District Manager/Chief Plant Operator
Phone	(415) 435-0221
Office Location	2001 Paradise Drive, Tiburon, CA 94920
Formation Date	1922
Services Provided	Wastewater Collection and Treatment
Service Area	2550.51 acres

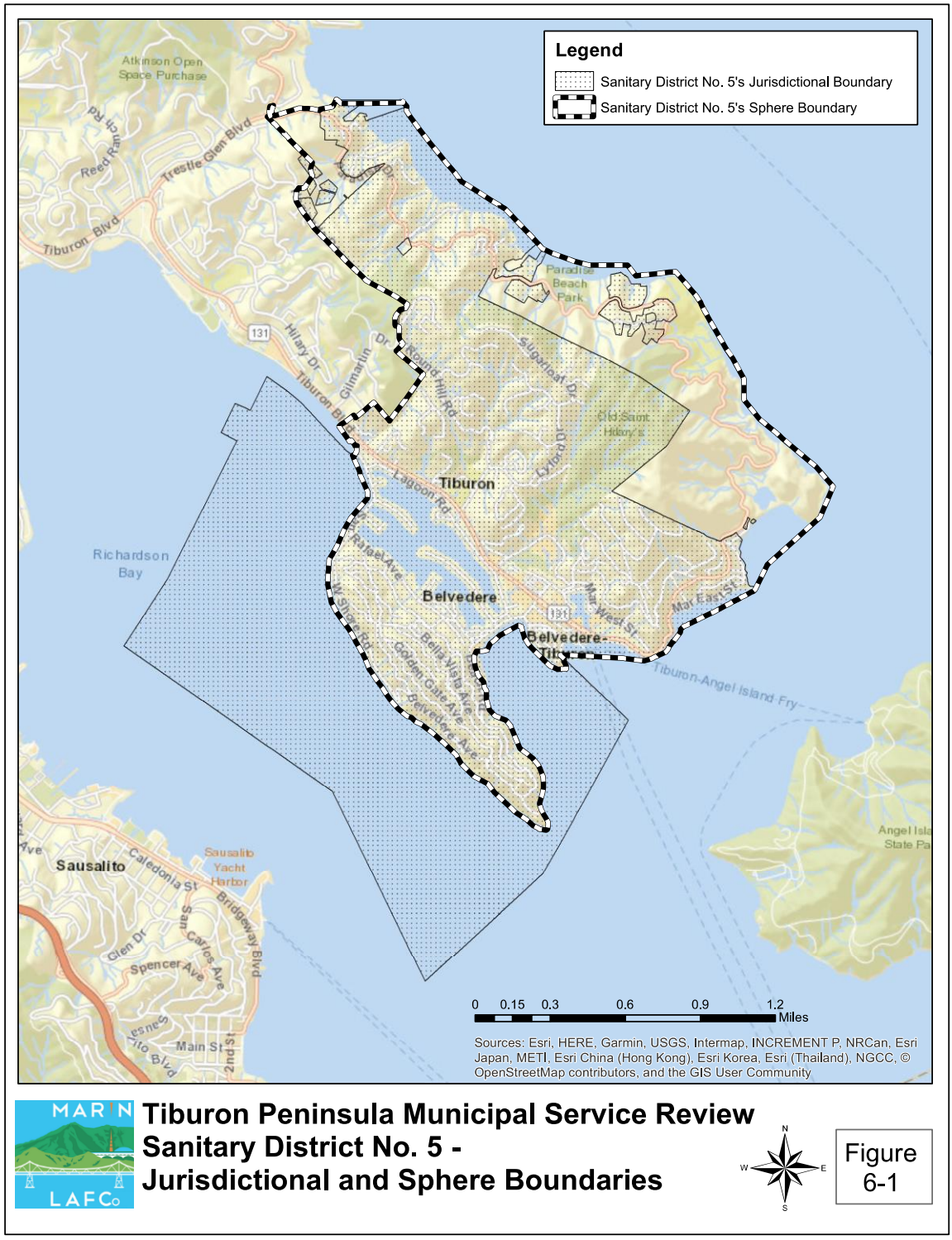
7.2 FORMATION AND DEVELOPMENT

SD5 was originally formed on March 22, 1922, as a garbage collection agency for the southern Tiburon Peninsula. In the early 1940s, sewer systems were constructed throughout the peninsula, however, many of these pipelines dumped directly into the bay. In the early 1960s, the main treatment plant was constructed in Tiburon to provide primary waste treatment. The plant was upgraded to a secondary treatment facility as a result of the Clean Water Act in the early 1980s. In 2012, the District performed a rehabilitation project to upgrade equipment and electrical components to bring the facility to meet all of the current standards. The current plant appears to have the capacity to meet projected future needs based upon current population projections and current available plant capacity.

³² Sanitary District No. 5 Staff Correspondence, September 19, 2019

³³ [Marin Map Viewer, Sanitation Districts](#)

Figure 7-1: Sanitary District No. 5 Jurisdictional Boundary and Sphere of Influence



7.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

SD5's sphere of influence, while covering a good deal more landmass, is actually less total acreage than its jurisdictional boundary. This is due to the boundary including all of the area in the City of Belvedere's jurisdictional boundary which encompasses a large amount of the waters of the Richardson Bay. While the SOI does not include this large area of water, unlike the jurisdictional boundary, it does encompass the entirety of the unincorporated area of Paradise Drive that is south of the District's northeastern point just below Old Landing Road. The total acreage in the SOI is 1,935.

The Jurisdictional boundary encompasses a total area of 2,550 acres. The majority of the boundary is made up by the City of Belvedere and the southern half of the Town of Tiburon. There are multiple "island parcels", meaning parcels that are a part of the district and are completely surrounded by area that is not in the District's jurisdictional boundary. These are parcels that have been annexed into the District over time either by way of new development or through the failure of older existing septic systems that needed to be changed to sewer. The majority of these "island parcels" lie in the unincorporated area of Paradise Drive, however, there are others in the northwestern area of the District's Boundary along Noche Vista Lane. With the sphere of influence encompassing all of the area around these parcels on Paradise Drive and the continued aging of older septic systems serving the developments in the area, the likelihood of future annexation applications to the district is high.

7.4 MUNICIPAL SERVICES

SD5 owns and operates a wastewater collection system and two municipal wastewater treatment plants (WWTP). The main WWTP which serves Belvedere and incorporated Tiburon east of Gilmartin Drive has a dry weather flow average of .650 million gallons a day (MGD) with a design capacity of .98 MGD. This plant was significantly upgraded in 2012. The second WWTP is located at Paradise Cove and has a capacity for 40,000 gallons per day. The current average dry weather flow rate at this plant is 16,000 gallons per day.

SD5's wastewater collection system collects and transports wastewater flows to the WWTP through a series of gravity sewers and interceptors, pump stations, and force mains. The combined collection and conveyance systems³⁴ include a total of about 34 miles of sewers with about 28.5 miles of gravity sewer lines ranging from 4-inch to 18-inch diameter, about 2.4 miles of force mains, and 24 pump stations.

Rates

Residential rates for sewer service are calculated using Equivalent Dwelling Units (EDU). Rates had annual increases from 2010-2015, but have remained constant since 2015. Tiburon sewer service charge is \$1,034 per EDU, and Belvedere Sewer Service Charge is \$1985 per EDU³⁵. Non-Residential rates are calculated by using an "EDU Factor" to define different user groups such as Restaurants, Hotels, Grocers, and others. The

³⁴ [Sanitary District No. 5 Sewer System Management Plan, May 17, 2018, Pg. 8](#)

³⁵ [Sanitary District No. 5 Operating Budget FY 2017-18, Pg. 1](#)

formula used to calculate the annual sewer service charge for non-residential users is as follows: Non-Residential EDU Units x Annual Rate = Annual Non-Residential Sewer Service Charge. SD5 has managed to keep rates stagnated over the past 4 years thanks in part to their ability to maintain a small staff and tremendous levels of preventative maintenance keeping large scale repair projects from becoming consistent necessities.

7.5 ORGANIZATIONAL STRUCTURE

SD5 is overseen by a five-member Board of Directors that are elected to either a full-term seat for a 4-year term or a short-term seat for a 2-year term. Board members are entitled to compensation for their participation. Members receive \$100 per meeting. The current Board members are listed below in Table 7-2.

Table 7-2: Sanitary District No. 5 Board of Directors

Member	Position	Term
Tod Moody	President	December 2, 2022
John Carapiet	Vice President	December 4, 2020
Michael Lasky	Secretary	December 4, 2020
Catharine Benediktsson	Director	December 2, 2022
Richard Snyder	Director	December 4, 2020

The District currently supports 9 Full-Time Equivalent (FTE) employees including a District Manager that oversees operations.

7.6 ACCOUNTABILITY AND TRANSPARENCY

Meetings and Agendas

Board meetings are held on the third Thursday of each month at 5:00 p.m. at the Main Plant office. Meeting agendas, minutes, and handouts are on the District webpage (www.sani5.org).

Annual Budget Review

SD5 provides an annual budget to the Board for review and consideration. An independent auditor, Perotti and Carrade, has conducted the most recent annual audit of SD5’s financial statements. Both the annual budget approved by the Board and financial audit can be found online on the District’s website.

7.7 FINANCIAL OVERVIEW

SD5’s primary source of revenues is from service fees. Additional revenue sources include property taxes, connection and inspection fees, and investment income. Major expenses include the operation of the wastewater treatment plant and collection system, infrastructure upgrades, and administrative and engineering operations. A summary of SD5’s financials is provided below in Tables 7-3 and 7-4.

Table 7-3: Sanitary District No. 5 Expenditures Summary

Expenditures	FY 2016-2017	FY 2017-2018
Operating Expenses	\$3,169,300	\$2,986,410
Capital Expenses	\$1,110,961	\$2,733,750
Total Budgeted Expenditures	\$4,280,261	\$5,720,160

Table 7-4: Sanitary District No. 5 Revenues Summary

Revenues	FY 2016-2017	FY 2017-2018
Property Taxes	\$1,042,698	\$901,056
Tiburon Sewer Service Charge Revenue	\$2,804,996	\$2,730,747
Belvedere Sewer Service Charge Revenue	\$2,330,273	\$2,296,383
Interest	\$55,851	\$25,000
Connection Fees	\$335,932	\$100,000
Paradise Sewer Extension Fees	-	\$12,464
Other Income	\$50	\$100
Permit Fees	\$24,950	\$12,500
SASM Reimbursement	\$93,573	\$65,000
Total Budgeted Income	\$6,888,322	\$6,143,250
Net Total	\$2,408,061	\$5,720,160

Revenue

SD5's primary revenue source is service fees. As discussed above, there is a structured fee schedule calculated using Equivalent Dwelling Units (EDU). In FY 2017-18 sewer service fees totaled over \$5.1 million combined between Tiburon and Belvedere accounting for 82% of SD5's total revenue. Fees for sewer services are billed on the County of Marin's property tax bills in two equal installments on December 10, and April 10. An additional 13% of SD5's total revenue comes from property taxes³⁶ which in FY 2017-18 totaled \$901,056.

Debt

In February of 2012, SD5 was issued \$10,935,000 of revenue bonds at a premium of \$1,076,031 by the Tiburon/Belvedere Wastewater Financing Authority³⁷. The bonds were issued in order to provide financing for the rehabilitation and renovation of the District's main treatment plant. As of June 30, 2018, this is the only long-term debt that the District is bound to. The future debt service³⁸ on the loan and interest is shown below in table 7-5.

³⁶ [Sanitary District No. 5 Operating Budget FY 2017-18, Pg. 1](#)

³⁷ [Sanitary District No. 5 Annual Financial Statements Report for FY ending June 30, 2018, Pg. 8](#)

³⁸ [Sanitary District No. 5 Annual Financial Statements Report for FY ending June 30, 2018, Pg. 22](#)

Additional SD5 liabilities include pension plans and other post-employment benefits (OPEB) for retirees. SD5 contributes to the California Public Employees Retirement System (CalPERS) which provides various retirement to members and beneficiaries. Contributions to the pension plans from the District were \$847,033 for the year ended June 30, 2018, of which \$740,733 was a one-time payment to reduce overall pension liabilities³⁹. As of June 30, 2018, the District reported a total net pension liability of \$583,347. In 2018 there were a total of 9 active place members and 5 inactive employees or beneficiaries currently receiving benefits.

Table 7-5: Sanitary District No. 5 Debt Service Payment Overview

Fiscal Year Ending June 30	Principal	Interest	Total
2019	\$460,000	\$339,950	\$799,950
2020	\$470,000	\$330,650	\$800,650
2021	\$480,000	\$321,150	\$801,150
2022	\$490,000	\$309,000	\$799,000
2023	\$505,000	\$294,075	\$799,075
2024-2028	\$2,870,000	\$1,087,500	\$3,957,500
2029-2032	\$2,860,000	\$294,750	\$3,154,750
Total	\$8,135,000	\$2,977,075	\$11,112,075

Capital Improvement

SD5 operates on a 10-year Capital Improvement Program (CIP). The CIP was updated during the year ending June 30, 2018. The District has determined that there is an urgent need for significant capital improvements moving forward. These needs primarily deal with the aging infrastructure of the District’s wastewater collection system. Inflow and Infiltration (I&I) is the target of the District’s highest concern as reducing I&I requires a comprehensive plan and adequate funding to achieve results.

As of 2017, the Tiburon Collection system has an estimated \$4,300,000 of capital work identified in the CIP⁴⁰. The Belvedere Collections system has an estimated \$6,500,000 of capital work identified in the CIP. The Main Plant has an estimated \$2,000,000 of capital work. The Paradise Cove Plant has an estimated \$200,000 of capital work identified.

7.8 SUSTAINABILITY

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. In 2010, SD5 pursued the possibility for the agency to recycle water. Ultimately, the tabulated data showed that the District simply did not have enough end-users and that the total expense would not be justified. As a result, the Board made the decision not to pursue this path at that time. This possibility will be revisited in future assessments.

³⁹ [Sanitary District No. 5 Annual Financial Statements Report for FY ending June 30, 2018, Pg. 24](#)

⁴⁰ [Sanitary District No. 5 Annual Financial Statements Report for FY ending June 30, 2018, Pg. 9](#)

Recent projects include a bio-solids master plan evaluation to determine the best reuse opportunities for organics in order to be in compliance with the upcoming legislation of SB1383. The District also had control panel standardization projects and generator replacement projects that have been raised during the installation per the Marin Bay Waterfront Adaption and Vulnerability Evaluation report on sea-level rise. The District has taken the opportunity evaluate the opportunity for converting to solar, but at this time the project is not feasible. The reuse of methane in a generator has been explored as well, but at this time the District does not produce enough methane in order for this to be a possibility.

8.0 TIBURON FIRE PROTECTION DISTRICT

8.1 OVERVIEW

The Tiburon Fire Protection District (TFPD) was established in April of 1941 as an Independent Special District comprised of seventeen volunteer firefighters. The TFPD boundary surrounds just over 4 square miles of the Tiburon Peninsula in southeastern Marin County. This area includes a majority of the Town of Tiburon boundary, as well as all of the unincorporated space along the eastern shore of the peninsula. While not currently within the District’s jurisdictional boundary, the District has a contractual agreement with the City of Belvedere to offer fire protection and emergency services to the City. The district serves a population of approximately 11,000 persons. The last Municipal Service Review that included the TFPD was conducted in April of 2004 as part of the Southern Marin Service Review and Sphere of Influence Update.

The Primary function of TFPD is to provide structural fire and emergency medical response to the Town of Tiburon, City of Belvedere, and surrounding areas as shown in Figure 8-1. The TFPD also participates in the Marin County and California Mutual Aid System with nearby fire districts and responds to wildland fires as needed.

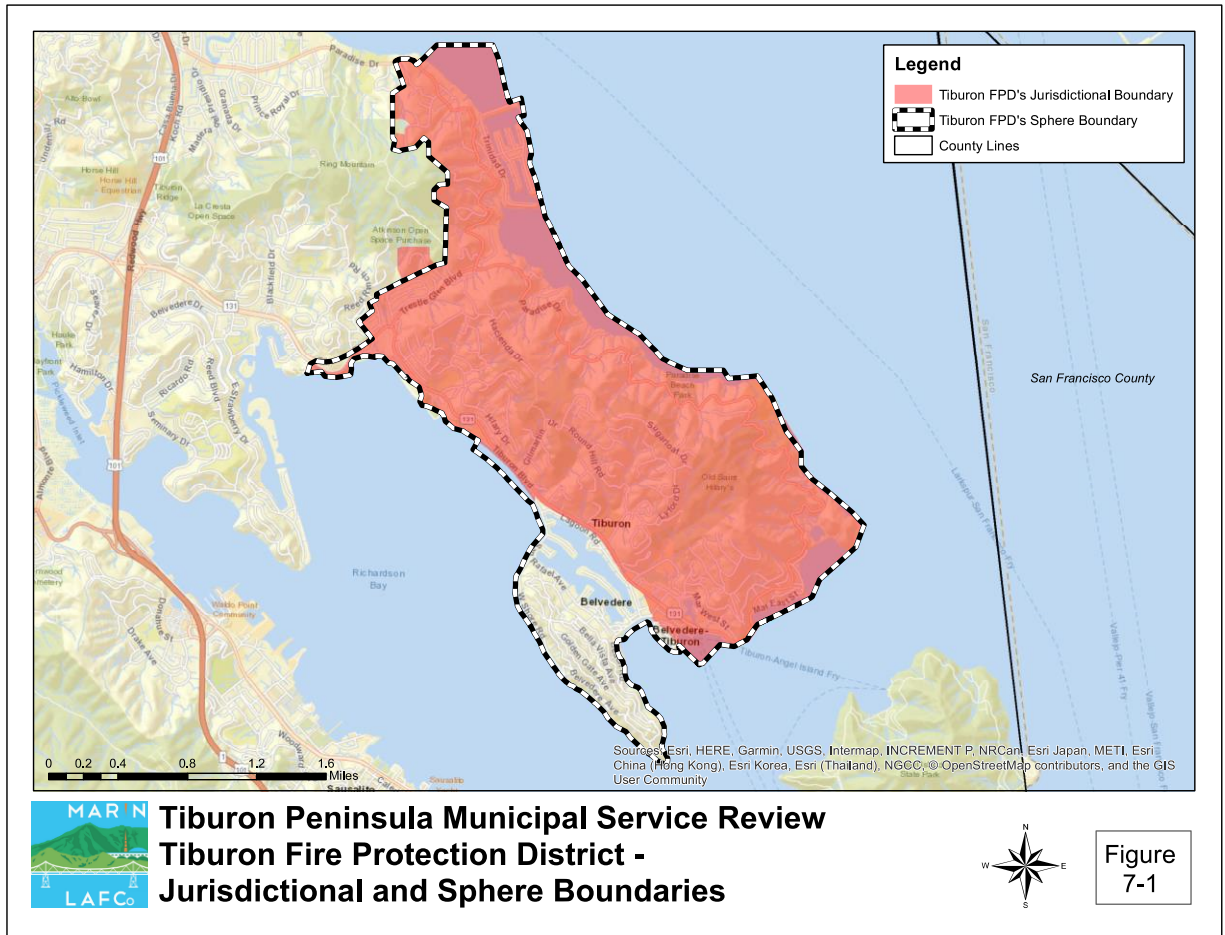
Table 8-1: Tiburon Fire Protection District Overview

Tiburon Fire Protection District			
Primary Contact:	Chief Richard Pearce	Phone	(415)-435-7200
Office Location:	1679 Tiburon Blvd, Tiburon, CA 94920		
Formation Date:	1941		
Services Provided:	Fire Protection and Emergency Response		
Service Area:	2,579 acres	Population Served:	≈11,000

8.2 FORMATION AND DEVELOPMENT

The Tiburon Fire Protection District’s formation was the result of serious fires that damaged the Northwestern Pacific Railroad’s railroad yard and several homes in the late 1930s. In 1941, community members petitioned the Marin County Board of Supervisors for organized fire protection, and in April 1941, a measure was approved for a new fire district and three fire commissioners were elected. The original district was made up of seventeen volunteer firefighters. The fire district was established as an independent Special District whose legal authority and responsibilities are contained in the State of California Health and Safety Code Sections 13800-13970.

Figure 8-1: Tiburon Fire Protection District Jurisdictional Boundary and Sphere of Influence



8.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Tiburon Fire Protection District’s service boundary, which currently encompasses just over 4 square miles, includes all of the incorporated area of Tiburon that lies south of Turtle Rock Court as well as all of the space to the east, both incorporated and unincorporated, along Paradise Drive. The current Sphere of Influence⁴¹ encompasses 4.65 square miles. The Sphere of Influence includes all of the City of Belvedere, with which the District contracted for services beginning in 1981. In 2004 Marin LAFCo designated⁴² an “interim” sphere of influence that included the TFPD jurisdictional boundary and the City of Belvedere. The “interim” title was given due to the open discussions at the time of the possible reorganization to form a larger fire protection district, while still allowing annexations prior to said reorganization. To this point, no official negotiation for the annexation of the City of Belvedere into the service boundary of TFPD has taken place.

Additionally, despite the area being outside of the District’s service boundary, TFPD finds itself regularly being the agency tasked with the initial response for both fire protection and medical emergencies on Angel Island. While a majority of the island is within the jurisdictional boundary of the Town of Tiburon, it also has the designation of State Park Land. At the same time, the land

⁴¹ [Marin Map Viewer, Fire Services](#)

⁴² [Marin LAFCo. Southern Marin Service Review and Sphere of Influence Update. April 26, 2004. Pg. 75](#)

technically falls under the jurisdiction of the Marin County Fire Department (CSA 31) for fire protection, however, the burden of response regularly falls to TFPD simply as a matter of its staff's physical proximity to the area. At this time, TFPD receives no funding from either the State of California, Marin County, or the Town of Tiburon for extending its services outside of its current boundary to Angel Island. Since 2007, the District has carried an average cost annually⁴³ for Angel Island service call responses of \$173,370.

There are County and City designated land uses in and around the TFPD's service boundary. Within the Town of Tiburon boundary, land use authority falls under town jurisdiction. Unincorporated areas within the District are subject to Marin County Land use authority. Land use within the town is predominantly residential but also includes commercial and mixed-use areas; business and industrial areas; and open space and natural resource lands. The predominant land uses in unincorporated district territory are generally comprised of open space and low-density residential lands.

8.4 MUNICIPAL SERVICES

Fire Protection and Emergency Response

The TFPD provides fire protection, emergency response, and paramedic services. Incident call types include rescue/emergency medical response, fire, service calls, good intention calls, natural disasters, false alarm, and hazardous materials/conditions. The District has two stations with personnel covering three shifts. The District has 30 full-time employees (24 career safety, 2 administrative personnel, and 4 firefighter trainees) staffing 2 companies, which include structure engines, wildland engines, and support units. The Fire Chief oversees the general operations of the District in accordance with the policy direction of the Board of Directors. The Fire Chief is supported by a Deputy Fire Marshal, a Finance Officer, an Executive Assistant, and three Battalion Chiefs, each serving as the District's Training, Logistics, or Operations Officer.

Tiburon Fire Protection District has been awarded a Class 1 Public Protection Classification rating by the Insurance Services Office (ISO), an organization that independently evaluates municipal fire-protection efforts throughout the United States. An ISO rating of 1 is the highest possible that can be given to any fire department using this metric. Insurance companies often use ISO information combined with other factors to establish local property insurance rates – generally offering lower fire policy premiums in communities with better protection.

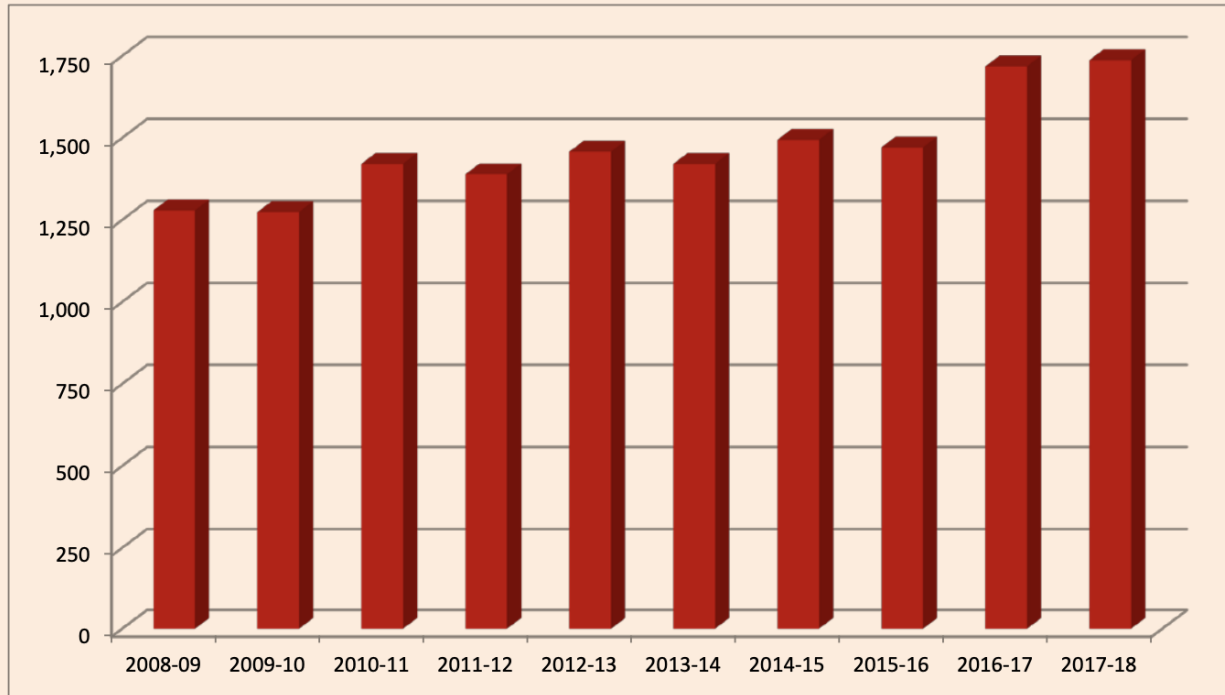
The TFPD receives an average⁴⁴ of 1,466.2 calls per year (2008-2018) with the majority being for Rescue/Emergency Medical. The call volume increased by approximately 15% during the past two years from 1,471 calls in 2015/16 to 1,737 in 2017/18. A summary of call numbers over the last 10 years is shown below in Figure 8-2.

Figure 8-2: Tiburon Fire Protection District Total Responses

⁴³ Staff Correspondence, October 3, 2019

⁴⁴ [TFPD Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 75](#)

**Tiburon Fire Protection District
Total Responses
Last Ten Fiscal Years**



During FY 2017-18 the TFPD responded⁴⁵ to 1,737 incidents. Of these, 68 percent were for emergency medical services and 2 percent were for fires. The average reported response time was 4 minutes 56 seconds for emergency medical services and 10 minutes 56 seconds for fires. A summary of incidents and response times is provided below in figures 8-3 and 8-4.

Figure 8-3: Tiburon Fire Protection District Response Times

⁴⁵ [TFPD Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 75](#)

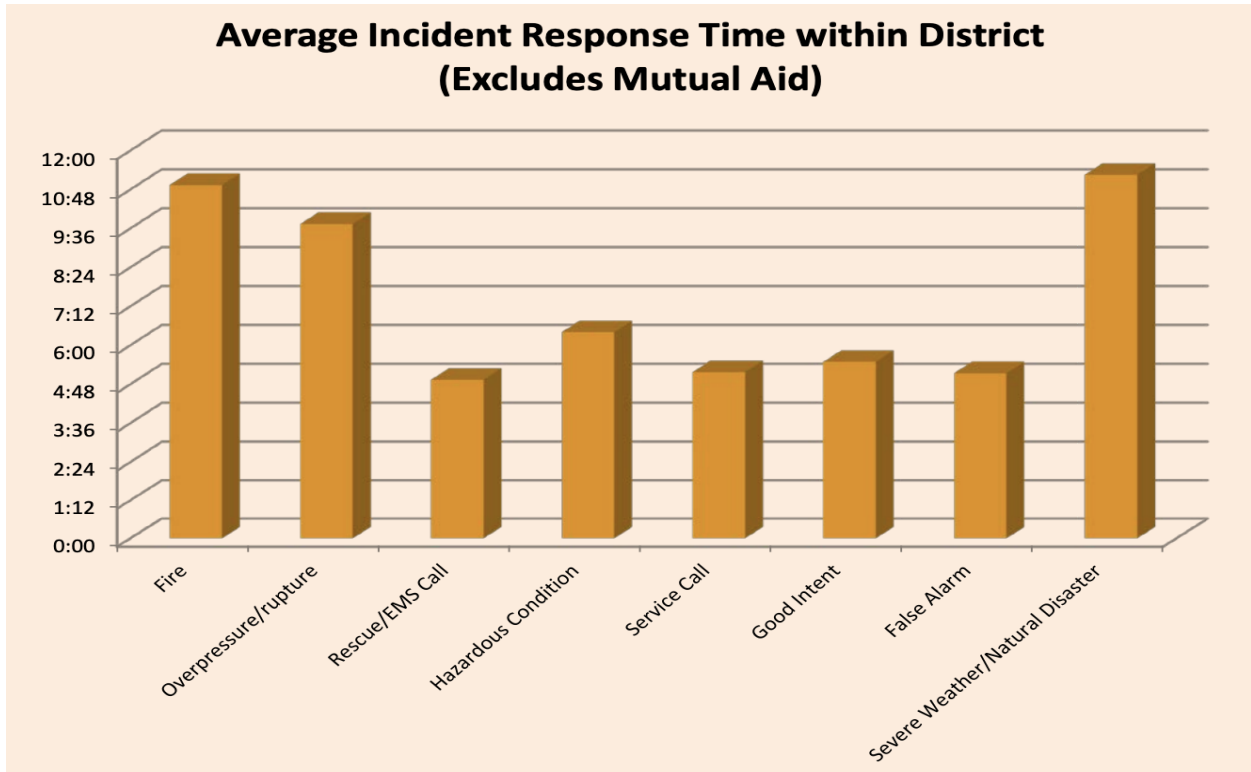
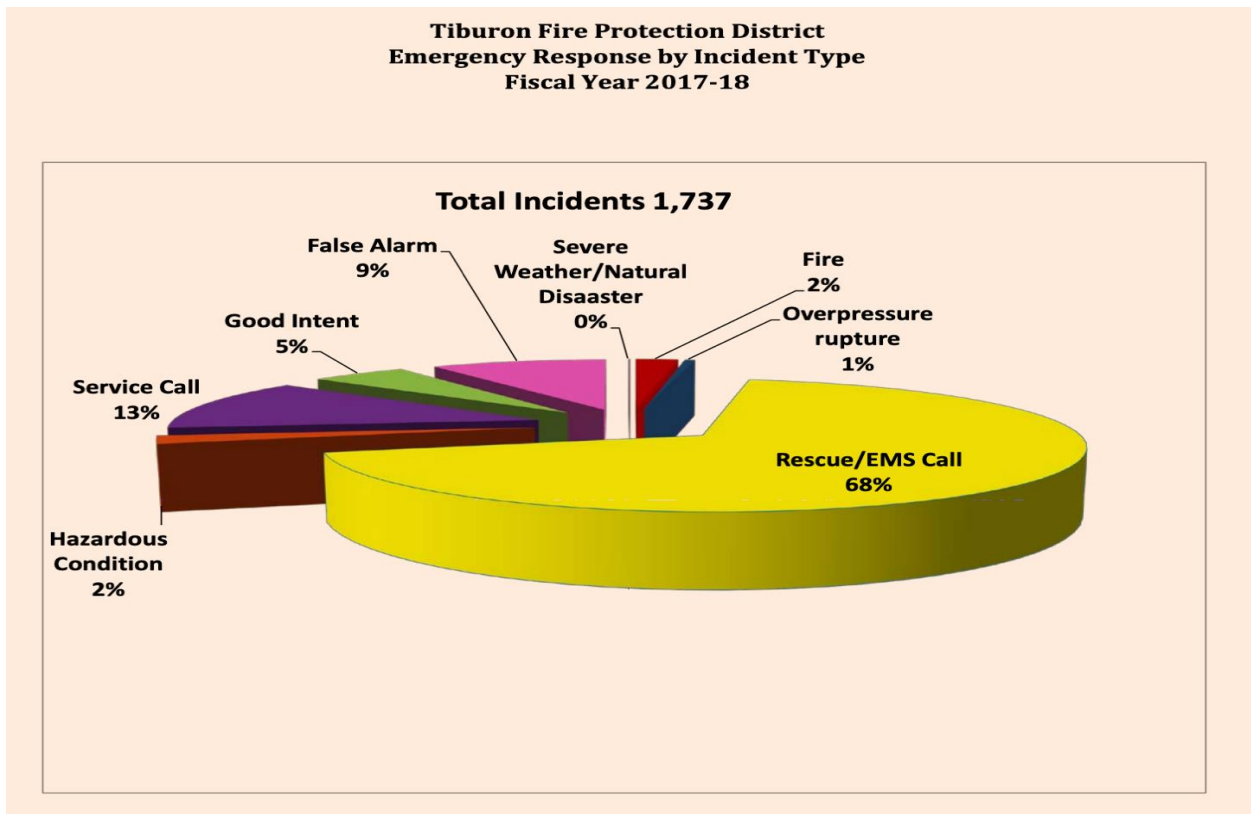


Figure 8-4: Tiburon Fire Protection District Response by Incident Type



Facilities and Apparatuses

The TFPD provides fire protection, emergency response The TFPD owns, operates, and maintains two fire stations with one concurrently used as its administrative building. The stations are:

- Station 10 – 4301 Paradise Drive, Tiburon, CA 94920
- Station 11 – 1679 Tiburon Boulevard, Tiburon, CA 94920

The TFPD also has a variety of apparatus that serve the community ranging from support vehicles to paramedic trucks. TFPD’s apparatus listed by station is provided below.

Station 10: 1 Type 1 Engine, 1 Ambulance, 1 Reserve Ambulance, 1 4x4 Utility Pickup Truck

Station 11: 1 Reserve Type 1 Engine, 1 Type 3 Engine, 1 Type 3 Reserve Engine, 1 Medium-Duty Rescue Unit, 1 B/C Command Vehicle, 1 Prevention Vehicle, 1 Chief’s SUV, 1 Utility 4x4 Pickup, 1 Staff Car

Waterfront: 1 Type 2 Fireboat

The Fire Chief drives an SUV capable of responding “Code 3” when a life or property emergency exists. The Battalion Chiefs share a 4x4 pickup truck for daily response. There is a reserve Battalion SUV command vehicle at Station 11. Additionally, the Prevention Division utilizes a “Code 3” capable SUV for inspections, investigations, fire response, community service events, public education, and meetings.

The District has a preventative maintenance program, and for new equipment, a purchasing committee is formed to review or write specifications, seek public bids, and follow the vehicle through the build-up and delivery process. In addition to the maintenance program, a comprehensive vehicle replacement plan is in place to maintain a state-of-the-art fleet. Based on frequency of use, apparatus is replaced in a timely fashion to ensure the highest levels of in-service vehicle availability.

Other Service Providers

The TFPD is a member of the Marin Emergency Radio Authority (MERA) which is a countywide public safety and emergency radio system that allows emergency response agencies to communicate effectively with each other.

The TFPD serves as an alternate Emergency Operations Center (EOC) location for the Town of Tiburon and the City of Belvedere. During a major emergency or disaster, the EOC provides a central location of authority and information with face-to-face coordination among personnel.

Running contiguous to the northwestern border of the District is the boundary for Southern Marin Fire Protection District (SMFD). SMFD was formed by the merger of the Alto-Richardson Fire Protection District and the Tamalpais Fire Protection District. The City of Sausalito Fire Department was annexed into the District in 2012. SMFD serves approximately ¼ of the Town of Tiburon.

8.5 ORGANIZATION STRUCTURE

Board of Directors

The Tiburon Fire Protection District has a five-member board that is elected to a four-year term through at-large election. The Board of Directors maintains current certificates for the CA Local Agency Ethics. Certificates for each of the board members can be found on the TFPD website. The Board of Directors meets regularly on the 2nd Wednesday of each month at 6:30 p.m. at the Tiburon Fire Protection District Headquarters Station 11, 1679 Tiburon Boulevard.

Table 8-2: Tiburon Fire Protection District Board of Directors

Member	Position	Term Expiration
Steve Sears	President	November 2020
Cheryl Woodford	Vice President	November 2022
David Kirchhoff	Secretary	November 2022
Tom O’Neill	Director	November 2022
Robert Miller	Director	November 2020

8.6 ACCOUNTABILITY AND TRANSPARENCY

The TFPD has consistently made it a priority to maintain high accountability and transparency with all its activities. The TFPD website (www.tiburonfire.org) provides information on Board meetings, financial reports, stations, history, apparatus, and more.

Meeting and Agendas

The TFPD Board of Directors meets regularly on the 2nd Wednesday of each month at 6:30 p.m. at the Tiburon Fire Protection District Headquarters Station 11, 1679 Tiburon Boulevard in Tiburon. Special meetings are held as needed to go over specific topics such as the annual budget. Meeting agendas and minutes can be found on the TFPD website (www.tiburonfire.org/board-of-directors).

Annual Budget Review

The District maintains extensive budgetary controls. The budget, adopted no later than the August Board meeting each year, provides overall control of revenue and expenditures, including appropriations on a line item basis and the means of financing them. The Finance Officer produces monthly reports on expense activity that assist that Battalion Chiefs in monitoring activities and programs. These reports are also reviewed by the Fire Chief and the Finance Committee to assure budgetary compliance.

8.7 FINANCIAL OVERVIEW

Approximately 72% of all annual district revenue⁴⁶ comes from property taxes. Additional revenue comes from the District’s contract with the City of Belvedere (19%), strike teams and other reimbursements and fees (7%), and Southern Marin Emergency Paramedic Service (2%). The Tiburon Fire Protection District maintains a goal of providing a high level of community

⁴⁶ [Tiburon Fire Protection District Operating Budget FY 2019-20, Pg. 10](#)

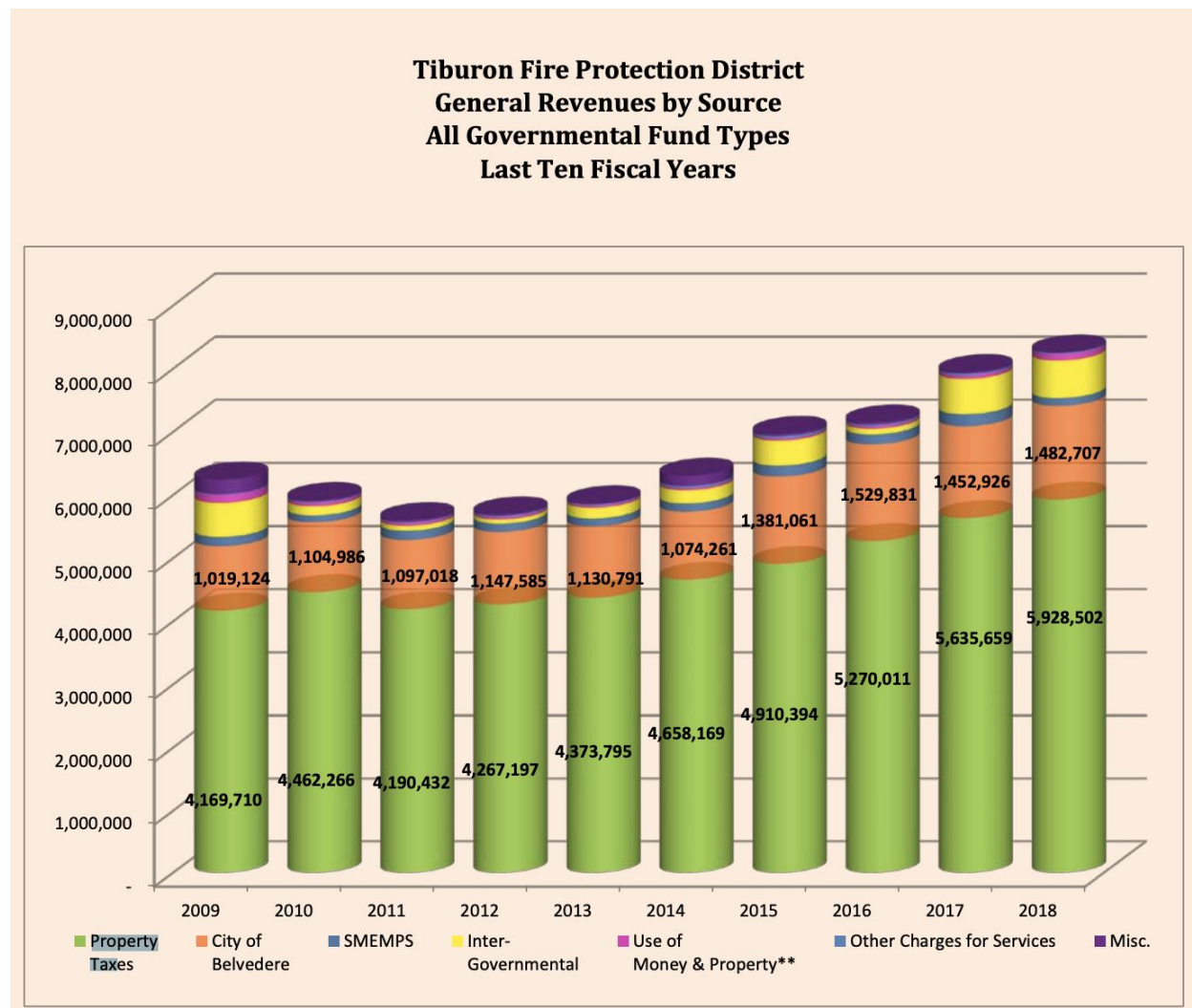
service while maintaining sustainable fiscal practices. Over the past three years, the District has ended with budget surpluses that have helped to bolster the general fund reserves.

Revenue

Revenue sources for the TFPD come primarily from a portion of the 1% property tax on residents within its district boundaries. Of the 1% property tax, the TFPD receives an average of 12% which amounts to approximately \$5.9 million for FY 2017-18. The other major source of revenue for the District is the funding it receives through its contracted services to the City of Belvedere. The contracted funds from the City totaled approximately \$1.48 million for FY 2017-18.

Other sources of revenue for the district include but are not limited to charges for services, operating grants and contributions, and payments from the Southern Marin Emergency Medical Paramedic System (SMEMPS). An illustration of the District’s revenue sources over the last ten fiscal years can be viewed in figure 8-5 below.

Figure 8-5: Tiburon Fire Protection District General Revenues by Source



Debt

The TFPD expends approximately \$122,000 per year on debt service including principal and interest payments. Current debt obligations include the lease of a Type 1 engine as well as payments to the Marin Emergency Radio Authority (MERA). As of June 30, 2018, the Tiburon Fire Protection District had approximately \$237,824 in outstanding debt⁴⁷.

The TFPD also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death benefits based on the employee’s years of service, age, and final compensation. As of June 30, 2018, the TFPD Net Pension Liability⁴⁸ was \$8,504,463. The TFPD pension funded ratio is 80% which is well above average for fire districts. In addition to the pension plan, the TFPD provides post-retirement health care benefits to its retirees. As of June 30, 2018, the District carried a Net OPEB liability⁴⁹ total of \$843,908 and is 85% funded. The District currently has 49 employees, both active and inactive, in their OPEB plan.

The TFPD maintains a District credit card with a credit limit of \$50,000. As of October 1st, 2019, the available credit⁵⁰ was \$40,184. The card balance is typically paid in full every month so that no interest is accrued.

Financial Audit

The Tiburon Fire Protection District annually prepares a Comprehensive Annual Financial Report (CAFR) in house to review the District’s financial statements in accordance with established governmental accounting standards. The District contracts with an outside accounting firm, Maher Accountancy, to audit the CAFR. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2018.

Table 8-3: Tiburon Fire Protection District Financial Audit Summary

Revenues	FY 2017-2018 Audit
Property Taxes	\$5,928,502
Intergovernmental	\$594,275
Use of Money and Property	\$99,483
Charges for Services	\$1,501,576
Distributions from SMEMPS	\$123,655
Reimbursements and Miscellaneous	\$10,533
Total Revenues	\$8,258,024

Expenditures	FY 2017-2018 Audit
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⁴⁷ [TFPD Comprehensive Annual Financial Report for the Year Ended July 30th, 2018. Pg. 66](#)

⁴⁸ TFPD Staff Correspondence, November 12, 2019

⁴⁹ TFPD Staff Correspondence, November 12, 2019

⁵⁰ TFPD Staff Correspondence, October 3, 2019

Salaries and Benefits	\$6,495,379
Material and Services	\$684,570
Capital Outlay	\$745,906
Debt Service	\$294,496
Total Expenditures	\$8,220,351

8.8 WILDLAND FIRE PREPAREDNESS

Local agencies such as the Tiburon Fire Protection District play a critical role in protecting natural resources and the environment. Extended periods of drought, changing climate patterns, wind, and low humidity has the potential to increase the occurrence and severity of wildland fires which could threaten structures and lives in the Wildland Urban Interface.

The TFPD participated in the Community Wildfire Protection Plan that was released in 2016. This was a collaborative effort among fire agencies in the county, local fire organizations including FIRESafe Marin, land management agencies, and community stakeholders. Through this effort, areas of concern throughout the county were identified based on population, fire behavior, vegetation, and other factors. Additionally, several goals were stated and associated action items were created to better prepare the county for wildland fires. One such goal is to “Increase awareness, knowledge, and actions implemented by individuals and communities to reduce human loss and property damage from wildland fires, such as defensible space and fuels reduction activities, and fire prevention through fire safe building standards”. The TFPD is working towards providing more education to the community about this topic. Additionally, TFPD provides an illustration on their website of how to create the necessary defensible space around residents’ homes. In partnership with Tiburon Volunteer Fire Department, Town of Tiburon Public Works Department, and City of Belvedere Public Works, TFPD provides “Chipper Events” to residents in the District. This allows residents the opportunity to drop off their vegetation cuttings and slash for chipper removal free of charge. To date, the efforts have removed upwards of 342 tons of vegetation from the Peninsula.

9.0 STRAWBERRY RECREATION DISTRICT

9.1 OVERVIEW

Strawberry Recreation District (SRD) is an independent special district organized pursuant to California Government Code Section 5780. The District provides parks and recreation services, as well as dredging/channel maintenance, to the unincorporated community of Strawberry. An overview of the District is provided in Table 9-1.

Strawberry Recreation District is located between the Town of Tiburon’s western boundary and Highway 101. Despite sharing a zip code with the City of Mill Valley, the community is, in fact, a census-designated place. The District is approximately 862 acres⁵¹ in size with a population of approximately 6,000 residents. The Marin Municipal Water District provides municipal water service and the Richardson Bay Sanitary District provides wastewater service to the District’s residents. The County of Marin provides police, community development, library, and road maintenance services. Fire protection services are provided by the Southern Marin Fire Protection District.

Table 9-1: Strawberry Recreation District Overview

Strawberry Recreation District			
Primary Contact	Nancy Shapiro, Interim General Manager: gm@strawberryrec.org		
Location	118 East Strawberry Drive, Mill Valley, CA 94941		
Formation Date	1949	Enabling Legislation	G.C. 5780
Services Provided	Parks and Recreation, Open Space, Dredging		
Other Municipal Service Providers	Marin Municipal Water District, Richardson Bay Sanitary District; Southern Marin Fire Protection District, County of Marin		
District Boundary	862 acres (based on GIS boundary shapefiles)		
Population Served	6,000		

9.2 FORMATION AND DEVELOPMENT

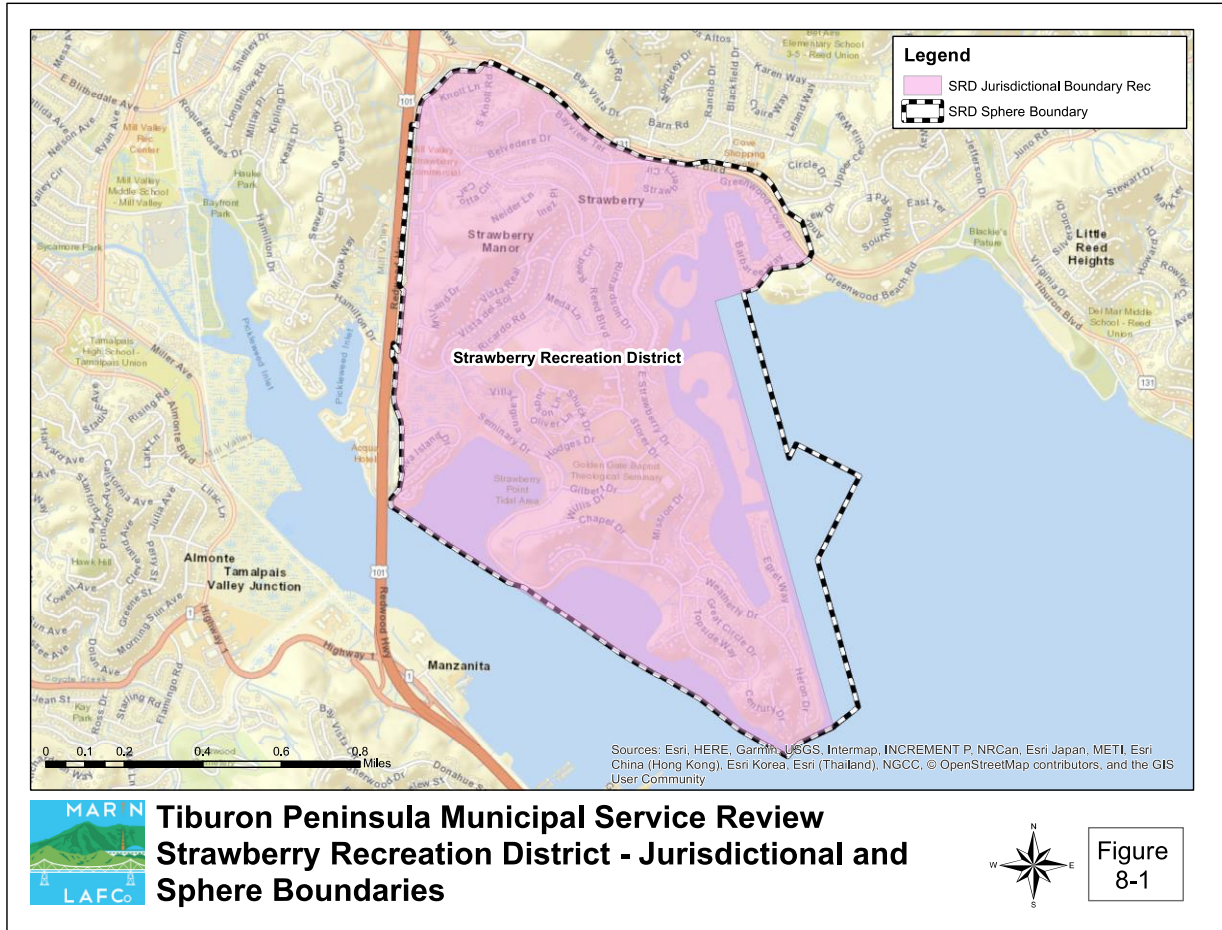
The first subdivision in the community of Strawberry was built in 1947, and by 1948 there were approximately 20 families living on the Strawberry peninsula. On March 7, 1949, Strawberry Recreation District was formed as a County Recreation District and conducted its business in the Red Barn, which was used as a community center, until 1954. In 1961 the District reorganized as a Park and Recreational District. In 1958, planning began for the construction of a new facility for the District, but construction did not begin until March of 1970. The construction of the facility was completed in February of 1971.

Today, the Strawberry Recreation District facility is the home to large meeting spaces, classrooms, a kitchen, athletic court, a stage, an aquatic facility, two baseball fields, a soccer field, four tennis courts, and picnic areas. The District’s facility is truly a community hub, as is evidenced annually

⁵¹ [Marin Map Viewer, Recreation Districts](#)

by the Strawberry Festival which dates back to 1953. The festival was originally organized to raise funds for the school library.

Figure 9-1: Strawberry Recreation District Boundary and SOI



9.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Strawberry Recreation District’s boundary is approximately 862 acres in size. The sphere of influence is slightly larger at 887 acres, however, the majority of the size difference is comprised of water in the Richardson Bay. The only other area where the jurisdictional boundary isn’t contiguous with the sphere boundary is along Tiburon Boulevard at the northeastern border.

9.4 POPULATION AND GROWTH

The Census Designated Place (CDP) of the community of Strawberry stretches beyond the jurisdictional boundary of Strawberry Recreation District to the north over Tiburon Boulevard. The northern portion of the CDP boundary includes a myriad of developed parcels that run-up to the jurisdictional boundary of Corte Madera. The total population of the CDP as of the 2010

Census⁵² was 5,393, which was an increase from 5,302 in 2000. While there is still some room for development in the northern pocket of the CDP, within the District boundary the area is essentially built out and shows little growth potential.

9.5 MUNICIPAL SERVICES

Parks, Recreation, and Open Space

Strawberry Recreation District and its main 5-acre facility is a genuine hub for the community of Strawberry. As their website states, the District “...continues to strive to create community through people, parks, partnerships, and programs.” The District’s programs are open to all, both from within the District boundary and from outside. In 2018, Strawberry Recreation District had over 850 participants in just its youth program offerings.

SRD provides a myriad of recreational programs for the community. The District offers daily youth programming, after school classes and drop-in play, and adult fitness classes. Swimming and tennis lessons are available year-round for all ages. The Strawberry Aquatics Facility is an outdoor facility that contains a five-lane 25-yard pool, a shallow teaching pool, spa, children’s splash pad, and wader pool. The District offers American Red-Cross CPR, First Aid, and Lifeguard training periodically throughout the year. Day and specialty camps are held throughout the summer months and are consistently one of the District’s highest revenue-generating programs offered. The camp’s available spaces typically sell out well in advance.

The District offers a number of rental spaces, including both facilities and athletic fields, to the community for private rentals. Areas available for private party rental include the aquatic facility, tennis courts, playing fields, meeting rooms, and reception hall.

Dredging

On⁵³ June 27th, 1989, Strawberry Recreation District held a special election to establish Zone IV. Zone IV was created in order for SRD to be able to oversee and administer dredging operations along the waterway east of Strawberry Drive in order to provide boating access for waterfront properties. Dredging consists of removing built-up sediment from the main channel and disposing of the sediment at a designated disposal site. Based on anecdotal information from community members, siltation begins impeding boat passage within 8-9 years of dredging.

The first dredging episode for Zone IV was conducted in 1992 and removed approximately 175,000 cubic yards of material. Since then, there have been two other dredging episodes in 2005 and 2014. The sediment disposal site for Zone IV, as is stated in the dredging permit, is Alcatraz Island. Each dredging episode restores the channel’s depth to between 6 and 8 feet below the Mean Lower Low Water (MLLW) level. A summary of prior dredging volumes is provided below in table 9-2. The next dredging episode, for which permitting has already been issued, is scheduled for late 2023.

⁵² [United States Census Bureau. Quickfacts Strawberry CDP. Population estimates. July 1, 2018](#)

⁵³ Resolution No. 362, Strawberry Recreation District

The dredging efforts are funded by a bond measure (Measure G) from 2004, and by a special tax of \$2,000 per parcel that was enacted in 2013 (Measure B). The bond will be fully paid as of August, 2019. The special tax is set to increase from \$2,000 per parcel to \$4,000 per parcel on January 1, 2020, in order to be the sole funding mechanism for the dredging operations moving forward. The special tax includes the option for an annual increase for inflation of up to 3.5%. The District keeps the revenue and expenses of Zone IV completely separate from all of the District’s operational revenues, expenses, and funds.

Dredging operations for SRD are overseen by a Citizens Advisory Committee (CAC) that is currently composed of two community members living in Zone IV. The CAC reports to the Board of Directors on budgetary and operational matters.

While dredging is an important service to many of the members of the Strawberry Recreation District, dredging is not one of the named powers of a Recreation District according to California State Government Code. The principal act that governs the district is the Recreation and Park District Law (Government Code 5786). The principal act empowers Recreation and Park Districts to 1) organize, promote, conduct and advertise programs of community recreation, including, but not limited to, park and open space, parking, transportation, and other related services that improve the community’s quality of life, 2) establish systems of recreation and recreation facilities, including, but not limited to, parks and open space, and 3) acquire, construct, improve, maintain, and operate recreation facilities including, but not limited to, parks and open space, both inside and beyond the district’s boundaries.

Table 9-2: Strawberry Recreation District Zone IV Past Dredging Volumes

Year	Dredge Depth (MLLW)	Volume (cy)
1992	No post dredge survey	175,000
2005	-7'	200,000
2014	-7'	150,000

9.6 ORGANIZATION STRUCTURE

Board of Directors

Strawberry Recreation District is governed by a five-member board of directors. Members serve four-year terms and must be residents of SRD. Board meetings are held at 6:30 p.m. on the second Tuesday of each month in the 1st-floor meeting room at 118 East Strawberry Drive.

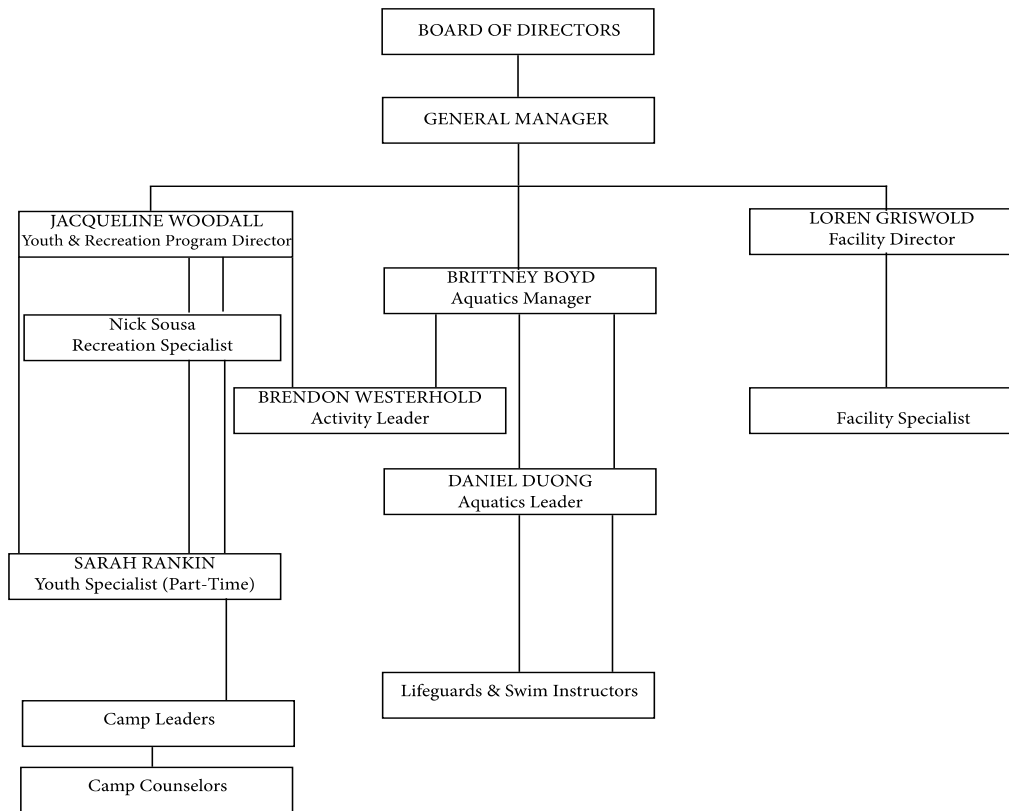
Table 9-3: Strawberry Recreation District Board of Directors

Member	Position	Term
Pam Bohner	Chair	Expires November 2020
Cale Nichols	Vice-Chair	Expires November 2020
Vacant	Secretary	Expires November 2022
Jeff Francis	Director	Expires November 2022
Peter Teese	Director	Expires November 2022

Staffing and District Operations

Strawberry Recreation District employs 8 full-time equivalents (FTE) employees, as well as numerous part-time, seasonal, and volunteer positions that fluctuate throughout the course of the year. The District General Manager oversees the operations of the District and reports to the Board of Directors. An organization chart for SRD as of November, 2019, can be seen in Figure 9-2 below.

Figure 9-2: Strawberry Recreation District Organization Chart



9.7 ACCOUNTABILITY AND TRANSPARENCY

When Conducting service reviews, LAFCo considers an agency’s accountability for community service needs, including governmental structure, operational efficiencies, financial resources, and promoting public access. Strawberry Recreation District offers multiple ways to keep citizens informed about services, meetings, finances, and decision-making processes. Public notices are posted on the District website. Past meeting agendas and meeting minutes may be found on the Meetings and Agendas page of the website. The public may also provide verbal comments or concerns by phone or in person at the SRD office during business hours and/or at District meetings during the public comment period.

Meetings and Agendas

Agendas and minutes of board meetings are posted on the District’s website as required by the Brown Act (AB 2257). A Brown Act amendment (Government Code section 54954.2) effective January 1, 2019, requires local agencies to comply with new agenda posting requirements including a prominent, direct link on their primary web pages to the current meeting agenda. In addition, agendas must be in a format that is retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications. District meeting agendas and minutes are currently posted online on the District’s website and are easily searchable.

Annual Budget Review

The District posts its annual audits on its webpage through a link located on the management and finance page of its website. Currently, the public can access the audits going back at least five fiscal years online through the District’s website. The budgets are prepared and presented to the board of directors by the General Manager for approval and adoption on an annual basis. Currently, the public can access the annual budgets going back at least 3 fiscal years online through the District’s website.

9.8 FINANCIAL OVERVIEW

The District’s Fiscal Year (FY) 2019-20 operating budget⁵⁴ is \$1,833,228, an increase of \$348,000 from FY 2018-19. It received a majority of its revenue from fees generated from recreational programs such as day camps and swim lessons, as well as from facility rentals for the swimming pool and the main building use. The other major source of revenue for the District comes from property taxes. The majority of SRD’s expenditures are for staffing, both full time and part-time/seasonal, as well as facility maintenance and repairs. The most recent available report on the District’s financial statements (FY ending June 30, 2017) was a “qualified” or clean audit. Table 9-4 shows an abbreviated budget for the District.

⁵⁴ [Strawberry Recreation District Operating Budget FY 2019-20](#)

Table 9-4: Strawberry Recreation District Revenues and Expenditures for FY 2018-19 and 2019-20

Revenue	FY 2017-18 Actuals	FY 2018-19 Actuals	FY 2019-20 Adopted
Recreation Programs	\$986,079	\$784,323	\$1,014,775
Facilities	\$158,464	\$182,360	\$197,837
Administration	\$2,440	\$41,706	\$4,000
Property Tax	\$398,701	\$390,654	\$398,701
Measure A	\$87,070	\$92,439	\$93,780
Licenses/Permits	\$140,747	\$147,869	\$142,530
Other	\$187,305	\$242,160	\$187,299
Total	\$1,960,806	\$1,748,511	\$2,038,922

Expense	FY 2017-18 Actuals	FY 2018-19 Actuals	FY 2019-20 Adopted
Recreation Programs	\$763,116	\$771,580	\$1,023,500
Facilities	\$310,578	\$334,505	\$387,642
Administration	\$371,082	\$378,360	\$420,085
Capital Improvement	\$276,058	\$198,284	\$346,000
Other	\$246,647	\$54,627	\$17,063
Total	\$1,967,444	\$1,737,356	\$2,194,148
Net Total	(\$13,638)	\$11,154	(\$155,226)

Financial Audit

Strawberry Recreation District is required to submit a complete financial audit to the County and State annually. The most recent audit of the District was conducted in 2018 but is currently awaiting formal approval. As such, the most recent audit of the District available to the public is for the FY ending June 30, 2017. The audit was conducted by Certified Public Accountants at R.J. Ricciardi INC.

Debt

The District's only long-term debt obligation at this time is the product of a 2004 General Obligation Bond used for the dredging of Zone IV. On June 9, 2004, the District issued General Obligation Bonds in the principal amount of \$1,800,000 in 2004 Series A Bonds. The Bonds bear interest at 4.5%-5.5% and are due semi-annually on February 1 and August 1. The final payment was scheduled for August 1, 2019. As of June 30, 2018, the District's remaining debt⁵⁵ on the bonds were \$353,505.

Additionally, SRD also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death

⁵⁵ SRD Basic Financial Statements for the Year Ended July 30th, 2018. Pg. 8

benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the District's Net Pension Liability⁵⁶ was \$164,318.

9.9 SUSTAINABILITY

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. While the District is active in preserving many of the open-space areas within its boundaries such as Strawberry Vista and Seminary Drive Waterfront Coastal Path, the District is also making strides to reduce its carbon footprint by participating in Zero Waste Marin. Zero Waste Marin is a Joint Powers Authority formed in 1996 that is comprised of representatives from all over Marin County. The mission of the JPA is to help residents and businesses meet the County's zero waste goal by 2025 by reducing and recycling their solid waste and safely disposing of hazardous materials.

⁵⁶ SRD Basic Financial Statements for the Year Ended July 30th, 2018. Pg. 23

10.0 COUNTY SERVICE AREA NO. 29 – PARADISE CAY

10.1 OVERVIEW

County Service Area No. 29 (CSA No. 29) was formed by Board Resolution No. 92-04 on January 7, 1992, and encompasses approximately 44.1 acres. CSA No. 29 is a single-purpose dependent special district that provides maintenance dredging for navigation purposes to the unincorporated area at the northern end of Paradise Drive on the eastern edge of the Tiburon Peninsula. Table 9-1 below provides an overview of the CSA.

CSA No. 29's boundary encompasses a majority of the unincorporated community of Paradise Cay. The community is an unincorporated island that is surrounded on all sides by the Town of Tiburon. The community was built in the 1960s and was one of the last developments allowed to be built on fill in the San Francisco Bay. The 135 parcels that constitute CSA No. 29 are connected by a series of waterways for ingress and egress for homeowners' watercraft.

Additional service districts within CSA No. 29 include Marin Municipal Water District, Tiburon Fire Protection District, and Marin County Sanitary District No. 2. While the CSA is on unincorporated land, it is within the sphere of influence of the Town of Tiburon.

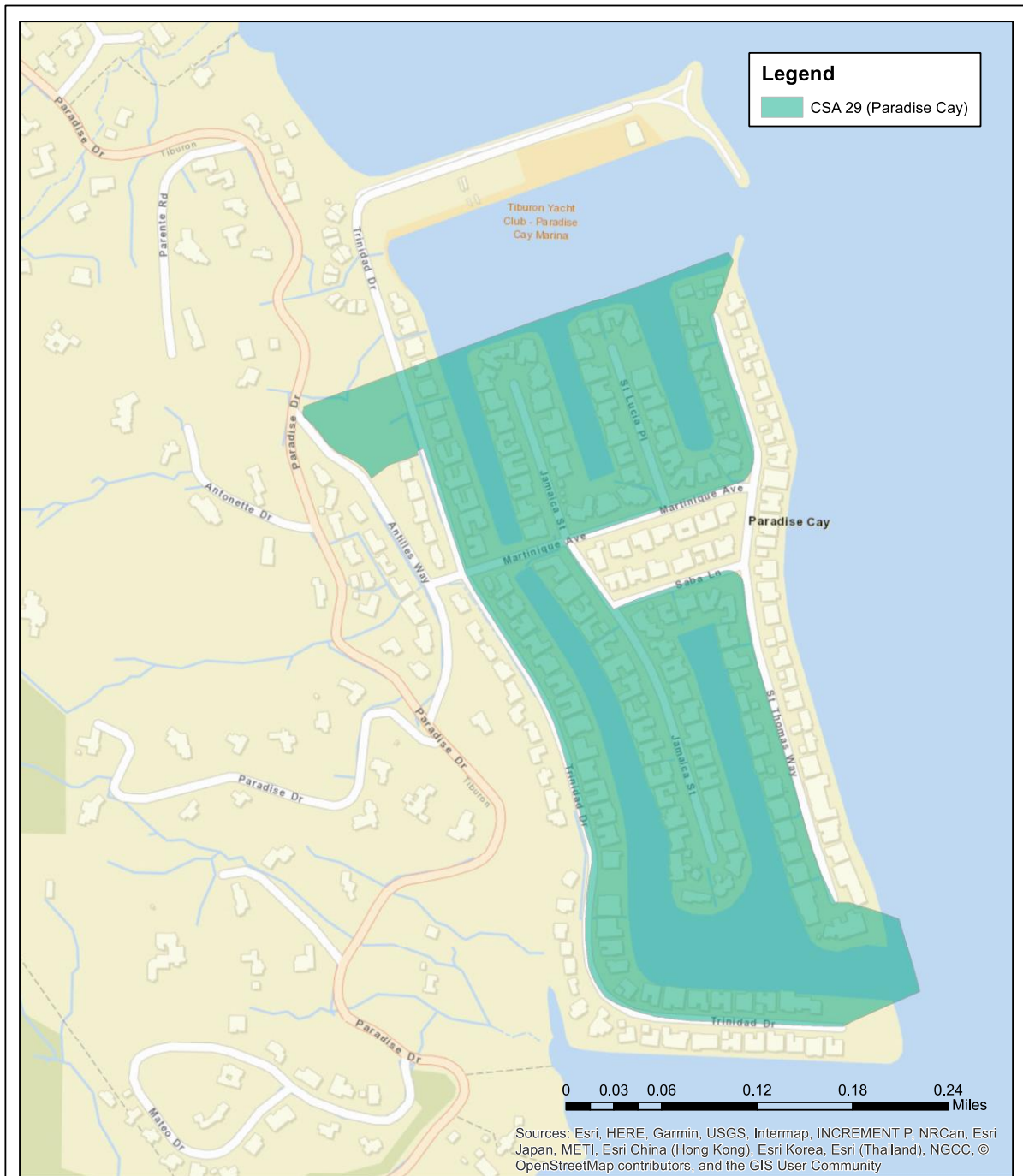
Table 10-1: County Service Area No. 29 Overview

CSA No. 29 – Paradise Cay			
Primary Contact	Scott McMorrow		
Phone	(415) 473-2918		
Office Location	Department of Public Works, 3501 Civic Center Drive #304, San Rafael, CA 94903		
Formation Date	January 7, 1992	Services Provided	Dredging
Service Area	44.1 acres	Population Served	566

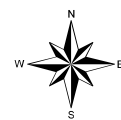
10.2 FORMATION AND DEVELOPMENT

CSA No. 29's establishment was the result of landowners' interest in dredging services for the five waterways amongst the community of Paradise Cay. The community has an agreement in place with the County of Marin for a special tax, currently at \$1,500 per parcel (plus a possible 3% annual adjustment for inflation), to fund the permitting, dredging, and waste disposal as necessary. The property owners within Paradise Cay have an interest in maintaining recreational boating access and have historically worked with Marin County Department of Public Works to maintain channel depths in the lagoon by dredging. The channel is prone to sediment buildup that reduces navigational capacity. The channels were most recently dredged in 2014.

Figure 10-1: County Service Area No. 29 Jurisdictional Boundary



**Tiburon Peninsula Municipal Service
Review County Service Area 29 (Paradise
Cay) Jurisdictional Boundary**



**Figure
9-1**

10.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

CSA No. 29's sphere of influence is coterminous with its jurisdictional boundary which runs the full length of Trinidad Drive as well as the entirety of St. Thomas Way, save for the parcels along Saba Lane and Martinique Avenue. It includes a total of 135 parcels. Land use designations within the CSA are strictly reserved for Single Family Residential. The majority of the residential lots within the CSA have been developed.

10.4 POPULATION AND GROWTH

CSA No. 29 is within Census Tract 1241 and is made up of Census Blocks 2024, 2037, 2025, and 2038. According to 2010 US Census data, the combined population of these blocks is 619. All developable parcels within the CSA boundary have been developed and increased growth is unlikely.

10.5 MUNICIPAL SERVICES

Dredging

CSA No. 29 was formed to provide dredging services for the Paradise Cay community in order to provide boating access for waterfront properties. Dredging consists of removing built-up sediment from the main channel of the creek and disposing of the sediment at a designated disposal site. Based upon the history of this community's dredging frequency, siltation begins impeding boat passage within 3-4 years of dredging.

Marin County staff have been working with property owners to remove 6 parcels from the CSA and add 1 parcel. 5 of the 6 parcels to be removed are not contiguous to any of the waterways being serviced by dredging operations and have no need to be included moving forward. The parcel targeted to be added to the CSA is both contiguous to the current jurisdictional boundary of the CSA as well as being on the water and requiring the dredging service to ensure watercraft ingress and egress to the residence. At this time, County staff plans to delay the proposed boundary adjustment⁵⁷ until after the 2020 dredging episode.

The previous 5 dredging episodes have averaged approximately 26,868 cubic yards⁵⁸ of silt removal from the CSA, and the proposed 2020 episode is targeted to remove a similar amount. As is agreed upon in the dredging permit, CSA 29 had disposal sites designated both in the San Pablo Bay as well as Alcatraz Island. The proposed dredging episode for 2020 will increase channel depth to 8 feet below the Mean Lower Low Water (MLLW) level in channels A-E, and will increase channel depth to 9 feet below MLLW level for the north and south waterways and entrance channels. A summary of prior dredging volumes is provided below in Table 10-2.

⁵⁷ Marin County Staff Correspondence, October 14, 2019

⁵⁸ [Marin County CSA 29 Documents](#)

Table 10-2: County Service Area No. 29 Past Dredging Volumes

Year(s)	Dredge Depth (MLLW)	Volume (cy)
2000	-8’/-9’	16,913
2003	-8’/-9’	15,647
2006	-8’/-9’	26,850
2009/10	-8’/-9’	41,850
2014/15	-8’/-9’	33,080

10.6 ORGANIZATIONAL STRUCTURE

Board of Supervisors

CSA No. 29 was formed as a dependent special district with the Marin County Board of Supervisors as its governing body. The five-county supervisors are elected to four-year terms of office with no term limits. Government Code Section 25212 grants the Board of Supervisors rights and powers to administer service areas. A county service area may only provide those services authorized in its formation resolution unless the Board of Supervisors applies to and receives authorization from LAFCo for activation of latent power.

The Board of Supervisors generally meets the second and fourth Tuesday every month at 9:00 a.m. in the County of Marin Civic Building located at 3501 Civic Center Drive, Suite 329 in San Rafael. A current listing of members along with respective backgrounds follows in Table 10-3.

Table 10-3: County of Marin Board of Supervisors

Member	Position	Experience	Term
Damon Connolly (District 1)	Supervisor	Government	Expires January 2023
Katie Rice (District 2)	Vice-President	Government	Expires January 2021
Kate Sears (District 3)	President	Attorney	Expires January 2022
Dennis Rodoni (District 4)	2 nd Vice-President	Construction	Expires January 2021
Judy Arnold (District 5)	Supervisor	Government	Expires January 2023

Advisory Board

The Board of Supervisors appoints members to an Advisory board that oversees CSA No. 29 and advises the Board of Supervisors on necessary actions. This Advisory Board typically meets twice a year to review budgeted items and planned projects including design and engineering of upcoming dredging projects. A written update is provided in the fall unless a meeting is needed to discuss a special topic. The Advisory Board consists of six appointees as noted below in Table 10-4.

Table 10-4: County Service Area No. 29 Advisory Board Members

Member	Position	Term Expiration
James Sherman	Advisor	11/5/2022
Harry Blake	Advisor	01/08/2022
Robert Cerf	Vice-Chair	01/08/2022
Eric Lyons	Chair	01/08/2022
Eugene Royal	Advisor	01/15/2022
Ken Royal	Advisor	09/10/2022

Staffing and District Operations

As a dependent special district of the County, all administrative services are provided by county departments, including legal counsel and compilation of financial transaction reports for the State Controller’s Office required under Government Code Section 53891. District projects are overseen by county senior and principal engineers.

10.7 ACCOUNTABILITY AND TRANSPARENCY

Meetings and Agendas

Advisory Board meetings are held twice per year and more often as needed. The meeting date, time, and location are posted on the Marin Watershed Program website. Also posted on the website are agendas, staff reports, and prior meeting minutes. In 2018, the Advisory Board met twice. The spring meeting was held on March 7, 2018, and the fall meeting was held on October 10, 2018.

Annual Budget Review

CSA No. 29 posts draft budgets on the Marin Watershed Program Website as part of meeting packet materials. The draft budgets include actuals for the prior year, a proposed budget for the upcoming year, and a planned budget for the following year. The CSA is included in the County of Marin Comprehensive Annual Financial Report as a line item under Public Protection of the Budgetary Comparison Schedule.

10.8 FINANCIAL OVERVIEW

CSA No. 29 is funded through a special tax on the properties served. Currently, the cost of the tax is \$1,500 per parcel served. Every year county staff prepares a proposed budget for Advisory Board recommendation and Board of Supervisors’ approval. Details of three current years are provided below in Table 10-5.

Table 10-5: County Service Area No. 29 Financial Summary

Revenues	FY 2016-17 Actuals	FY 2017-18 Actuals	FY 2018-19 Adopted Budget
Parcel Tax	\$163,700	\$210,003	\$210,120
Total Revenues	\$165,256	\$210,003	\$210,120
Expenditures	FY 2016-17 Actuals	FY 2017-18 Adopted Budget	FY 2018-19 Adopted Budget
Construction - Dredging	\$0	\$0	\$710,000
Staffing	\$15,367	\$16,470	\$40,000
Miscellaneous	\$2,071	\$15	\$1,000
Professional Services	\$673	\$630	\$177,000
Net Total	\$145,329	\$144,540	\$928,000
Projected Fund Balance	\$574,967	\$767,856	\$49,976

With the current parcel tax being implemented in 2016 and having a lifespan of 10 years, the upcoming planned full dredging in 2020 as well as the subsequent dredging efforts, likely in 2025, will be funded by the parcel tax as it currently stands.

10.9 SUSTAINABILITY

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. CSA 29 takes great care in ensuring compliance with proper water quality discharge requirements, as well as with the disposal of the removed sediment as to not disturb any sensitive habitat. Additionally, CSA 29 ensures that all dredging episodes are scheduled at a time of the year that does not cause a disturbance to any of the endangered or special status species in the area, including the Steelhead, Chinook Salmon, Coho Salmon, and Pacific Herring.

11.0 FLOOD CONTROL ZONE NO. 4

11.1 OVERVIEW

Flood Control Zone #4 (FZ4) encompasses .85 square miles and includes sections of the Town of Tiburon and Bel Aire. FZ4 was established in 1957 in order to address flooding problems in the community of Bel-Aire and adjacent undeveloped lands. The boundary was amended in 2001 to include subzone 4A: Strawberry Circle.

The boundaries of FZ4 were formed by the Marin County Flood Control and Water Conservation District and approved by the Board of Supervisors.

Five members that reside within FZ4 are appointed by the Board of Supervisors to serve on the Advisory Board to oversee matters involving the zone. The Advisory Board meets annually in February or March to review the budgetary needs, then schedules regular meetings throughout the year as deemed necessary by the District engineer. FZ4 sustains 8 pumps at 3 permanent pump stations in an effort to reduce flooding. In addition, FZ4 maintains 0.15 miles of berm/levee, tide gates and trash racks, and an annual vegetation program along .09 miles of creek. An overview map is provided in Figure 11-1 below.

Figure 11-1: Flood Control Zone No. 4/4A Boundary

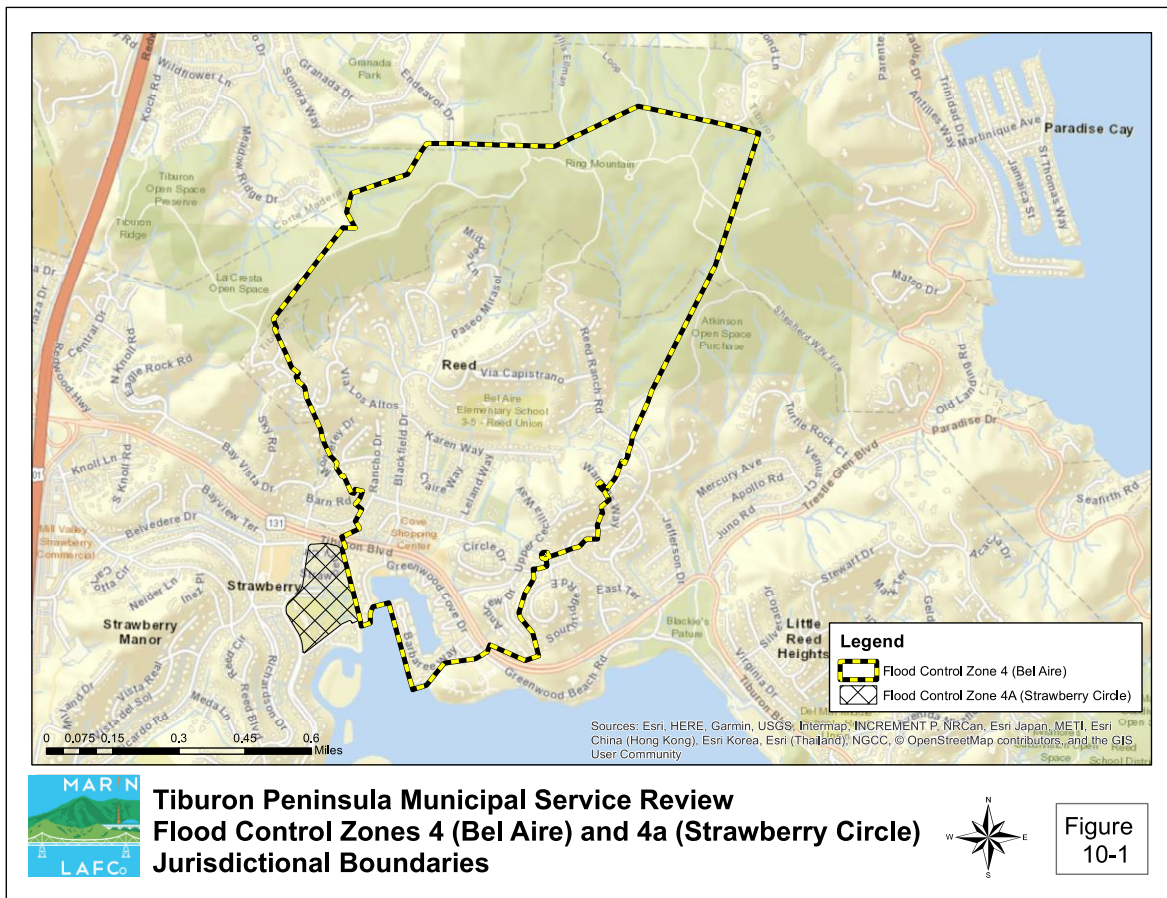


Table 11-1: Flood Control Zone No. 4 Overview

Flood Control Zone #4 and 4A – Bel Aire			
Primary Contact	Scott McMorrow		
Phone	(415) 473-2918		
Office Location:	Department of Public Works, 3501 Civic Center Drive, San Rafael, CA 94903		
Formation Date	1957	Services Provided	Flood Control
Service Area	.85 square miles	Population Served	1,500

11.2 FORMATION AND DEVELOPMENT

Flood Control Zone 4 was originally created in May of 1957, as determined by the Board of Supervisors in Resolution 4860. FZ4 was established to alleviate the perpetual flooding in the Bel Air neighborhood and nearby undeveloped territory.

In 2001, the Board of Supervisors and Marin County Flood Control and Water Conservation District passed resolution 2001-159 declaring the intention to amend FV4 and establish Subzone 4A. The approval for the amendment would be contingent on the passage of special tax Measure F presented to voters residing in Subzone 4A only. Measure F clearly exceeded the two-thirds votes required to succeed. The special tax of \$220 per year is levied annually on each parcel within the subzone boundary in order to fund the future costs of a new underground pump station.

11.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

FZ4’s sphere of influence is contiguous with its jurisdictional boundary and includes a total of 850 parcels. Land uses within the zone boundary of areas in unincorporated City of Mill Valley and Town of Tiburon, which include the sub-watersheds of East and West Creeks and Salt Works Canal, which all drain into Richardson Bay.

11.4 POPULATION AND GROWTH

The FZ4 is within the community of Bel Aire which is Census Tract 1241. In 2010, the US Census reported a population of 5,441, which is a slight increase from the year 2000. All developable parcels within the boundary have been developed and increased growth is unlikely.

11.5 MUNICIPAL SERVICES

Flood Control

Flood Control Zone 4 offers pump station and vegetation maintenance, sediment removal, and precipitation and stream maintenance along the East and West Creeks.

In years 1982-83 and 1997-98, major flooding occurred throughout Marin driving the Marin County Flood Control and Water Conservation District to prepare for every year as an “El Nino year”. Preparation for flooding includes, constant assessment of the pumps and generators, regular

inspection of the levees and floodwalls, as well as the creeks to be clear of all vegetation, sediment or other issues that may block the pumps or flow of rainwater.

In early 2016, the County Flood Control and Water Conservation District determined a need for the removal of sediment accumulation near Cecilia Way along the West Creek. The County received a permit from the San Francisco Regional Water Quality Control Board and a programmatic permit from the California Fish & Wildlife as required. The work was set to begin in October of 2016 barring any disputes or concerns regarding disruption of any habitations.

11.6 ORGANIZATION STRUCTURE

Board of Supervisors

Flood Control Zone #4 was formed as a dependent special district with the Marin County Board of Supervisors as its governing body. The Advisory Board consists of five (5) members appointed by the District Board. County Supervisors are elected to four-year terms of office, with no term limits.

Table 11-2: County of Marin Board of Supervisors

Member	Position	Term
Damon Connolly (District 1)	Supervisor	Expires January 2023
Katie Rice (District 2)	Vice-President	Expires January 2021
Kate Sears (District 3)	President	Expires January 2022
Dennis Rodoni (District 4)	2 nd Vice-President	Expires January 2021
Judy Arnold (District 5)	Supervisor	Expires January 2023

Advisory Board

The Board of Supervisors appoint five (5) members, who shall reside in Flood Control Zone 4, to an Advisory Board that oversees the zone. That Board will make recommendations to the Board of Supervisors on necessary actions. This Advisory Board meets once a year in February or March to review budgeted items and planned projects, including design and engineering of upcoming improvements. A written update is provided to the Board of Supervisors unless a meeting is needed to discuss a time sensitive issue. The Advisory Board consists of five appointees. As of October 16, 2019, all five seats are vacant.

Staffing and District Operations

As a dependent district of the County, all administrative services are provided by county departments, including legal counsel and compilation of financial transaction reports for the State Controller’s Office required under Government Code Section (53891).

11.7 ACCOUNTABILITY AND TRANSPARENCY

Meetings and Agendas

Advisory Board (AB) meetings are held once per year and more often as needed. AB meeting notices are posted in three public places. Meeting notices and meeting documents are posted on the District’s website. Members of the public who have requested to be notified of AB meetings are notified via email. The meeting date, time, and location are posted on the Marin Watershed Program website. Also posted on the website are agendas, staff reports, and prior meeting minutes. In 2018, the Advisory Board met twice. The spring meeting was held on March 22, 2018, and the fall meeting was held on September 25, 2018.

Annual Budget Review

Flood Control Zone 4 posts draft budgets on the Marin Watershed Program Website as part of meeting packet materials. The draft budgets include actuals for the prior year, a proposed budget for the upcoming year, and a planned budget for the following year. The FCZ is included in the County of Marin Comprehensive Annual Financial Report as a line item under Public Protection of the Budgetary Comparison Schedule.

11.8 FINANCIAL OVERVIEW

FCZ 4 is funded by an apportionment of the property tax on the properties served. Additionally, subzone 4A has a special tax that was enacted in 2002 (Measure F) for \$220 annually per parcel. This special tax was raised in order to fund the future costs of a new underground pump for the subzone. This tax sunsets in 2022 and will need to be revisited at that time in order to address the necessity of renewing and/or increasing the cost per parcel. Every year county staff prepares a proposed budget for Advisory Board recommendation and Board of Supervisors’ approval. Details of three current years are provided below in Table 11-3.

Table 11-3: FCZ 4 FY 2018-19 Proposed Operating Budget

Expenditures	FY 2017-18 Budget	FY 2018-19 Proposed	FY 2019-20 Estimate
Salaries, Benefits, and Overhead	\$473,021	\$425,000	\$386,578
Maintenance – Building and Improvements	\$241,463	\$265,723	\$273,695
Professional Services Contracts	\$307,489	-	-
Construction	-	\$2,000,000	-
Utilities	\$4,500	\$6,000	\$6,000
Misc. Expenses	\$45,200	\$45,200	\$45,200
Total Expenditures	\$1,071,673	\$2,741,923	\$711,472
Revenues	\$760,136	\$763,936	\$767,756
Projected Fund Ending Balance	\$2,151,939	\$173,952	\$230,236

11.9 SUSTAINABILITY

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. FCZ 4's mission is to reduce the risk of flooding for the protection of life and property while utilizing sustainable practices. This mission is implemented through effective, transparent, and responsive planning, design, construction, operation, and maintenance of District-owned facilities such as storm water pump stations, detention basins, bypass drains, creeks, ditches, and levees. FCZ 4's efforts to subvert major flooding events has a major impact on water quality. Storm drains allow untreated runoff from the exteriors of our homes and businesses to flow directly to creeks and the Bay. Floods can also overwhelm sewage treatment facilities and wash untreated sewage into creeks, storm drains, and the Richardson Bay. Through their continued preventative measures, FCZ 4 protects not just people and property, but the local environment as well.

MARIN LAFCO CHECKLIST FOR TIBURON PENINSULA AREA MSR

These following items will be added to the Marin LAFCo work plan.

- Working group to review avenues to remove dredging services from Strawberry Recreation District.

- Working group to review formal annexation of the City of Belvedere into Tiburon Fire Protection District

- Working group to review the boundary line of Paradise Drive.

- Working group to address Angel Island Fire and Emergency Services.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO 20-16

ADOPTION OF THE TIBURON PENINSULA AREA MUNICIPAL SERVICE REVIEW

WHEREAS the Marin Local Agency Formation Commission, hereinafter referred to as the “Commission”, is a political subdivision of the State of California with regulatory and planning responsibilities to produce orderly growth and development under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the Commission is responsible under Government Code Section 56430 to regularly prepare studies to independently assess the availability, performance, and need of governmental services to inform its regulatory and other planning activities; and

WHEREAS part of such reviews, LAFCos must compile and evaluate service-related information and make written determinations regarding infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities for shared facilities, government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, evaluation of management efficiencies, and local accountability and governance; and

WHEREAS a written report on the municipal service review was presented to the Commission in a manner provided by law; and

WHEREAS Marin LAFCo issued a Draft Service Review on February 13, 2020; and

WHEREAS as part of the municipal service review, the Commission is required pursuant to Government Code Section 56430(a) to make a statement of written determinations with regards to certain factors.

NOW, THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER**, based upon the information contained in the written report, correspondence from affected agencies and information received during the public hearings, as follows:

1. The Commission determines this municipal service review is a project under the California Environmental Quality Act but qualifies for an exemption from further action as an informational document consistent with Code of Regulations Section 15306.
2. The Commission adopts the statement of written determinations generated from the information presented in the written report on the municipal service review as set forth in Exhibit “A”.

- 3. The Commission refers the public to the report on the municipal service review for additional details and important context, including – but not limited to – documenting each agency’s active and latent service powers.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

 Sashi McEntee, Chair
 Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

 Jason Fried, LAFCO Executive Officer

 Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-16

- 1) Exhibit “A”

EXHIBIT A

TIBURON PENINSULA REGIONAL STUDY

MUNICIPAL SERVICE REVIEW DETERMINATIONS GOVERNMENT CODE SECTION 56430

1. Growth and population projections for the affected area.

a) Projected growth in the study area is expected to be minimal. The Tiburon population is expected to increase to a total population of 9,500 by 2030, a .32% annual growth rate. The Belvedere population is expected to increase to a total population of 2,200 by 2030, a .47% annual growth rate.

b) The expected population and growth rate in unincorporated spaces around the study area is all fairly minimal. The communities of Paradise Cay and Strawberry are predominantly built out, with little relative future development potential, while areas along Paradise Drive have modest development potential at best due to adverse topography and a history of lengthy development processes.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) There are no identified DUCs within the study area.

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

a) As noted above, there are no unincorporated communities within the study area that have been identified as disadvantaged.

4. Financial ability of agencies to provide services.

a) The City of Belvedere, Town of Tiburon, Tiburon Fire Protection District,

Exhibit A

Strawberry Recreation District, Sanitary District No. 5, CSA 29, and Marin County Flood Control and Water Conservation District Zone 4/4a all prepare annual budgets and prepare financial statements in accordance with established governmental accounting standards. The City Council, Town Council, TFPD, SRD, and SD5 Boards, and the County Board of Supervisors, acting as the Board for the Marin County Flood Control and Water Conservation District, may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.

b) The City Manager, Town Manager, Fire Chief, Special District General Managers, and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments or funds under certain circumstances, however; the City Council, Town Council, Special District Boards, and County Board of Supervisors must approve any increase in the operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for each agency by independent certified public accounting firms.

c) While additional revenues are needed to provide some services and maintain infrastructure covered in this MSR, the agencies meet their financial responsibilities to provide services.

5. Status of, and opportunities for, shared facilities.

a) Though currently outside of Tiburon Fire Protection District's jurisdictional boundary, TFPD consistently finds itself handling initial response duties for both fire and medical calls on Angel Island. With no stationed equipment or facility on the island, the opportunity presents itself for both/either CSA 31 and/or the Town of Tiburon to erect a structure in order to store necessary emergency response equipment that can be accessed by the responding agency.

6. Accountability for community service needs, including governmental structure and operational efficiencies.

a) Tiburon Fire Protection District and the City of Belvedere may consider formal annexation of the City of Belvedere into the District. At this time, the City contracts with the District for both fire and emergency medical response services. With no foreseeable plans for the City to create those municipal services of its own, annexation would allow the residents of Belvedere to vote

for representation on the District's Board of Directors. A working group should be formed by LAFCo to help determine what is in the best interest both the City and District along with the general public.

b) Strawberry Recreation District and the County of Marin may consider the creation of a new County Service Area in order to remove dredging operations from the District's oversight and administration as it is not a listed function of a recreation district according to State Government Code. A working group should be formed by LAFCo to help facilitate further discussions as to what is in the best interest of the Recreation District along with the members of the area needing dredging.

c) CSA 29 may consider a collaborative bidding process with the other county service areas that do dredging specific services throughout Marin County in an effort to realize overall cost savings on dredging operations by contracting with a larger vendor that may otherwise have been unwilling to bid on single small-scale projects.

d) At this time, Angel Island is currently designated as California State Parkland, is a part of Incorporated Tiburon, and is in the jurisdictional boundary of CSA 31. Despite this multiple agency oversight of the land, calls for service, especially medical emergencies, oftentimes fall to Tiburon Fire Protection District simply as a matter of physical proximity in response time. Angel Island is not currently within the jurisdictional boundary of TFPD. From 2007-2018, TFPD incurred just over \$1.9 million in costs to service Angel Island calls, with an average annual cost of \$173,370. Despite multiple attempts to recoup the costs for services rendered, to this point the District has been unsuccessful. Future emergency medical and fire services to Angel Island should be addressed through planning and consideration of long-term reorganization options. A LAFCo working group should be established with representation from each agency, other local stakeholders, and local decision-makers to lead this process. Such a working group could consider options to help ensure the future efficiency and accountability of emergency services to Angel Island.

7. Any other matter related to effective or efficient service delivery, as required by commission policy

a) Within and adjacent to the Town of Tiburon are areas completely surrounded by Town jurisdiction and therefore considered to be "unincorporated islands". Marin LAFCo encourages unincorporated island annexations to the Town of Tiburon when there is resident interest. Whenever applicable, Marin LAFCo will

Exhibit A

consider making amendments to annexation proposals involving affected lands to further reduce and/or eliminate islands to provide more orderly boundaries and cost-efficiencies.

b) The City of Belvedere and the Town of Tiburon may consider addressing the current jurisdictional boundary along the Boardwalk and Corinthian Island areas. While not technically splitting any parcels, the boundary currently splits through buildings that encompass a shopping center as well as an apartment complex, which is highly irregular. Currently, sales tax in the shopping center is divided between the two municipalities depending upon which side of the boundary the business's cash register physically resides.

c) The Paradise Drive area contains multiple instances of irregular jurisdictional boundary issues between the Town of Tiburon and the County of Marin. A working group should be formed by LAFCo with representation from each agency to address both the current areas of irregularity, as well as the long-term planning model for how to address a road that goes between County and Town of Tiburon jurisdictions.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-17

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF
THE TOWN OF TIBURON**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Tiburon Peninsula area, prepared a summary, *Tiburon Peninsula Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Tiburon Peninsula Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Town of Tiburon is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the Town of Tiburon is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Tiburon Peninsula area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-17

- a) Exhibit A - Determinations
- b) Exhibit B - Map

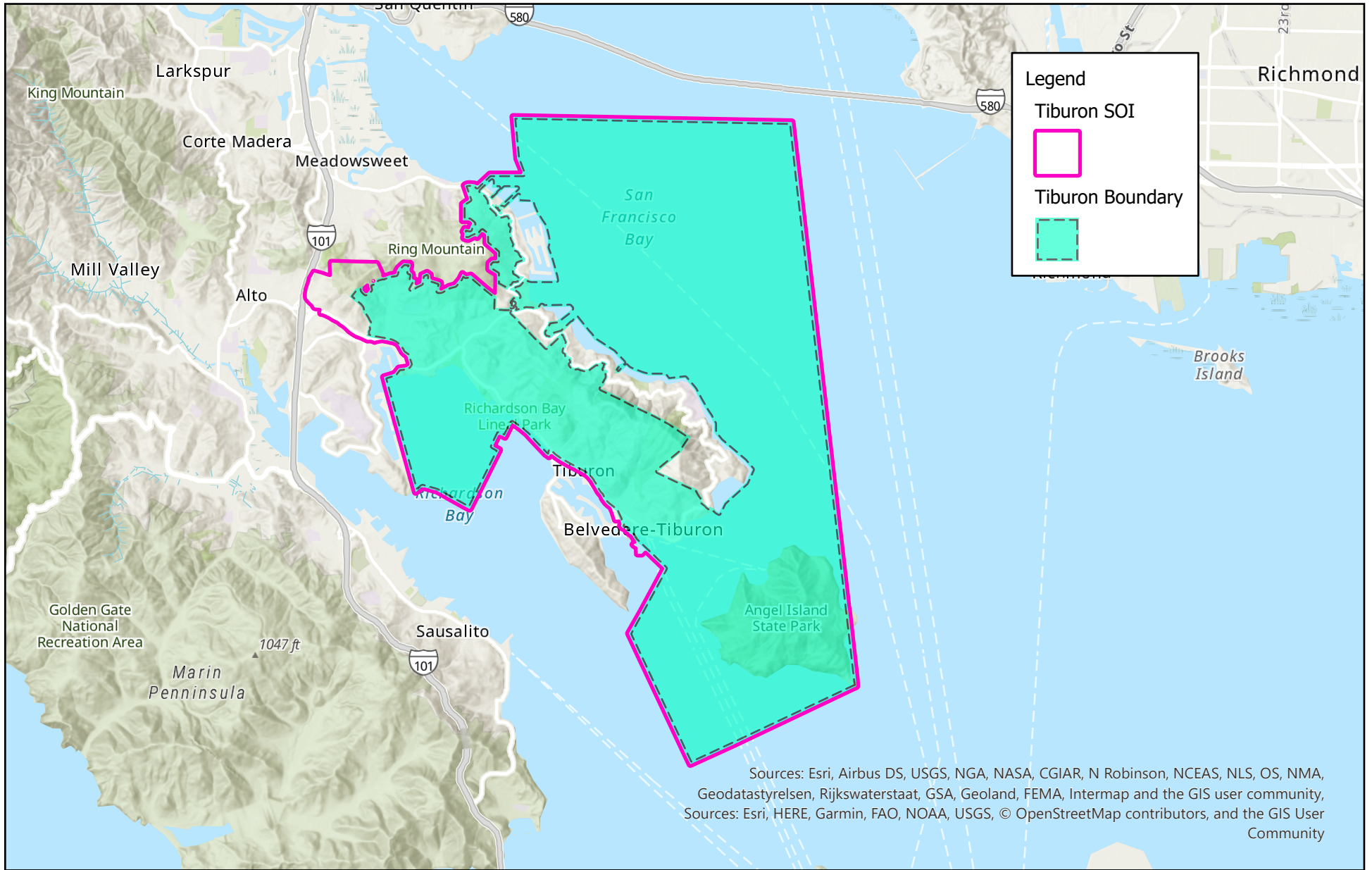
EXHIBIT A

TOWN OF TIBURON SPHERE OF INFLUENCE DETERMINATIONS

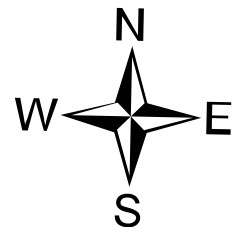
GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the Town of Tiburon and the Marin Countywide Plan. Within its jurisdictional boundary, the Town is essentially built out at this time and the majority of the remaining undeveloped parcels are designated as single-family residential. Unincorporated areas within the sphere of influence are subject to Town consideration for annexation.
- 2) The present and probable need for public facilities and services in the area.
 - The Town of Tiburon's current facilities and services included in the Town of Tiburon sphere of influence are sufficient to provide those services to the area within the designated town sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the Town of Tiburon are adequate to provide service to the Town's currently incorporated area and areas within its sphere of influence. While the Town has the capacity to extend services to unincorporated areas within its current sphere, any proposed annexation along Paradise Drive would require a higher level of scrutiny due to road maintenance costs and responsibilities.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Town of Tiburon and the area surrounding its jurisdiction are not relevant to the determination of the Town's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

- There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Town of Tiburon Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-18

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF
THE STRAWBERRY RECREATION DISTRICT**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Tiburon Peninsula area, prepared a summary, *Tiburon Peninsula Area Municipal Service Review*, including his recommendations therein, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Tiburon Peninsula Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Strawberry Recreation District is hereby reaffirmed without change as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the Strawberry Recreation District is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Tiburon Peninsula area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-18

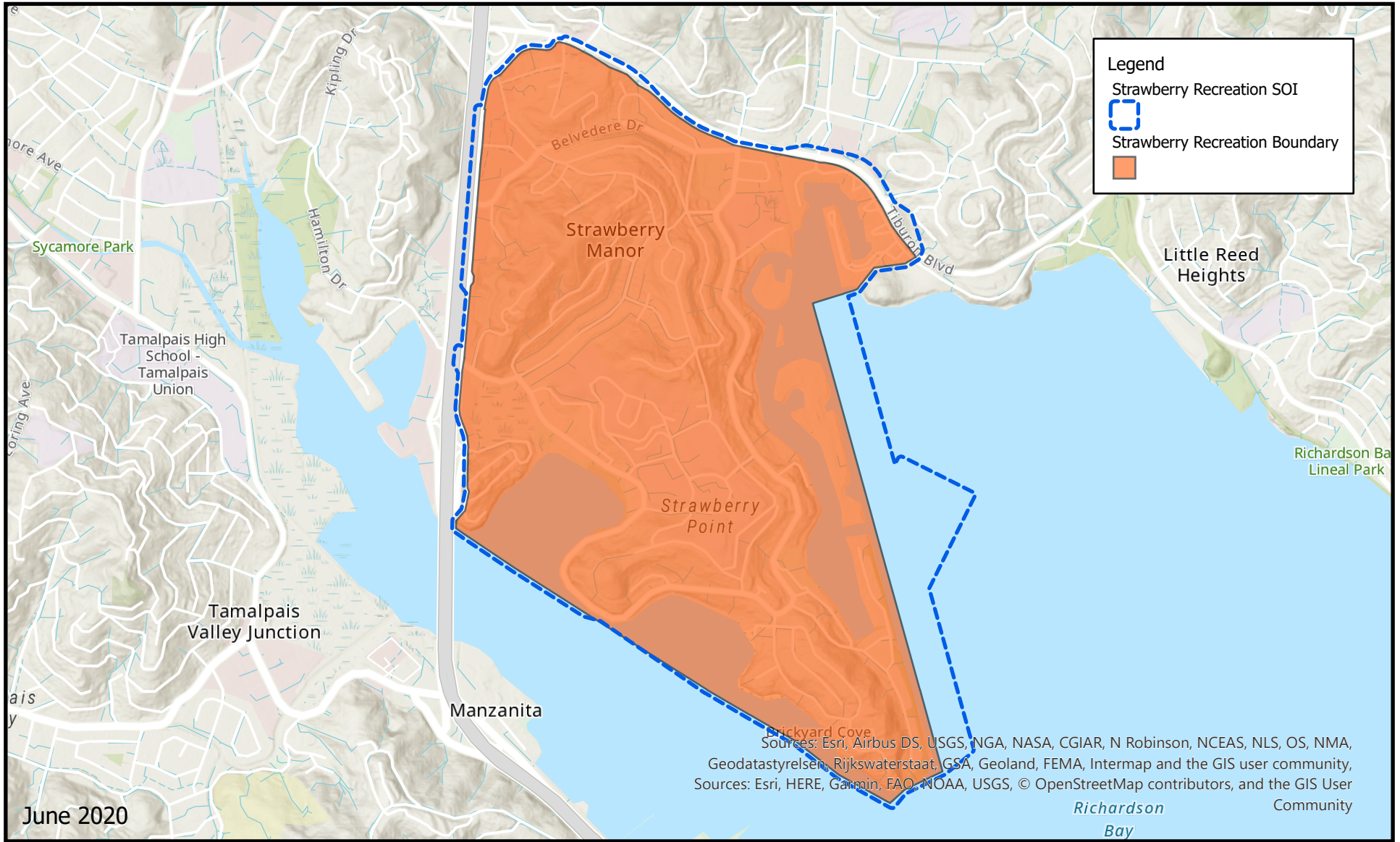
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

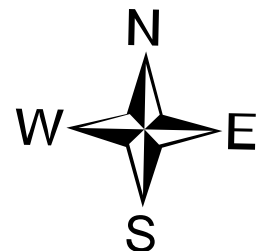
CITY OF NOVATO SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the Strawberry Community Plan and the Marin Countywide Plan. The Census Designated Place of Strawberry is essentially built out at this time, and the few remaining undeveloped parcels are designated as single-family residential.
- 2) The present and probable need for public facilities and services in the area.
 - The Strawberry Recreation District's current facilities and services included in the Strawberry Recreation District sphere of influence are sufficient to provide those services to the area within the designated district's sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the Strawberry Recreation District are adequate to provide service to the District's currently designated district boundary and areas within its sphere of influence.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Strawberry Recreation District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Strawberry Recreation District Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-19

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF
THE CITY OF BELVEDERE**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Belvedere area, prepared a summary, *Tiburon Peninsula Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Tiburon Peninsula Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the City of Belvedere is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of the City of Belvedere is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Tiburon Peninsula area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-19

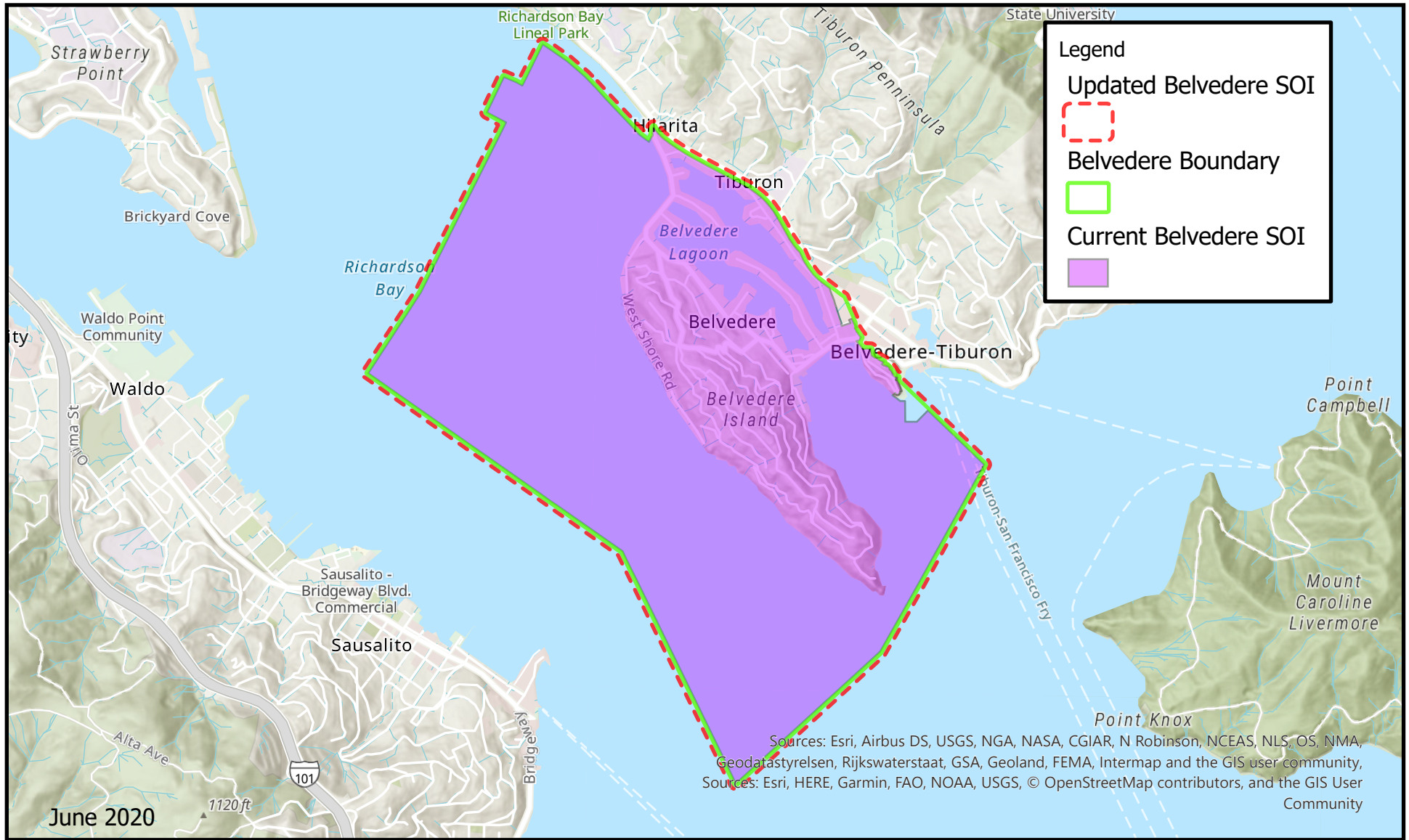
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

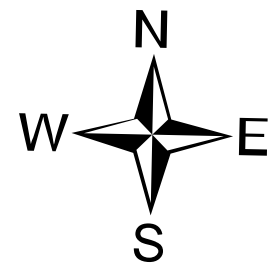
CITY OF BELVEDERE SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land use in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of Belvedere and the Marin Countywide Plan. Belvedere is essentially built out at this time, and the few remaining undeveloped parcels are zoned for single-family residential.
- 2) The present and probable need for public facilities and services in the area.
 - The City of Belvedere's current facilities and services included in the City of Belvedere sphere of influence are sufficient to provide those services to the area within the designated city sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the City of Belvedere are adequate to provide service to the City's currently incorporated area and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the City of Belvedere and the area surrounding its jurisdiction are not relevant to the determination of the City's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



City of Belvedere Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-20

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF
THE TIBURON FIRE PROTECTION DISTRICT**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Tiburon Peninsula area, prepared a summary, *Tiburon Peninsula Area Municipal Service Review*, including his recommendations therein, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Tiburon Peninsula Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of the Tiburon Fire Protection District is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of the Tiburon Fire Protection District is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Tiburon Peninsula area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-20

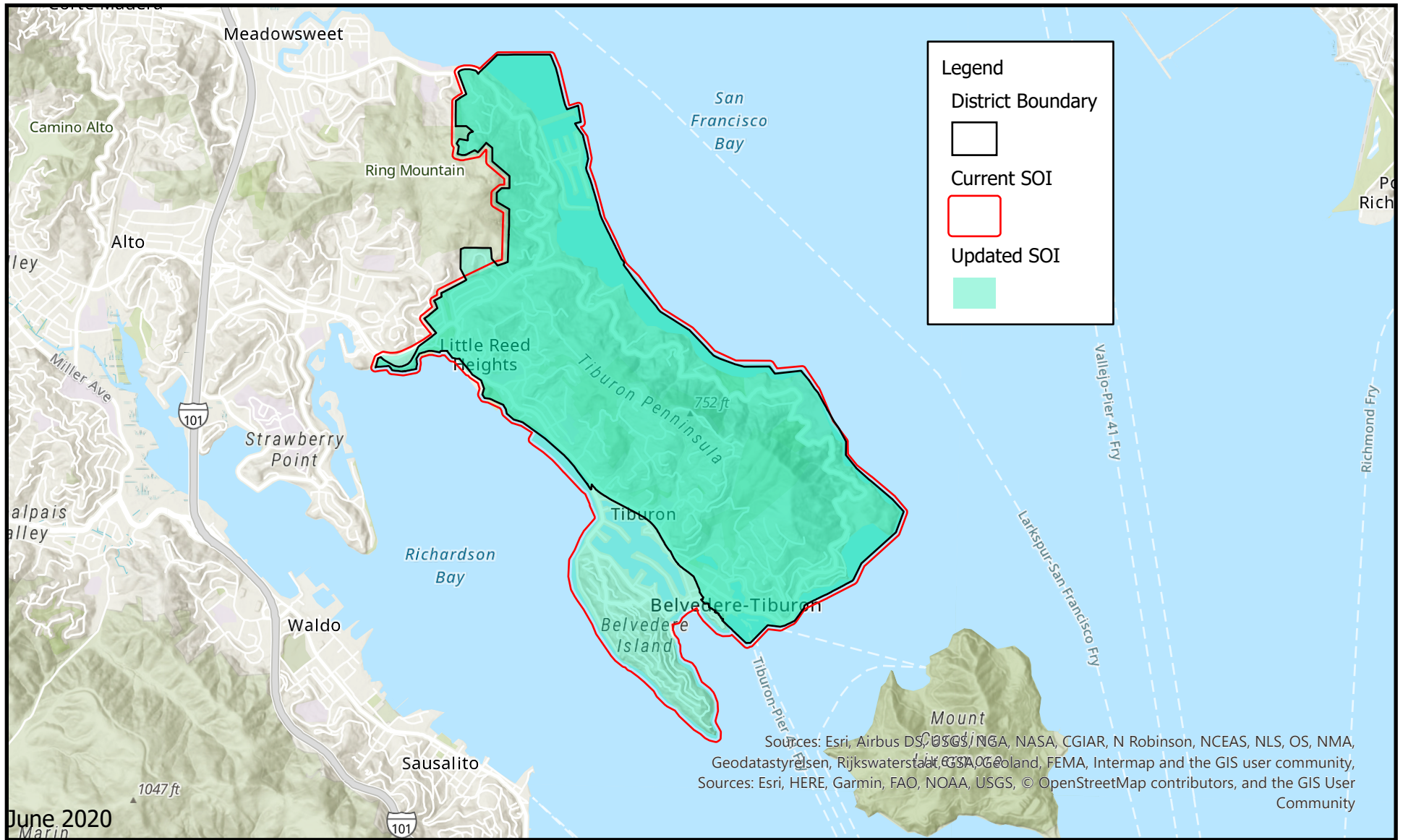
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

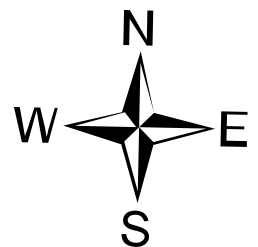
TIBURON FIRE PROTECTION DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plans of the City of Belvedere, Town of Tiburon, and the Marin Countywide Plan. The majority of the developable areas within the District's boundary are built out, with the few remaining undeveloped parcels being designated as single-family residential.
- 2) The present and probable need for public facilities and services in the area.
 - The Tiburon Fire Protection District's current facilities and services included in the Tiburon Fire Protection District sphere of influence are sufficient to provide those services to the area within the designated district sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of the Tiburon Fire Protection District are adequate to provide service to the District's currently designated district and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Tiburon Fire Protection District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Tiburon Fire Protection District Sphere of Influence Update



MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-21

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF
SANITARY DISTRICT No. 5**

WHEREAS upon determination and adoption of a sphere of influence, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district not less than once every five years within Marin County under Government Code Section 56425 (g); and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the Tiburon Peninsula area, prepared a summary, *Tiburon Peninsula Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Tiburon Peninsula Area Municipal Service Review* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The sphere of influence of Sanitary District No. 5 is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and amending of the sphere of influence of Sanitary District No. 5 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Tiburon Peninsula area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-21

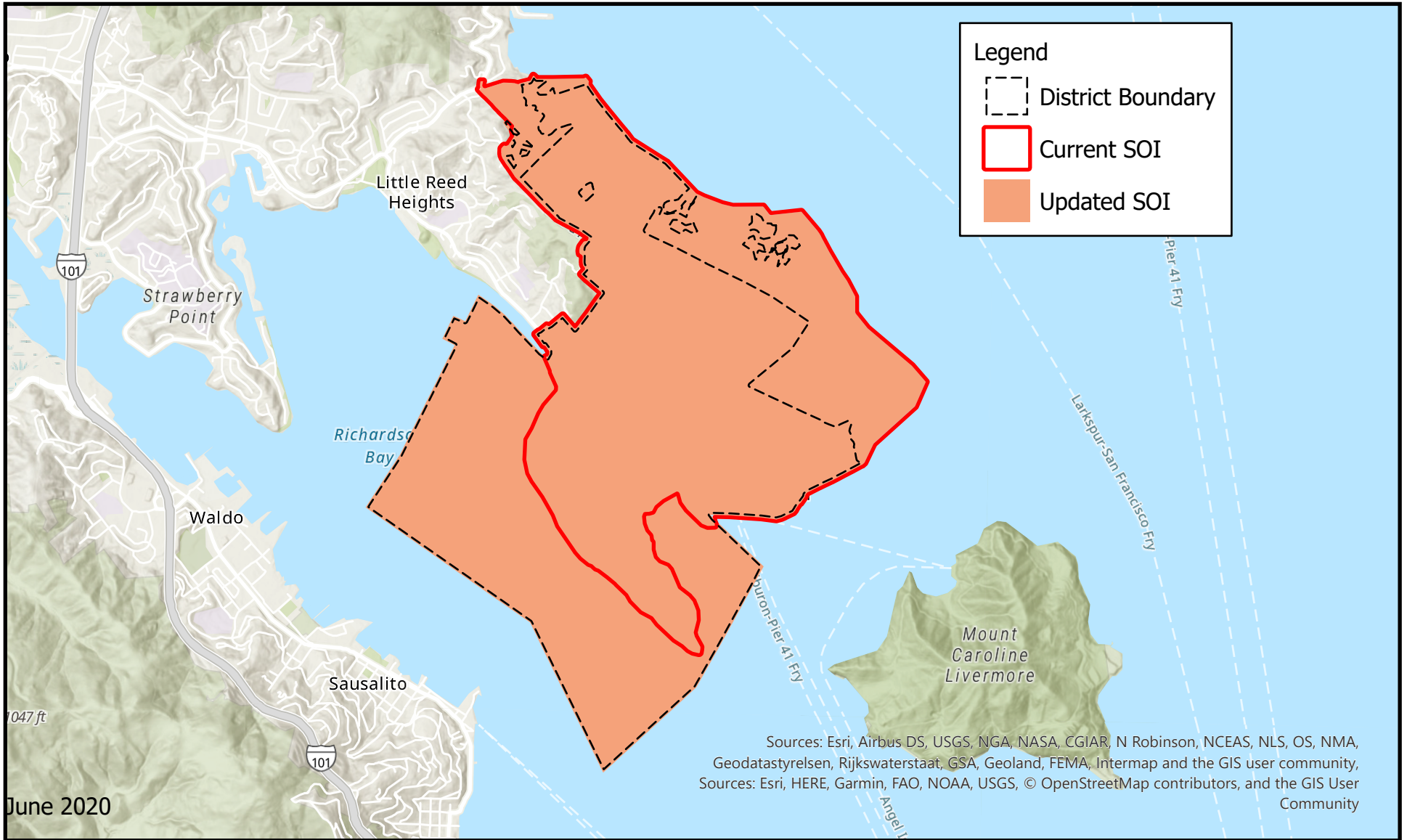
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

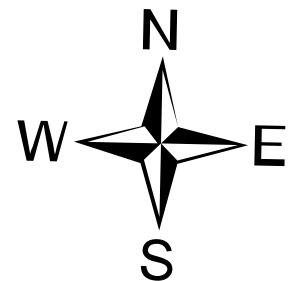
SANITARY DISTRICT No. 5 SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plans of the City of Belvedere, Town of Tiburon, and the Marin Countywide Plan. The majority of the developable land within the District's boundary is currently built out, and the few remaining undeveloped parcels are primarily designated as single-family residential.
- 2) The present and probable need for public facilities and services in the area.
 - Sanitary District No. 5's current facilities and services included in the City of Novato sphere of influence are sufficient to provide those services to the area within the designated city sphere of influence.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The operating departments and public facilities of Sanitary District No. 5 are adequate to provide service to the District's currently designated district and areas within its sphere of influence as amended.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of Sanitary District No. 5 and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



Sanitary District No. 5 Sphere of Influence Update





Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 5 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
(On behalf of the Budget & Workplan Committee – Chair Kious, Member Coler & Rodini)
SUBJECT: Approving Final Operating Budget for For Fiscal Year 2020-21

Background

State Government Code section 56381 states that all LAFCos need to approve a proposed budget by May 1st and a final budget by June 15th of each year. The attached budget being presented today is the final budget which will fulfill the June 15th deadline.

At the April 30th full LAFCo meeting, the Commission approved moving a proposed budget to member agencies for comment. As of the writing of this memo, staff has only received two questions. Both questions were around how much would their agency need to contribute for next year. Staff answered their questions mentioning that, based on state government code, we cannot officially answer that right now but suggest they use the amount they paid last year as a placeholder in the budget. Each agency's contribution can only be calculated once LAFCo has completed its final budget and then the Marin County Department of Finance runs its process based on how State Government Code is written. Should any additional comments come in staff will share them with the Commission. Staff would like to add while LAFCo has not received any communication from the Marin Managers Association, which is made up of all the City/Town Managers of the 11 City/Towns in Marin County, staff is hearing they are making requests to some JPAs to reduce their budgets to assist the City/Town with budget shortfalls in the coming year.

The Budget Committee met on May 26th to discuss the proposed budget and made a few changes based on updates from staff. The committee also is suggesting to the Commission that LAFCo reduce the request from member agencies by 10% and instruct staff to send a memo to all member agencies that this 10% reduction is a one year action and they should be prepared for the following year's budget to go back to our current level. In addition, the Committee is approving funds for a ½ time staff person to be hired to fill the vacant position.

The items highlighted in yellow in the attached budget chart reflect items that have been changed from the proposed budget approved in April to the final budget in front of you today with explanation for the changes:

- Salary, Benefits, and Pension changes are due to several factors. The figures from the agreement between the Commission and its Executive Officer are updated to match what is in the agreement.

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Should the Commission not approve the contract, which is later in the agenda, then these line items will need to be adjusted. In addition, after the May 26th Budget Committee meeting, staff learned from the County that COLA increases will be occurring next year for staff under the labor agreement. Staff, in consultation with the Chair of the Budget Committee, has made slight adjustments to reflect the COLA increase for all staff positions, not including the Executive Officer, which had not been part of the original approvals of the Committee. This will maintain the LAFCo policy of following the County for salary and benefits for those employees.

- Retiree Health was reduced mainly due to the fact that our GASB 75 report was completed and it determined that for current staff we are at full funding and only need to cover costs for our current retiree.
- General Insurance was increased since we recently got our bill for next year insurance plans and one plan has a 20% increase which is higher than originally budgeted for by staff in the proposed budget.
- Office Equipment Purchases line was lowered due to a cost to replace estimate staff has received from Marin Mac Tech.
- Membership & Dues is being reduced because Marin Map, based in part on the Marin Managers Association request mentioned above, is giving all agencies our size a \$3,000 reduction in membership fees for next year.

The County of Marin, based on State Government Code, handles the billing and collection of all contributions from member agencies. LAFCo uses the County account for payroll, benefits and other limited functions. All other outside bills are paid out of our Bank of Marin accounts. Based on LAFCo policy 3.13(B)(i), in order to transfer funds from the County of Marin account to the Bank of Marin, account a majority of the Commission must approve the transfer of funds. Staff would recommend \$165,000 be transferred to cover all costs that would be paid for out of that account in the coming fiscal year.

Staff Recommendation for Action

1. **Committee Recommendation** – Approve the attached final budget with any needed adjustments based on other actions the Commission makes tonight. In addition, staff is authorized to transfer \$165,000 from the Commissions County of Marin account to Bank of Marin account.
2. Alternate Option - Not make a decision today and have staff present the current information to the Full Commission for it to decide.

Attachment:

- 1) Budget Chart for FY 20-21.

Line Items	Final FY 20-21	Draft FY 20-21
Expense	Approved by Budget Committee	Presented Proposed Budget
5110110 · Salary	\$272,000.00	\$330,000.00
5130120 · Benefits	\$40,000.00	\$40,000.00
5130500 · Pension	\$36,000.00	\$50,000.00
5130525 · Retiree Health	\$6,000.00	\$16,000.00
5210110 · Professional Services	\$20,000.00	\$20,000.00
5210131 · Legal Services	\$45,000.00	\$45,000.00
5210525 · General Insurance	\$8,000.00	\$7,000.00
5210710 · Communications Services	\$16,000.00	\$16,000.00
5210935 · Office Equipment Purchases	\$4,139.00	\$4,500.00
5211215 · Rent - Storage	\$650.00	\$650.00
5211270 · Office Lease/Rent	\$33,588.88	\$33,588.88
5211325 · Conferences	\$5,000.00	\$5,000.00
5211330 · Memberships & Dues	\$13,000.00	\$16,000.00
5211340 · Training	\$1,700.00	\$1,700.00
5211440 · Travel - Mileage	\$3,500.00	\$3,500.00
5211510 · Misc Services	\$2,000.00	\$2,000.00
5211520 · Publications/Notices	\$3,000.00	\$3,000.00
5211533 · Commissioner Per Diems	\$10,000.00	\$10,000.00
5220110 · Office Supplies and Postage	\$4,000.00	\$4,000.00
5220110 · Office Supplies	\$4,000.00	\$4,000.00
Total Expense	\$523,577.88	\$607,938.88
Income		
Carry Forward Balance	\$20,007.60	\$48,416.35
4710510 · Agency Contributions	\$503,570.28	\$559,522.53
Total Income	\$523,577.88	\$607,938.88
Line Items Highlighted in yellow are changed numbers from Proposed Budget		



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 6 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 20-22, Reorganization of County Service Area #29, Including Detachment of Six Parcels (APNs: 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16) and the Attachment of One Parcel (APN: 038-460-03) (LAFCo File #1348)

Background

Marin LAFCo has received an application from County Service Area (CSA) #29 (“applicant”) requesting to annex one parcel and the detachment of six other parcels from the District. As described in the Tiburon Area MSR, agenda item #4 on today’s agenda, this request is to fix the issue that six parcels inside the CSA do not need service from the District and one parcel who is outside of the boundary does receive service from the District. The total area being impacted is approximately 3.95 acres. All seven parcels being impacted have signed LAFCo consent forms as they are in agreement with these actions.

CSA #29 does dredging services for the Paradise Cay area. Five of the parcels being detached do not have waterfront property so do not receive services from the District. The sixth parcel is a completely submerged parcel where nobody lives and acts as a navigation easement within the CSA, so while it does get dredged, it is for the benefit of others in the CSA and not the parcel owner. In addition, there is one parcel that is adjacent to the CSA that does receive dredging services from the CSA that is being added to the district.

Staff has requested comments from interested agencies. All interested agencies that responded to LAFCo on this item were supportive or neutral on this application.

Staff Recommendation for Action

1. Staff recommendation – Approve the requested reorganization of CSA #29 and approve the attached Resolution No. 20-22.
2. Alternate Option 1 – Deny the request.
3. Alternate Option 2 – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachments:

- 1) Resolution #20-22
- 2) Application Packet

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

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Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 20-22

RESOLUTION AMENDING THE SPHERE OF INFLUENCE AND MAKING DETERMINATIONS AND APPROVING REORGANIZATION INCLUDING DETACHMENT OF SIX PARCELS AND THE ANNEXATION OF ONE PARCEL TO COUNTY SERVICE AREA #29 WITH WAIVER OF NOTICE, HEARING, AND ELECTION

“Reorganization of CSA #29, Including Detachment of Six Parcels (APN : 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16) and the Annexation of One Parcel (APN: 038-460-03) (LAFCo File #1348)”

WHEREAS a proposal for the reorganization of certain territory including six parcels detachment from County Service Area (CSA) #29 and one parcel to be annexed to CSA #29 in the County of Marin has been filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS said proposal was made in the form of a resolution of application submitted by CSA #29; and

WHEREAS the Executive Officer has conducted a review of the adopted sphere of influence of local government agencies in the CSA #29 area, prepared a summary, Tiburon Peninsula *Area Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS pursuant to Government Code Section 56662, when a resolution is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determination with respect to said annexation without notice and hearing; and

WHEREAS pursuant to Government Code Sections 56662 and 56663(c), the affected territory is uninhabited; all the owners of land within the affected territory have given their written consent; and the affected local agency that will gain territory, CSA #29, has consented in writing to a waiver of protest proceedings, this Commission may make determinations with respect to said application with waiver of protest proceedings; and

WHEREAS the Executive Officer has reviewed the application and prepared a report which includes the factors as provided for in Government Code section 56668, including a recommendation thereon, the application and report having been presented to and considered by this Commission.

NOW THEREFORE, the Marin Local Agency Formation **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

1. Amend the sphere of influence of CSA #29 to include APN: 038-460-03 and the sphere of influence of CSA #29 to exclude parcels APN : 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16 and makes the written determinations pursuant to Government

Code section 56425(e) as provided for in Exhibit "C" attached hereto and incorporated herein by reference.

- 2. Approve the proposed Reorganization of CSA #29 by Detachment of six parcels (APN 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16), and Annexation to the CSA #29 one parcel (APN: 038-460-03) as shown and described on Exhibits "A" and "B".

Section 2. The territories include 3.95 acres, is found to be uninhabited, and is assigned the following distinctive short-form designation: "Reorganization of CSA #29, Including Detachment of Six Parcels (APN: 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16) and the Attachment of One Parcel (APN: 038-460-03) (LAFCo File #1348)".

Section 3. The proposal is consistent with the adopted spheres of influence of CSA #29, as amended.

Section 4. The Executive Officer is hereby authorized to waive protest proceedings and complete reorganization proceedings.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on June 11, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-22

- a) Exhibit A – Map
- b) Exhibit B – Legal Description
- c) Exhibit C – Determinations

Date: August 1, 2017
File: 2017-048

EXHIBIT "A"
ANNEXATION OF COUNTY SERVICE AREA #29
LAFCO MAPPING #1337 / MARIN MAPPING #XXXX

Redistricting Area – 1

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being on the easterly line of Antilles Way (50 feet wide) at its intersection with the southerly line of Lot 8 as each are shown on that certain Record Map entitled "Paradise Cay North", recorded June 17, 1996 in Volume 21 of Maps, at Page 47, Marin County Records, said point also being a point on a curve concave to the left, to which point a radial line bears North 53°47'58" East, 225.00 feet;

- Course 1 - Thence northerly along said easterly line of Antilles Way, and along said curve through a central angle of 31°39'31", an arc distance of 124.32 feet, to a point on a curve concave to the right;
- Course 2 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 150.00 feet, through a central angle of 33°23'19", an arc distance of 87.41 feet to a point on a curve concave to the left;
- Course 3 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 405.00 feet, through a central angle of 13°03'34", an arc distance of 92.31 feet, to a point on a curve concave to the right;
- Course 4 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 35.31 feet, through a central angle of 57°09'53", an arc distance of 35.23 feet, to a point on the easterly line of Paradise Drive (60 feet wide);
- Course 5 - Thence northerly along the easterly line of Paradise Drive, North 09°38'12" East, 37.52 feet, to the northwesterly corner of Lot 12 of said Map;
- Course 6 - Thence leaving said easterly line of Paradise Drive, along the northerly line of said Lot 12, North 70°50'00" East, 295.90 feet, to the westerly line of Trinidad Drive (50 feet wide);
- Course 7 - Thence southerly along the westerly line of Trinidad Drive, South 19°10'00" East, 305.00 feet, to the southeasterly corner of Lot 8 of said map;
- Course 8 - Thence leaving said westerly line of Trinidad Drive, along the southerly line of said Lot 8, South 70°50'00" West, 100.00 feet;
- Course 9 - Thence continuing along the southerly line of said Lot 8, South 51°45'47" West, 71.51 feet, to the Point of Beginning.

Said description being Lots 8 through 12 of said Map, Containing 1.9 acres, more or less

Redistricting Area – 2

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being the southeasterly corner of Lot 77, and said point also being on the westerly line of Lot 51 as both Lots are shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records;

- Course 1 - Thence along said westerly line of Lot 51 South 17°10'00" East, 53.06 feet;
- Course 2 - Thence along said westerly line of Lot 51 and 50, South 00°00'00" West 274.31 feet to the southwest corner of Lot 50 of said Map;
- Course 3 - Thence leaving said southwest corner of Lot 50, along the southerly lines of Lots 49 and 48 of said Map, South 00°00'00" East, 370.00 feet;
- Course 4 - Thence continuing along said southerly line of Lot 48, South 67°10'00" East, 15.00 feet, to the southeasterly corner of said Lot 48 of said Map, said corner also being the southwesterly corner of Lot 16 as shown on that certain Record Map entitled "Paradise Cay Map No. 4", recorded April 14, 1969 in Volume 14 of Maps, at Page 50, Marin County Records;
- Course 5 - Thence along the southerly line of said Lot 16, South 84°29'26" East, 130.45 feet;
- Course 6 - Thence continuing along the southerly line of said Lot 16, and along the southerly line of Lot 15 of said Map, South 67°15'42" East, 81.90 feet,
- Course 7 - Thence continuing along said southerly line of Lot 15, and along the south line of Lot 14 of said Map South 00°00'00" East, 267.59 feet, to the southeast corner of Lot 14;
- Course 8 - Thence leaving said southeast corner of Lot 14, South 16°30'00" East, 52.15 feet, to the northeast corner of Lot 24 as shown on that certain Record Map entitled "Paradise Cay – South Cay – Unit 2", recorded December 13, 1983 in Volume 18 of Maps, at Page 97, Marin County Records;
- Course 9 - Thence leaving said northeast corner of Lot 24, North 00°00'00" West, 896.62 feet to an angle point on the northerly line of Lot 14 of said Map;
- Course 10 - Thence North 00°00'00" East, 370.54 feet, to an angle point on the east line of Lot 1 as shown on that certain Record Map entitled "Paradise Cay – South Cay – Unit 1" recorded August 16, 1979 in Volume 17 of Maps, at Page 86, Marin County Records;
- Course 11 - Thence northerly along said easterly line of said Lot 1 North 17°10'00" West, 50.91 feet to the south line of Lot 77 as shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records;

Course 12 - Thence easterly along the south line of said Lot 77, North 76°32'16" East, 25.05 feet, to the Point of Beginning.

Said description being the navigation easement as shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records; Containing 1.8 acres, more or less

Redistricting Area – 3

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being on the easterly line of Trinidad Drive (50 feet wide) at its intersection with the southerly line of Lot 3 as shown on that certain Record Map entitled "Paradise Cay North", recorded June 17, 1996 in Volume 21 of Maps, at Page 47, Marin County Records;

Course 1 - Thence northerly along said easterly line of Trinidad Drive North 19°10'00" West, 73.00 feet, to the northwest corner of said Lot 3.

Course 2 - Thence leaving said northwest corner of Lot 3, easterly along the northerly line of said Lot 3, North 70°50'00" East, 141.38 feet, to the northeast corner thereof;

Course 3 - Thence leaving said northeast corner of Lot 3, southerly along the easterly line thereof, South 30°08'11" East, 45.31 feet;

Course 4 - Thence continuing southerly along said easterly line of said Lot 3, South 19°10'00" East, 28.52 feet, to the southeast corner thereof;

Course 5 - Thence leaving the southeast corner of said Lot 3, westerly along the southerly line of said Lot 3, said line also being the existing boundary of County Service Area #29, South 70°50'00" West, 150.00 feet, to the Point of Beginning;

Said description being Lot 3 of said Map, Containing 0.25 acres, more or less

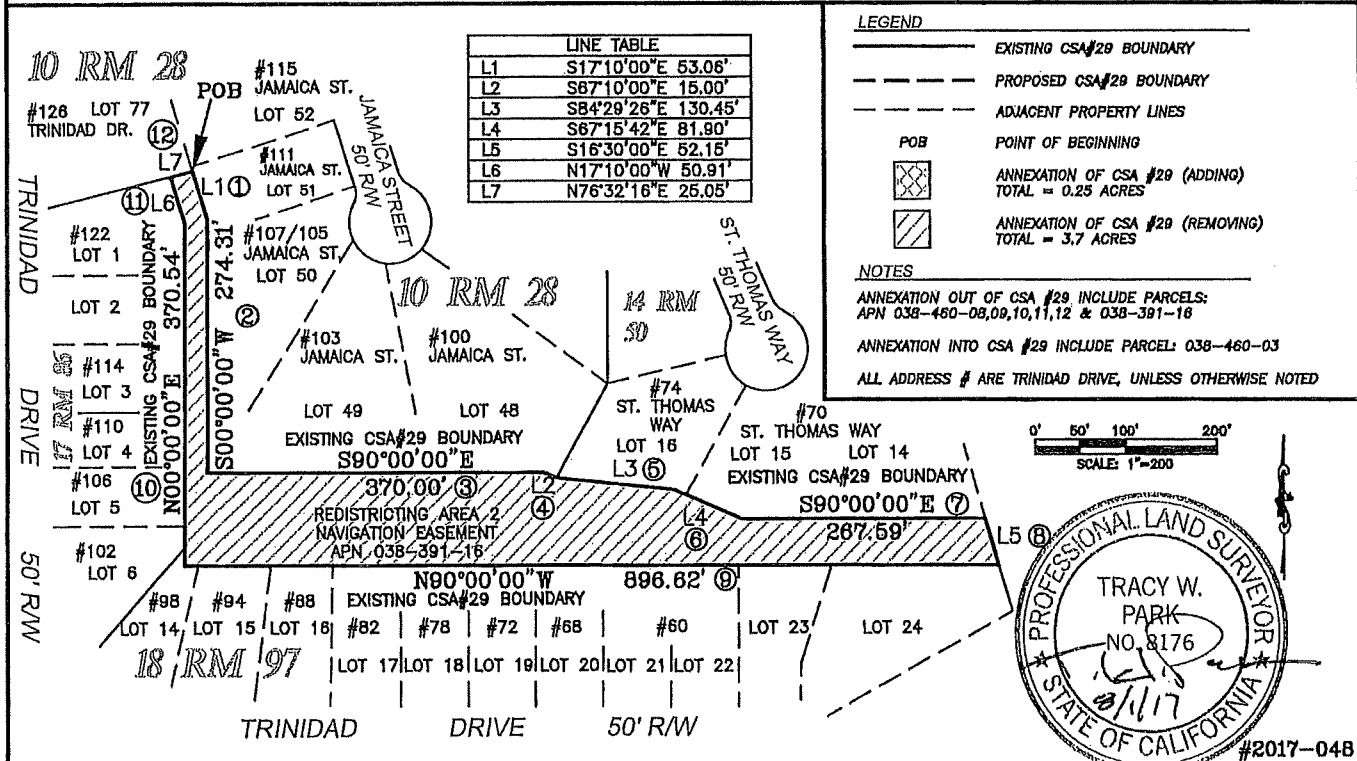
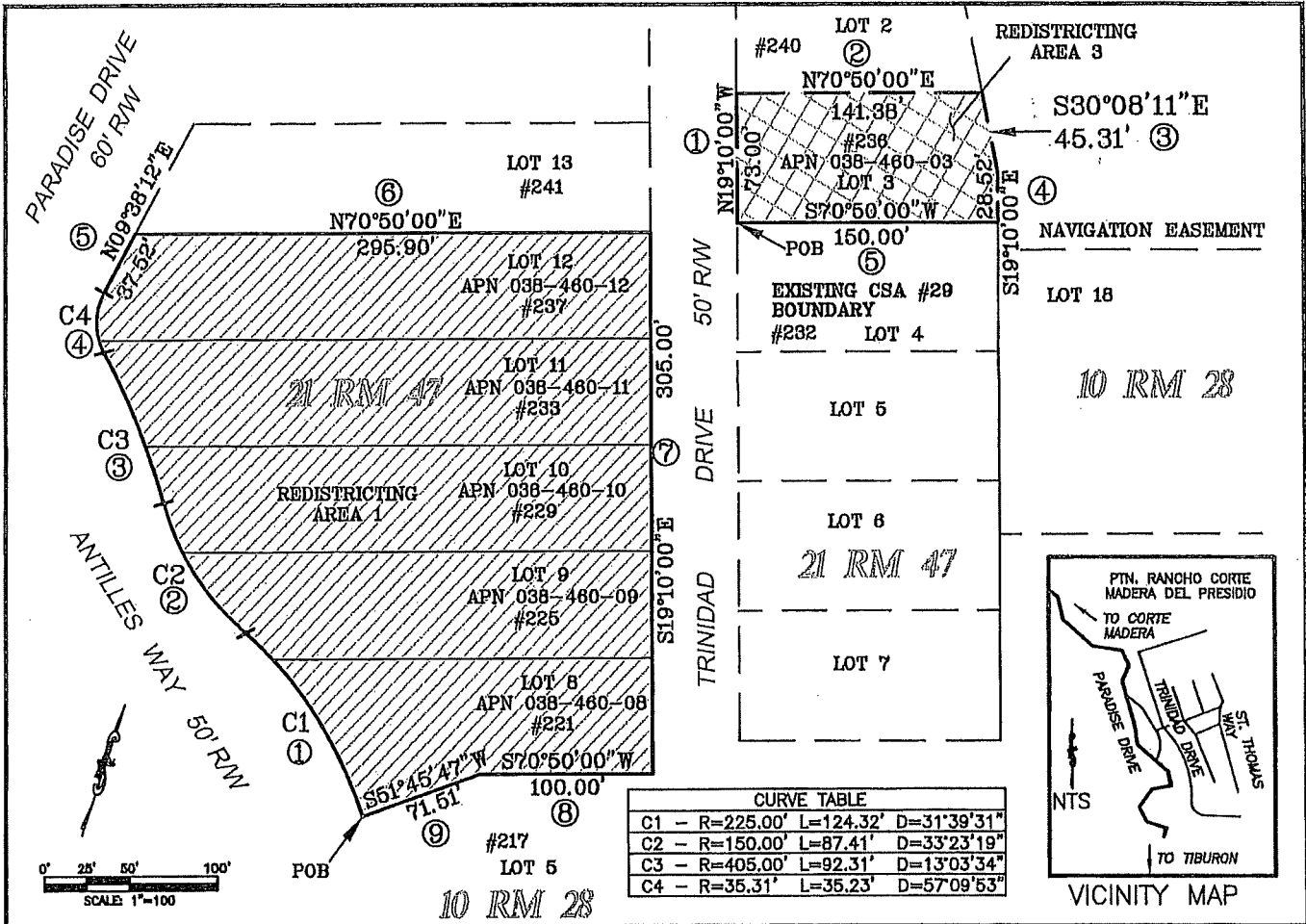
The legal descriptions contained herein are for annexation purposes only, and do not describe real property for the purpose of creating legal parcels, or for the purpose of any legal transfer or sale.



T. W. Park 8/1/17

Prepared for Marin County Department of Public Works, Flood Control by
Tracy W. Park, PLS 8176

EXHIBIT B



COUNTY OF MARIN
DEPARTMENT OF PUBLIC WORKS
SURVEY SECTION

SCALE: 1" = 100'

ANNEXATION OF COUNTY SERVICE
AREA #29
LAFCO MAPPING #1337 MARIN MAPPING #XXXX

REDISTRICTING AREA 1

Closure Summary

Precision, 1 part in 123428.065'

Error distance = 0.009'

Point of Beginning 16097.9405', 11831.9961'

Side 1

Curve direction Counter-clockwise

Radius 225.000'

Arc length 124.320'

Delta angle 031.6578 (d)

Easting 16001.1779'

Northing 11907.5156'

Side 2

Radius 150.000'

Arc length 87.410'

Delta angle 033.3882 (d)

Tangent

Easting 15934.0494'

Northing 11961.5574'

Side 3

Radius 405.000'

Arc length 92.310'

Delta angle 013.0592 (d)

Easting 15873.6199'

Northing 12031.0743'

Side 4

Radius 35.310'

Arc length 35.230'

Delta angle 57.1660 (d)

Easting 15862.6499'

Northing 12063.0306'

Side 5

Angle N09° 38' 12.00"E

Distance 37.520'

Easting 15868.9308'

Northing 12100.0212'

Side 6

Angle N70° 50' 00.00"E

Distance 295.900'

Easting 16148.4283'

Northing 12197.1702'

Side 7

Angle S19° 10' 00.00"E

Distance 305.000'

Easting 16248.5651'

Northing 11909.0771'

Side 8

Angle S70° 50' 00.00"W

Distance 100.000'

Easting 16154.1083'
Northing 11876.2454'

Side 9

Angle S51° 45' 47.00"W
Distance 71.510'
Easting 16097.9402'
Northing 11831.9868'

REDISTRICTING AREA 2

Precision, 1 part in 161063.798'
Error distance = 0.016'

Point of Beginning 17640.9918', 12040.7286'

Side 1

Angle S17° 10' 00.00"E
Distance 53.060'
Easting 17656.6525'
Northing 11990.0324'

Side 2

Angle S00° 00' 00.00"E
Distance 274.310'
Easting 17656.6525'
Northing 11715.7224'

Side 3

Angle N90° 00' 00.00"E
Distance 370.000'
Easting 18026.6525'
Northing 11715.7224'

Side 4

Angle S67° 10' 00.00"E
Distance 15.000'
Easting 18040.4771'
Northing 11709.9016'

Side 5

Angle S84° 29' 26.00"E
Distance 130.450'
Easting 18170.3245'
Northing 11697.3771'

Side 6

Angle S67° 15' 42.00"E
Distance 81.900'
Easting 18245.8592'
Northing 11665.7209'

Side 7

Angle N90° 00' 00.00"E
Distance 267.590'
Easting 18513.4492'
Northing 11665.7209'

Side 8

Angle S16° 30' 00.00"E
Distance 52.150'
Easting 18528.2606'
Northing 11615.7184'

Side 9

Angle N90° 00' 00.00"W
Distance 896.620'
Easting 17631.6406'
Northing 11615.7184'

Side 10

Angle N00° 00' 00.00"E
Distance 370.540'
Easting 17631.6406'
Northing 11986.2584'

Side 11

Angle N17° 10' 00.00"W
Distance 50.910'
Easting 17616.6144'
Northing 12034.9004'

Side 12

Angle N76° 32' 16.00"E
Distance 25.050'
Easting 17640.9761'
Northing 12040.7322'

REDISTRICTING AREA 3

Closure Summary

Precision, 1 part in: 149664.591'
Error distance: 0.003'

Point of Beginning

Easting: 16193.9396'
Northing: 12218.5261'

Side 1: Line

Direction: N19° 10' 00.00"W
Distance: 73.000'
Easting: 16169.9725'
Northing: 12287.4796'

Side 2: Line

Direction: N70° 50' 00.00"E
Distance: 141.380'
Easting: 16303.5154'
Northing: 12333.8970'

Side 3: Line

Direction: S30° 08' 11.00"E
Distance: 45.310'
Easting: 16326.2638'
Northing: 12294.7115'

Side 4: Line

Direction: S19° 10' 00.00"E
Distance: 28.520'
Easting: 16335.6274'
Northing: 12267.7724'

Side 5: Line

Direction: S70° 50' 00.00"W
Distance: 150.000'
Easting: 16193.9422'
Northing: 12218.5248'

EXHIBIT C

Reorganization of CSA #29, Including Detachment of Six Parcels (APN : 038-460-08, 038-460-09, 038-460-10, 038-460-11, 038-460-12, and 038-460-16) and the Attachment of One Parcel (APN: 038-460-03) (LAFCo File #1348)

SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - 6 of the parcels are single family homes with the last parcel a submerged parcel used as a navigation easement that has not development ability.
- 2) The present and probable need for public facilities and services in the area.
 - This application removes parcels owners who do not current have a need for service and adds in one owner who does so current services will remain as is for the district.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - CSA #29 will see no changes of current use of service is planned for any of these parcels and will have no impact on the CSA delivery of services.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - These parcels do not reside in any social or economic communities of interest.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

MARIN LAFCO
APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

I. GENERAL INFORMATION

1. Please check the method by which this application was initiated:

Resolution of Application
 Petition

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. Application is submitted for the following boundary change:
(BE SPECIFIC; i.e., "annexation," "reorganization".)

B. The reason the proposed action(s) has been requested:
(BE SPECIFIC; i.e., "annexation to sewer district for construction of three homes")

4. State general location of proposal:

5. Is the proposal within a city's boundaries?

Yes . Which city? _____.
No . If the proposal is adjacent to a city, provide city name: _____.

6. Is the subject territory located within an island of unincorporated territory? Yes No
Indicate city, if applicable: _____

7. Would this proposal create an island of unincorporated territory? Yes ____ No ____ . If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:
 (Attach list if necessary.)
- | | |
|---------------------------------------|-------------------------|
| A. <u>Assessor's Parcel Number(s)</u> | <u>Site Address(es)</u> |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
- B. Total number of parcels: _____.
9. Total land area: _____.

II. LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns: _____

2. Indicate current land use:
 (i.e., number of dwellings, permits currently held, etc.)

3. Indicate the current zoning (either city or county) title and densities permitted:

4. Has the area been rezoned? No _____ N/A _____ Yes _____
 What is the rezoning classification, title and densities permitted? _____

5. Describe the specific development potential of the property:
 (Number of units allowed in zoning.)

III. ENVIRONMENT

1. Is the site presently zoned or, designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- A. This site? Yes _____ No _____ N/A _____
- B. Adjacent sites? Yes _____ No _____ N/A _____
- C. Unincorporated? Yes _____ No _____
- D. Incorporated? Yes _____ No _____

4. State general description of site topography: _____

5. Indicated Lead Agency for this project: _____

6. Indicate Environmental Determination by Lead Agency: _____
with respect to (indicate project) _____
dated _____.

(COPY OF ENVIRONMENTAL DOCUMENTS MUST BE SUBMITTED WITH APPLICATION.)

Please provide the names and addresses of persons who are to be furnished copies of the Agenda, Executive Officer's Report, and Notice of Hearing:

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Name and Address of Applicant: _____

Telephone Number: H (____) _____ W(____) _____

_____	_____
Signature	Date
_____	_____
Signature	Date

PLAN FOR PROVIDING SERVICES

To be completed by a city or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services:

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.) _____

This section completed by:

(Name)

(Position)

(Agency)

(Phone #)

RESOLUTION NO. 2020-29
A RESOLUTION OF APPLICATION BY THE MARIN COUNTY BOARD OF SUPERVISORS
REQUESTING THE MARIN LOCAL AGENCY FORMATION COMMISSION TO INITIATE
PROCEEDINGS FOR THE REORGANIZATION
OF COUNTY SERVICE AREA #29 (PARADISE CAY)

WHEREAS, the County of Marin desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for a reorganization which would concurrently annex territory to County Service Area #29 (Paradise Cay) and detach territory from County Service Area #29 (Paradise Cay); and

WHEREAS, the Marin County Board of Supervisors is the governing body for County Service Area #29 (Paradise Cay); and

WHEREAS, notice of intent to adopt this Resolution of Application has been given, and this Board has conducted a public hearing based upon this notification; and

WHEREAS, County Service Area #29 (Paradise Cay) was formed to assess a parcel tax on properties within County Service Area #29 (Paradise Cay), and said parcel tax assessment is used to fund maintenance dredging of navigable waterway channels within County Service Area #29 (Paradise Cay); and

WHEREAS, the principal reasons for the proposed reorganization are as follows: reorganization will remove six parcels from County Service Area #29 (Paradise Cay) that have historically not been assessed an annual parcel tax, and do not benefit from maintenance dredging; and add one parcel to County Service Area #29 (Paradise Cay) that has historically been assessed an annual parcel tax and does benefit from maintenance dredging; and

WHEREAS, the following agency would be affected by the proposed jurisdictional changes:

<u>Agency</u>	<u>Nature of Change</u>
County Service Area #29	detachment of six parcels
County Service Area #29	annexation of one parcel

WHEREAS, the territory proposed to be reorganized is inhabited and a description and map of the boundaries of the territory are attached hereto as Exhibits A & B and by this reference incorporated herein; and

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

<u>Parcels to be Detached</u>	<u>Parcel to be Annexed</u>
APN: 038-460-08	APN: 038-460-03
APN: 038-460-09	
APN:038-460-10	
APN:038-460-11	
APN:038-460-12	
APN: 038-391-16; and	

WHEREAS, the territory proposed to be reorganized is inhabited and a description and map of the boundaries of the territory are attached hereto as Exhibits A & B and by this reference incorporated herein; and,

WHEREAS, it is desired to provide that the proposed reorganization be subject to the following terms and conditions:

Parcels to be Detached

APN: 038-460-08
APN: 038-460-09
APN: 038-460-10
APN: 038-460-11
APN: 038-460-12
APN: 038-391-16; and,

Parcel to be Annexed

APN: 038-460-03

WHEREAS, this proposal is consistent with the adopted spheres of influence for the agencies subject to this reorganization; and,

WHEREAS, this Board certifies that pursuant to the California Environmental Quality Act (CEQA), this reorganization is exempt from CEQA under CEQA Article 5, Section 15061(b)(3) – Review for Exemption.

NOW, THEREFORE, BE IT RESOLVED that, this Resolution of Application is hereby adopted and approved by the Marin County Board of Supervisors of County Service Area #29 (Paradise Cay), and the Marin Local Agency Formation Commission is hereby requested to take proceedings for the annexation and detachment of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

APPROVED AND ADOPTED at a regular meeting of the Marin County Board of Supervisors, County of Marin, State of California, held on the 31st day of March 2020, by the following vote:

AYES:

NOES:

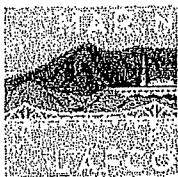
ABSTAIN:

ABSENT:

ATTEST:

President
Marin County Board of Supervisors

Clerk



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-460-08 from CSA #29
(i.e., Annexation to the City of San Rafael)

Affected Property:

(a) Assessor Parcel Number: 038-460-08

(b) Street Address: 221 Trinidad Dr., Tiburon, CA

Owner Name: Tiffany Townsend

Owner Email: ttownsf@gmail.com

T. Townsend
Signature

10/16/17
Date

Administrative Office
Keene Simmonds, Executive Officer
1402 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-4877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin
Dennis J. Rodoni, Regular
County of Marin
Judy Arnold, Alternate
County of Marin

Carla Condon, Vice Chair
Town of Corte Madera
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Matthew Brown, Alternate
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Jack Baker, Regular
North Marin Water District
Craig K. Murray, Regular
Las Gallinas Valley Sanitary
Lew Klous, Alternate
Almonte Sanitary District

Jeffrey Blanchfield, Chair
Public Member
Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-460-09 from CSA 29
 (i.e., Annexation to the City of San Rafael)

Affected Property:

(a) Assessor Parcel Number: 038-460-09

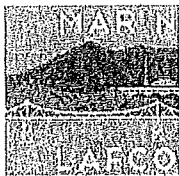
(b) Street Address: 225 Trinidad Dr.

Owner Name: David & Pellie Anderson

Owner Email: pellie.anderson@gmail.com

Pellie Anderson
 Signature

8/11/17
 Date



Marin Local Agency Formation Commission Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-460-10 from CSA #29,
(i.e., Annexation to the City of San Rafael)

Affected Property:

(a) Assessor Parcel Number: 038-460-10

(b) Street Address: 229 Trivided Dr., Tiburon, CA

Owner Name: Geoffrey Ziebart / Saeri Yuk

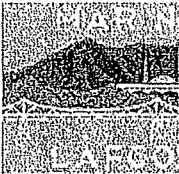
Owner Email: gziebart@yahoo.com


Signature

Oct 11, 2017.
Date

Administrative Office
Keene Simonds, Executive Officer
1403 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-440-5877 E: staff@marinlafc.org
www.marinlafc.org

- | | | | |
|--|--|--|--|
| Damon Connolly, Regular
County of Marin | Carla Condon, Vice Chair
Town of Corte Madera | Jack Baker, Regular
North Marin Water District | Jeffry Blanchfield, Chair
Public Member |
| Dennis J. Rodoni, Regular
County of Marin | Sashi McEntee, Regular
City of Mill Valley | Craig K. Murray, Regular
Las Gallinas Valley Sanitary | Chris Skelton, Alternate
Public Member |
| Judy Arnold, Alternate
County of Marin | Matthew Brown, Alternate
City of San Anselmo | Lew Klous, Alternate
Almonte Sanitary District | |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-460-11 from CSA #29.
(i.e., Annexation to the City of San Rafael)

Affected Property:

(a) Assessor Parcel Number: 038-460-11

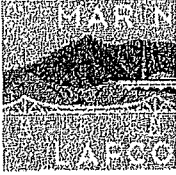
(b) Street Address: 233 Trinidad Dr.

Owner Name: Danette Dugas

Owner Email: danettedugas@gmail.com


Signature

8-16-17
Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Annex APN 038-460-03 into CSA # 29
(i.e., Annexation to the City of San Rafael)


Affected Property:

(a) Assessor Parcel Number: 038-460-03

(b) Street Address: 236 Trinidad Dr.

Owner Name: Richard Tincher

Owner Email: Rich@TincherConstruction.com


Signature

8/15/17
Date

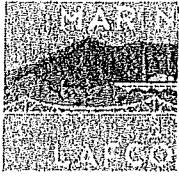
Administrative Office
Keene Simonds, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-478-5677 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
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Judy Arnold, Alternate
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Lew Kiou, Alternate
Almonte Sanitary District

Jeffrey Blanchfield, Chair
Public Member
Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission
 Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-460-12 from CSA #29
 (i.e., Annexation to the City of San Rafael)

Affected Property:

(a) Assessor Parcel Number: 038-460-12
 (b) Street Address: 237 Trinidad Dr.

Owner Name: Peter Gillespie

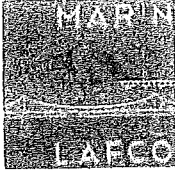
Owner Email: peter.gillespie@Rbs.com

P Gillespie
 Signature

8-15-17
 Date

Administrative Office
 Rene Simonds, Executive Officer
 1470 Los Gatos Drive, Suite 220
 San Rafael, California 94903
 T: 415.448-5877 E: staff@marinlafc.org
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- | | | | |
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County of Marin | Sashi McEntee, Regular
City of Mill Valley | Craig K. Murray, Regular
Las Gallinas Valley Sanitary | Chris Skelton, Alternate
Public Member |
| Judy Arnold, Alternate
County of Marin | Matthew Brown, Alternate
City of San Anselmo | Lew Kiou, Alternate
Almonte Sanitary District | |



Marin Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

LANDOWNER CONSENT FORM

Pursuant to Government Code Section 56663 the undersigned voluntarily consents and waives right to protest the proposed boundary change identified below.

Proposed Action: Detach APN 038-391-16 from CSA 29
(i.e., Annexation to the City of San Rafael)

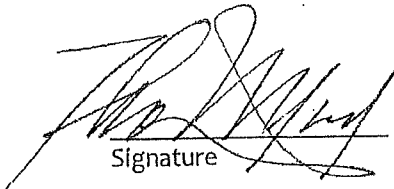
Affected Property:

(a) Assessor Parcel Number: 038-391-16

(b) Street Address: Submerged lot

Owner Name: Tom Moseley - Pullman Building Co

Owner Email: _____


Signature

10/10/18
Date

Administrative Office
Keene Simonds, Executive Officer
1401 Los Gatos Drive, Suite 110
San Rafael, California 94903
T: 415-468-5977 | E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin
Dennis L. Bodoni, Regular
County of Marin
Judy Arnold, Alternate
County of Marin

Carla Condon, Vice Chair
Town of Corte Madera
Sashli McEntee, Regular
City of Mill Valley
Matthew Brown, Alternate
City of San Anselmo

Liz Baker, Regular
North Marin Water District
Craig K. Murray, Regular
Las Gallinas Valley Sanitary
Lew Elous, Alternate
Alameda Sanitary District

Jeffrey Blawiefield, Chair
Public Member
Craig Blanton, Alternate
Public Member

Date: August 1, 2017
File: 2017-048

EXHIBIT "A"
ANNEXATION OF COUNTY SERVICE AREA #29
LAFCO MAPPING #1337 / MARIN MAPPING #XXXX

Redistricting Area – 1

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being on the easterly line of Antilles Way (50 feet wide) at its intersection with the southerly line of Lot 8 as each are shown on that certain Record Map entitled "Paradise Cay North", recorded June 17, 1996 in Volume 21 of Maps, at Page 47, Marin County Records, said point also being a point on a curve concave to the left, to which point a radial line bears North 53°47'58" East, 225.00 feet;

- Course 1 - Thence northerly along said easterly line of Antilles Way, and along said curve through a central angle of 31°39'31", an arc distance of 124.32 feet, to a point on a curve concave to the right;
- Course 2 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 150.00 feet, through a central angle of 33°23'19", an arc distance of 87.41 feet to a point on a curve concave to the left;
- Course 3 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 405.00 feet, through a central angle of 13°03'34", an arc distance of 92.31 feet, to a point on a curve concave to the right;
- Course 4 - Thence continuing northerly along said easterly line of Antilles Way and along said curve, having a radius of 35.31 feet, through a central angle of 57°09'53", an arc distance of 35.23 feet, to a point on the easterly line of Paradise Drive (60 feet wide);
- Course 5 - Thence northerly along the easterly line of Paradise Drive, North 09°38'12" East, 37.52 feet, to the northwesterly corner of Lot 12 of said Map;
- Course 6 - Thence leaving said easterly line of Paradise Drive, along the northerly line of said Lot 12, North 70°50'00" East, 295.90 feet, to the westerly line of Trinidad Drive (50 feet wide);
- Course 7 - Thence southerly along the westerly line of Trinidad Drive, South 19°10'00" East, 305.00 feet, to the southeasterly corner of Lot 8 of said map;
- Course 8 - Thence leaving said westerly line of Trinidad Drive, along the southerly line of said Lot 8, South 70°50'00" West, 100.00 feet;
- Course 9 - Thence continuing along the southerly line of said Lot 8, South 51°45'47" West, 71.51 feet, to the Point of Beginning.

Said description being Lots 8 through 12 of said Map, Containing 1.9 acres, more or less

Redistricting Area – 2

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being the southeasterly corner of Lot 77, and said point also being on the westerly line of Lot 51 as both Lots are shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records;

- Course 1 - Thence along said westerly line of Lot 51 South 17°10'00" East, 53.06 feet;
- Course 2 - Thence along said westerly line of Lot 51 and 50, South 00°00'00" West 274.31 feet to the southwest corner of Lot 50 of said Map;
- Course 3 - Thence leaving said southwest corner of Lot 50, along the southerly lines of Lots 49 and 48 of said Map, South 00°00'00" East, 370.00 feet;
- Course 4 - Thence continuing along said southerly line of Lot 48, South 67°10'00" East, 15.00 feet, to the southeasterly corner of said Lot 48 of said Map, said corner also being the southwesterly corner of Lot 16 as shown on that certain Record Map entitled "Paradise Cay Map No. 4", recorded April 14, 1969 in Volume 14 of Maps, at Page 50, Marin County Records;
- Course 5 - Thence along the southerly line of said Lot 16, South 84°29'26" East, 130.45 feet;
- Course 6 - Thence continuing along the southerly line of said Lot 16, and along the southerly line of Lot 15 of said Map, South 67°15'42" East, 81.90 feet,
- Course 7 - Thence continuing along said southerly line of Lot 15, and along the south line of Lot 14 of said Map South 00°00'00" East, 267.59 feet, to the southeast corner of Lot 14;
- Course 8 - Thence leaving said southeast corner of Lot 14, South 16°30'00" East, 52.15 feet, to the northeast corner of Lot 24 as shown on that certain Record Map entitled "Paradise Cay – South Cay – Unit 2", recorded December 13, 1983 in Volume 18 of Maps, at Page 97, Marin County Records;
- Course 9 - Thence leaving said northeast corner of Lot 24, North 00°00'00" West, 896.62 feet to an angle point on the northerly line of Lot 14 of said Map;
- Course 10 - Thence North 00°00'00" East, 370.54 feet, to an angle point on the east line of Lot 1 as shown on that certain Record Map entitled "Paradise Cay – South Cay – Unit 1" recorded August 16, 1979 in Volume 17 of Maps, at Page 86, Marin County Records;
- Course 11 - Thence northerly along said easterly line of said Lot 1 North 17°10'00" West, 50.91 feet to the south line of Lot 77 as shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records;

Course 12 - Thence easterly along the south line of said Lot 77, North 76°32'16" East, 25.05 feet, to the Point of Beginning.

Said description being the navigation easement as shown on that certain Record Map entitled "Paradise Cay Map No. 1", recorded June 12, 1959 in Volume 10 of Maps, at Page 28, Marin County Records; Containing 1.8 acres, more or less

Redistricting Area – 3

Beginning at a point in the Rancho Corte Madera Del Presidio, said point being on the existing boundary of County Service Area #29, said point also being on the easterly line of Trinidad Drive (50 feet wide) at its intersection with the southerly line of Lot 3 as shown on that certain Record Map entitled "Paradise Cay North", recorded June 17, 1996 in Volume 21 of Maps, at Page 47, Marin County Records;

Course 1 - Thence northerly along said easterly line of Trinidad Drive North 19°10'00" West, 73.00 feet, to the northwest corner of said Lot 3.

Course 2 - Thence leaving said northwest corner of Lot 3, easterly along the northerly line of said Lot 3, North 70°50'00" East, 141.38 feet, to the northeast corner thereof;

Course 3 - Thence leaving said northeast corner of Lot 3, southerly along the easterly line thereof, South 30°08'11" East, 45.31 feet;

Course 4 - Thence continuing southerly along said easterly line of said Lot 3, South 19°10'00" East, 28.52 feet, to the southeast corner thereof;

Course 5 - Thence leaving the southeast corner of said Lot 3, westerly along the southerly line of said Lot 3, said line also being the existing boundary of County Service Area #29, South 70°50'00" West, 150.00 feet, to the Point of Beginning;

Said description being Lot 3 of said Map, Containing 0.25 acres, more or less

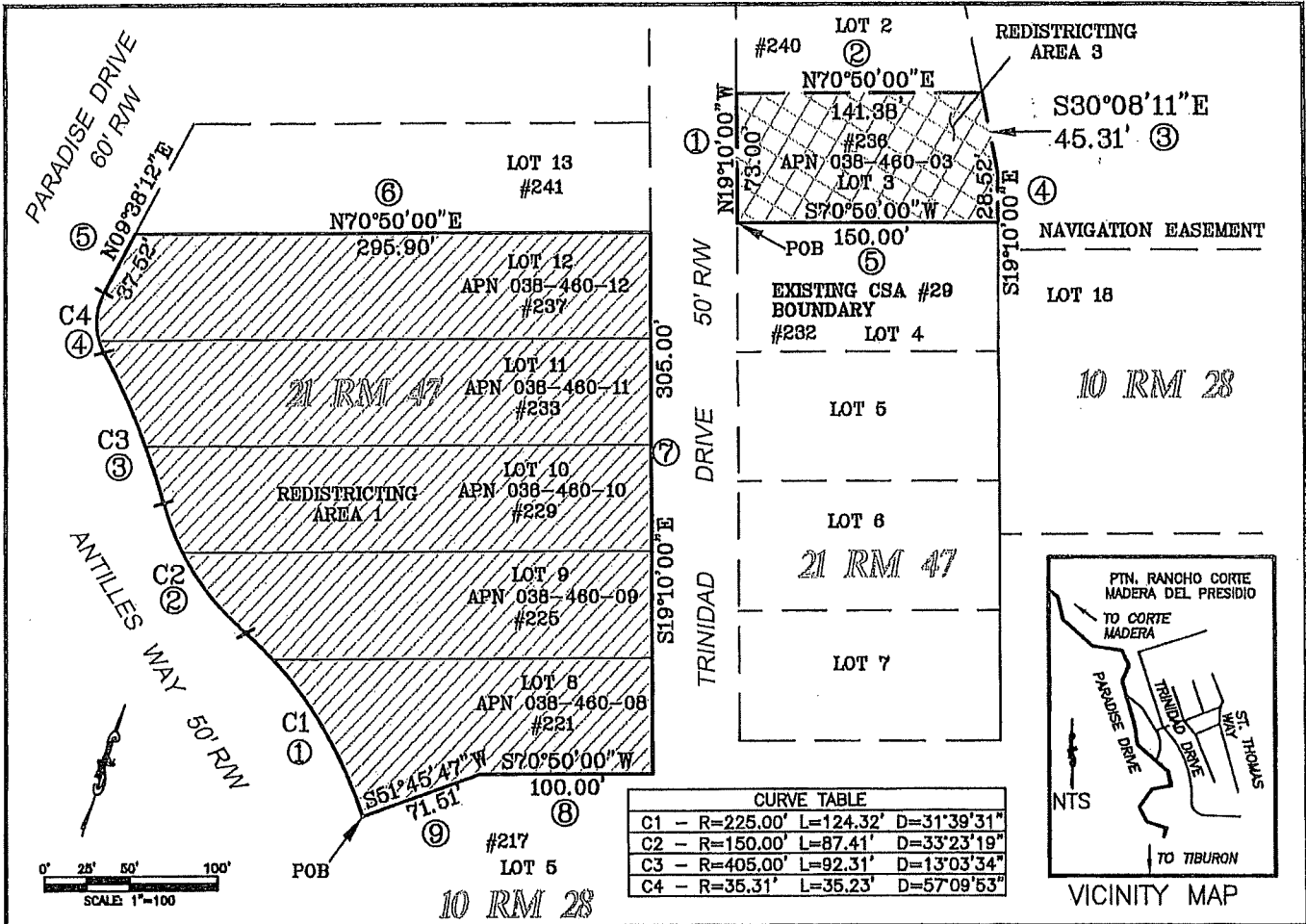
The legal descriptions contained herein are for annexation purposes only, and do not describe real property for the purpose of creating legal parcels, or for the purpose of any legal transfer or sale.



T. W. Park 8/1/17

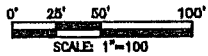
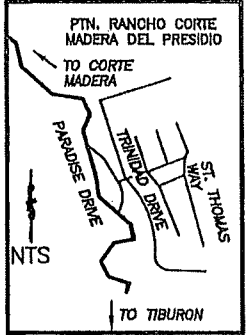
Prepared for Marin County Department of Public Works, Flood Control by
Tracy W. Park, PLS 8176

EXHIBIT B

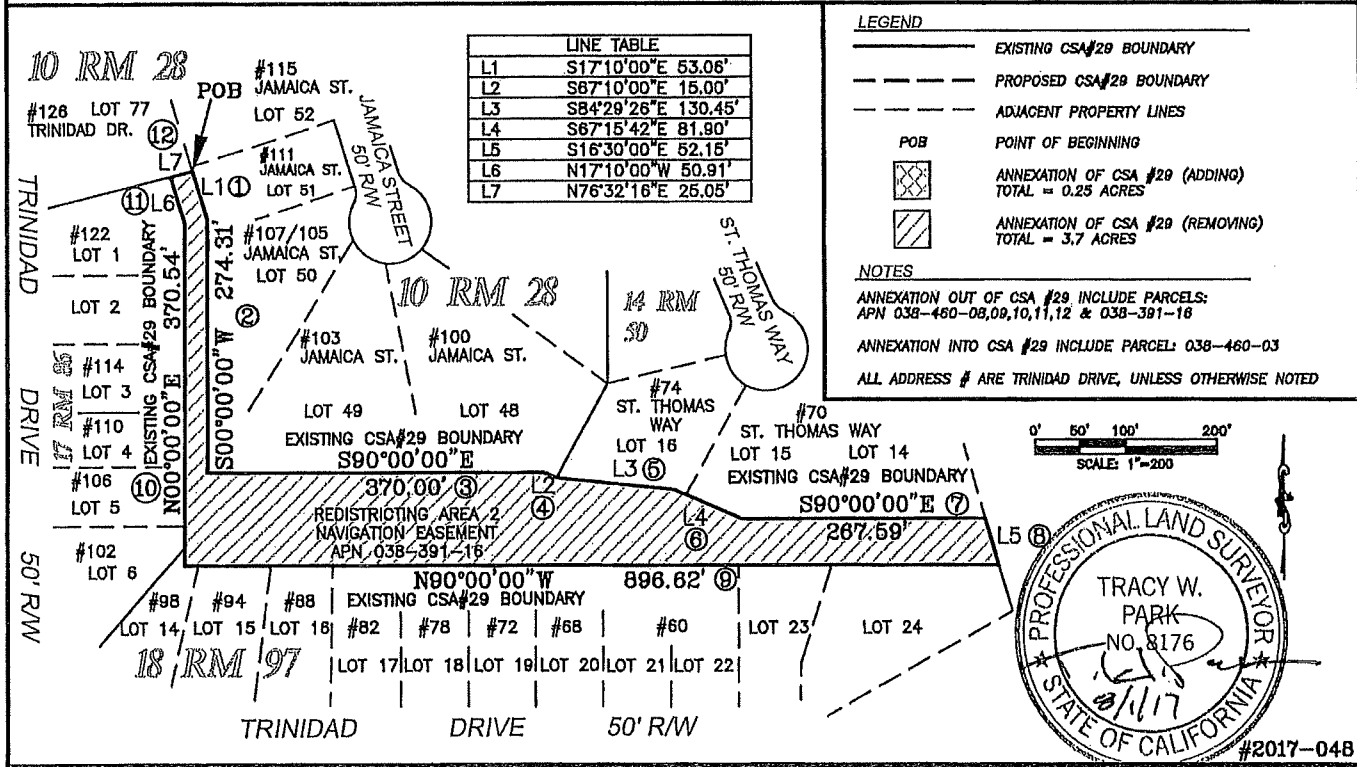


CURVE TABLE

C1	R=225.00'	L=124.32'	D=31°39'31"
C2	R=150.00'	L=87.41'	D=33°23'19"
C3	R=405.00'	L=92.31'	D=13°03'34"
C4	R=35.31'	L=35.23'	D=57°09'53"



10 RM 28



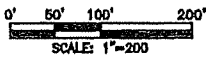
LINE TABLE

L1	S17°10'00"E 53.06'
L2	S87°10'00"E 15.00'
L3	S84°29'26"E 130.45'
L4	S87°15'42"E 81.90'
L5	S16°30'00"E 52.15'
L6	N17°10'00"W 50.91'
L7	N76°32'16"E 25.05'

LEGEND

- EXISTING CSA #29 BOUNDARY
- PROPOSED CSA #29 BOUNDARY
- ADJACENT PROPERTY LINES
- POB POINT OF BEGINNING
- ANNEXATION OF CSA #29 (ADDING) TOTAL = 0.25 ACRES
- ANNEXATION OF CSA #29 (REMOVING) TOTAL = 3.7 ACRES

NOTES
 ANNEXATION OUT OF CSA #29 INCLUDE PARCELS:
 APN 038-460-08,09,10,11,12 & 038-391-18
 ANNEXATION INTO CSA #29 INCLUDE PARCEL: 038-460-03
 ALL ADDRESS # ARE TRINIDAD DRIVE, UNLESS OTHERWISE NOTED



COUNTY OF MARIN
 DEPARTMENT OF PUBLIC WORKS
 SURVEY SECTION

SCALE: 1" = 100'

ANNEXATION OF COUNTY SERVICE
 AREA #29
 LAFCO MAPPING #1337 MARIN MAPPING #XXXX

REDISTRICTING AREA 1

Closure Summary

Precision, 1 part in 123428.065'

Error distance = 0.009'

Point of Beginning 16097.9405', 11831.9961'

Side 1

Curve direction Counter-clockwise

Radius 225.000'

Arc length 124.320'

Delta angle 031.6578 (d)

Easting 16001.1779'

Northing 11907.5156'

Side 2

Radius 150.000'

Arc length 87.410'

Delta angle 033.3882 (d)

Tangent

Easting 15934.0494'

Northing 11961.5574'

Side 3

Radius 405.000'

Arc length 92.310'

Delta angle 013.0592 (d)

Easting 15873.6199'

Northing 12031.0743'

Side 4

Radius 35.310'

Arc length 35.230'

Delta angle 57.1660 (d)

Easting 15862.6499'

Northing 12063.0306'

Side 5

Angle N09° 38' 12.00"E

Distance 37.520'

Easting 15868.9308'

Northing 12100.0212'

Side 6

Angle N70° 50' 00.00"E

Distance 295.900'

Easting 16148.4283'

Northing 12197.1702'

Side 7

Angle S19° 10' 00.00"E

Distance 305.000'

Easting 16248.5651'

Northing 11909.0771'

Side 8

Angle S70° 50' 00.00"W

Distance 100.000'

Easting 16154.1083'
Northing 11876.2454'

Side 9

Angle S51° 45' 47.00"W
Distance 71.510'
Easting 16097.9402'
Northing 11831.9868'

REDISTRICTING AREA 2

Precision, 1 part in 161063.798'
Error distance = 0.016'

Point of Beginning 17640.9918', 12040.7286'

Side 1

Angle S17° 10' 00.00"E
Distance 53.060'
Easting 17656.6525'
Northing 11990.0324'

Side 2

Angle S00° 00' 00.00"E
Distance 274.310'
Easting 17656.6525'
Northing 11715.7224'

Side 3

Angle N90° 00' 00.00"E
Distance 370.000'
Easting 18026.6525'
Northing 11715.7224'

Side 4

Angle S67° 10' 00.00"E
Distance 15.000'
Easting 18040.4771'
Northing 11709.9016'

Side 5

Angle S84° 29' 26.00"E
Distance 130.450'
Easting 18170.3245'
Northing 11697.3771'

Side 6

Angle S67° 15' 42.00"E
Distance 81.900'
Easting 18245.8592'
Northing 11665.7209'

Side 7

Angle N90° 00' 00.00"E
Distance 267.590'
Easting 18513.4492'
Northing 11665.7209'

Side 8

Angle S16° 30' 00.00"E
Distance 52.150'
Easting 18528.2606'
Northing 11615.7184'

Side 9

Angle N90° 00' 00.00"W
Distance 896.620'
Easting 17631.6406'
Northing 11615.7184'

Side 10

Angle N00° 00' 00.00"E
Distance 370.540'
Easting 17631.6406'
Northing 11986.2584'

Side 11

Angle N17° 10' 00.00"W
Distance 50.910'
Easting 17616.6144'
Northing 12034.9004'

Side 12

Angle N76° 32' 16.00"E
Distance 25.050'
Easting 17640.9761'
Northing 12040.7322'

REDISTRICTING AREA 3

Closure Summary

Precision, 1 part in: 149664.591'
Error distance: 0.003'

Point of Beginning

Easting: 16193.9396'
Northing: 12218.5261'

Side 1: Line

Direction: N19° 10' 00.00"W
Distance: 73.000'
Easting: 16169.9725'
Northing: 12287.4796'

Side 2: Line

Direction: N70° 50' 00.00"E
Distance: 141.380'
Easting: 16303.5154'
Northing: 12333.8970'

Side 3: Line

Direction: S30° 08' 11.00"E
Distance: 45.310'
Easting: 16326.2638'
Northing: 12294.7115'

Side 4: Line

Direction: S19° 10' 00.00"E
Distance: 28.520'
Easting: 16335.6274'
Northing: 12267.7724'

Side 5: Line

Direction: S70° 50' 00.00"W
Distance: 150.000'
Easting: 16193.9422'
Northing: 12218.5248'



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 11, 2020
Item No. 7 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Election of Chair and Vice-Chair

Background

Marin LAFCo's policy 3.5 directs the election of Chair and Vice-Chair, to one-year terms, at the first regular meeting in or immediately following May of each year.

The Chair shall also serve as the immediate supervisor to the Executive Officer and is responsible for confirming agendas, as well as making committee appointments. The Vice-Chair shall have all the powers and duties of the Chair during their absence or inability to act.

The voting members retain full discretion in proceeding with the selection process as collectively deemed appropriate, and compliant with the Brown Act.

Staff does not take a position on this subject matter and leaves it to the discretion of the Commission as a whole to decide.

Staff Recommendation for Action

1. Option 1 – Elect by a majority of voting members (a) Chair and (b) Vice-Chair to one-year terms commencing immediately and extending to May 2021, and/or until successors are elected.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

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Almonte Sanitary District

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Sanitary District #5

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Chris Skelton, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 8 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Discussion and Possible Amendment of the LAFCo Workplan

Background

Based on the Budget Committee recommendation of only budgeting for the hiring of a ½ time person to fill in for the current vacant position, the Commission needs to discuss how to handle the current work plan which is based on a slightly larger staffing level.

Staff has attached the current work plan which includes items that are anticipated to be added due to the completion of the Tiburon Peninsula MSR under item 4 of today's agenda.

The approach that staff would take is to prioritize items where there is current interest from all parties involved and where action is more likely to occur in the near future. While staff is not suggesting not reviewing all items over time, some current items may be pushed off to the future, worked on in a much slower pace, or possibly in the case of some working groups that come out of an MSR, that we leave the work to the local agency and see if gets addressed when we do the next round of MSR's.

For example, on fire-related issues, LAFCo has five different items currently on its work plan or being added based on the Tiburon Peninsula MSR. We currently have a working group on San Rafael Area Fire services that staff formed. LAFCo staff was recently asked by Southern Marin Fire to join a working group that is looking at various options for fire services in its jurisdiction and Mill Valley, along with other possible surrounding communities. Then there is the Countywide Fire Study that the Commission would like to have done. Finally, on today's agenda, we will be adding two working groups to look at Fire Services on Angel Island and the moving of Belvedere into the Tiburon Fire Protection District boundary rather than the current Out of Service Area (OSA) agreement that covers fire service for the area. While LAFCo has much more than just fire service work to do, this is a good sample to help define what staff would suggest prioritizing and why. Staff would treat the San Rafael and Southern Marin working group as top priority since they have active groups, interest from those that are invested to find a solution, and most likely the first items that would be in front of LAFCo. The Tiburon FPD boundary would then get next priority since this deals with a core LAFCo function of not wanting to have an OSA as a permanent solution when boundary changes are possible. Next would be the Countywide Fire study because this will take a substantial amount of research and time to complete. This item would likely be put on the slow track as the time needed to do this work will exceed the amount of staff time available when dealing with other matters. The last item in this example is the Angel Island fire service issues. This item will have a level of importance to our member agencies but, in reality, may or may not have a solution that requires LAFCo approval so spending LAFCo staff time on it has the lowest level of importance to the overall work of LAFCo amongst these examples. This would either mean it is left on a wish list of things to work on but may not be dealt with until the MSR.

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
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Damon Connolly, Regular
County of Marin

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Sanitary District #5

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Public Member

Chris Skelton, Alternate
Public Member

Staff wanted to present this subject matter to the Commission and views the final decision on this matter as the Commission's on how to decide on items that the Commission wanted to work on and which items should be postponed or dropped since the original plan is based upon staff levels higher than what we will have in FY 20-21.

Staff Recommendation for Action

1. Staff Recommendation – Give staff any changes to the work plan that the Commission desires to see.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

Attachments:

- 1) FY 20-21 Workplan

Project	Responsible for work	Basic Description	Status
Personnel Handbook	Policy and Personnel Committee	It has been several years since the Personnel Handbook has been reviewed and updated. The Commission is looking to completely overhaul the current handbook and update to fit the needs of our new HR protocols.	Staff preparing handbook for Committee to review and discuss.
Island Annexation Policy Update	Policy and Personnel Committee	During the review of the Novato Area MSR, discussion occurred around how the current Marin LAFCo policy is written. The Policy and Personnel Committee should review and suggest any changes to the full Commission for approvals.	Will be added to future agenda of Policy Committee.
Tiburon Peninsula Area MSR	Staff	MSR for region.	Final draft to be presented at June meeting.
Ross Valley Area MSR	Staff	MSR for region.	Staff in process of producing draft.
Twin Cities Area MSR	Staff	MSR for region.	To be started in 2020.
Western Marin MSR	Staff	MSR for region.	To be started after Twin Cities draft is released, expected late 2020 or early 2021.
Countywide Fire Study	Commissioner McEntee and Staff	To do a phased review of fire services in Marin County.	Some basic work has already started to be done.
Countywide Police Study	TBD	TBD	Once more is known on the fire study, work will start on this item.
CSA 23 and 25 Dissolution	Staff	Based on San Rafael Area and Novato Area MSRs, both districts no longer meet. LAFCo has requested that the State Controller's Office put the districts on its list of district to dissolve.	Expect to get letter from Controller Office in late 2020.
SQVSMD consolidation with RVSD	Staff	Based on the Central Marin Wastewater MSR, work with district staff on the possibility of consolidating services with RVSD.	Staff has already started to set up meeting on this matter.

County of Marin transfer of support services to LAFCo	Staff	County has been the provider of some back office services, such as HR and payroll, for LAFCo for many years. In 2016, the County started a process to stop providing those services and now LAFCo must create alternate ways to have those services provided.	Once current transfer is complete on Payroll and more is known on benefits side staff will review and if needed bring alternate options for doing these services.
San Rafael Area Fire Working group	Staff	Based on San Rafael Area MSR the concept of merging fire services was mentioned. This working group will determine if it is possible and in the best interest of the public and all agencies providing services.	Working group has already started meeting and doing early research.
Boundary Change for CSA 18	Staff	Based on San Rafael Area MSR, the boundaries of the CSA need to be adjusted.	CSA 18 is discussing new boundaries and should present an application in 2020.
Reaffirm Novato Area SOI's	Staff	Based on Novato Area MSR all the SOI's for that area need to be reaffirmed.	Scheduled to occur at June meeting.
Property Tax review for special districts	Staff	This is a low level item for staff to work on. Currently when parcels are annexed into district they get zero of the current ad valorem so staff will research if there are options, without changing the Master Tax Exchange Agreement, for district to get additional revenue to cover the cost of service that they get from current parcels from the 1% ad valorem.	Will be worked on as time permits.
Pension and OPEB in MSR's	Commissioners Kious and McEntee	Review metric that can be added to future MSR's around how each jurisdiction in Marin County is doing on future Pension and OPEB costs .	
Special District Appointment Process to LAFCo	Commissioner Kious, Murray and Staff	With the formation of the Marin CSDA Chapter, it is not possible to get the Special District Selection Committee to take over the election of Special District members to LAFCo.	Working on process for approval by special districts.
Southern Marin Fire reorganization with neighboring departments	Staff	Staff has been invited by Southern Marin FPD to join a working group that is looking at ways to either consolidate service or merge department.	Staff is attending meeting and will update the Commission as needed.

Strawberry Recreation District reorganization	Staff	Staff identified in Tiburon Peninsula MSR that SRD has dredging services that are an activity that State Government Code does not explicitly give to a recreation district. SRD and the County, with LAFCo help, are working to see if a CSA can be created to cover those services	Early discussions have started but more work is needed.
Paradise Drive	Staff	As identified in the Tiburon Peninsula MSR, Paradise Drive goes through areas that are both incorporated and unincorporated as multiple unincorporated islands exist along it. The road itself does not reflect the parcels around it as far as which jurisdiction it is in.	Working group to be established to work on addressing issue to see if there is a better way to operate than current system.
Angel Island Fire Service	Staff	There are two different, but similar, issues around fire services. One is, while Angel Island falls into CSA 31 service area, Tiburon FPD actually provides those services but does not get reimbursed for those services. Second is the Town of Tiburon pays to the State Parks an annual fee to cover fire protection cost but the Town offers no fire protection services.	Working group to be established to work on addressing issue to see if there is a better way to operate than current system.
Tiburon Fire Protection District OSA with Belvedere	Staff	As identified in the Tiburon Peninsula MSR, the City of Belvedere currently has an OSA with the TFPD to cover services. In the MSR staff suggests that TFPD boundaries should be extended to cover Belvedere.	Working group to be established to work on addressing issue to see if there is a better way to operate than current system.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 9 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Discussion and Approval of Temporary Policy for Remote Working Condition for COVID-19 planning purposes

Background

While the office has reopened, state and local policies are in flux based on current conditions as it pertains to helping stop the spread of COVID-19. Current advice coming from health experts is that, when possible, we should limit contact with others and this includes office working conditions. Marin LAFCo has functioned very well during the office shut down that occurred between March and May. Staff would like to see a temporary policy established that allows staff to have the option to work remotely when schedules and workload allow. The following policy would allow, at the discretion of the Executive Officer, the ability for staff to work remotely as long as the office is able to remain generally open and work is not slowed by such action. This shall be a temporary policy that will be reviewed as part of the Personnel handbook update coming later this year.

“Telecommuting occurs on a part-time basis. Salary, job responsibilities, and benefits do not change as a result of telecommuting. Telecommuters shall have regularly scheduled work hours agreed upon with the Executive Officer and can only occur on days when the office will have staff to remain open. Planned telecommuting days will be canceled should staffing needs of the office require the employee to report back to the office for office coverage. Telecommuters will be as accessible as their on-site counterparts during their agreed-upon regular business hours, regardless of work location. Telecommuters will exercise caution to ensure they have a safe work area. Telecommuters will take all precautions necessary to secure privileged information while away from the office and prevent unauthorized access to the LAFCo shared drive while working remotely.”

Staff Recommendation for Action

1. Staff Recommendation – Approve the above policy with any amendments.
2. Alternate Option – Continue consideration of this item to a future meeting and give staff any needed instructions or further action.

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
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Larry Loder, Regular
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Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020
Item No. 10 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: Authorizing the Executive Officer to Investigate Payroll Service Options

Background

At the request of Marin County, during our December 2019 LAFCo meeting, the Commission approved an agreement with ADP to do payroll function for us. LAFCo staff had no real time to determine if this was the best option for LAFCo. During this rollout process, not everything that ADP had told the County staff appears to be accurate which has caused some bumps in the process on what services we were being told would be provided that are not.

When doing a changeover of the payroll system, one thing staff has learned is that it is best to do this with the first payroll of the calendar year due to tax reporting requirements. In order to meet this requirement, starting to do a review now in case we want to switch is good for planning purposes so the Commission has time to get proper agreements in place and have a system set-up should a change occur.

Staff is requesting authorization to go out and review other payroll systems. Should staff find an option that is better than our current system then staff will present that option at a future meeting.

Staff Recommendation for Action

1. Staff Recommendation – Authorize the Executive Officer to investigate if there is a better option for LAFCo to use and present that option at a future meeting.
2. Alternate Option – Do not look into other options and follow Marin County's lead on this.

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

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Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
June 11, 2020
Item No. 11 (Action)

TO: Local Agency Formation Commission

FROM: Mala Subramanian, General Counsel

SUBJECT: **Approval of Third Amendment to Executive Officer Employment Agreement**

Background

The Commission approved an Employment Agreement for Executive Officer's Services with Jason Fried effective January 2, 2019 ("Employment Agreement"). On June 13, 2019, the Commission approved a First Amendment to the Employment Agreement. On August 8, 2019, the Commission approved a Second Amendment to Employment Agreement.

Discussion

For your consideration is a Third Amendment to the Employment Agreement that makes the following amendments: (1) extends the term of the Employment Agreement until June 30, 2023; (2) provides for additional holidays; (3) provides for a \$350 auto allowance for expenses incurred for mileage due to job-related local travel; and (4) after adoption of updated personnel rules, provides for entering into an appropriate amendment to the Employment Agreement to ensure that, from that point forward, Employee's paid leave entitlements are consistent with those provided to Marin LAFCo employees.

Recommendation

Authorize the Chair to execute the Third Amendment to the Employment Agreement

Attachments:

1. Third Amendment to Executive Officer Employment Agreement
2. Second Amendment to Executive Officer Employment Agreement
3. First Amendment to Executive Officer Employment Agreement
4. Executive Officer Employment Agreement

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
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Damon Connolly, Regular
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THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 11, 2020, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as “Commission”), and Jason Fried (hereinafter referred to as “Employee”).

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER (“Agreement”).

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation (“First Amendment”).

The Commission and Employee entered into an amendment to the Agreement effective August 8, 2019 to adjust compensation to address a payroll issue related to the payment of his salary (“Second Amendment”).

The Commission and Employee desire to further amend the Agreement to extend the term of the Agreement and provide for additional revisions (“Third Amendment”).

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The last sentence of Section 2 is hereby amended as follows:

“The Commission may otherwise grant cost of living salary adjustments or other merit increases as part of the annual performance evaluation.”

2. **Holidays and Personal Leave.** The first sentence of Section 7 is hereby amended as follows:

“Marin LAFCo shall observe the following holidays annually, namely July 4, Labor Day, Veteran’s Day, Thanksgiving Day, the day after Thanksgiving, one-half day on December 24, December 25 through and including New Year’s Day, Martin Luther King Jr. Day, Presidents’ Day, and Memorial Day. If New Year’s Day, Independence Day, Veterans Day or December 25 falls on a Sunday, the Monday following shall be treated as the holiday. If any of those holidays falls on a Saturday, the preceding work day shall be treated as the holiday.”

3. **Expenses, Phone and Mileage.** Section 10 is hereby revised in its entirety as follows:

“The Commission agrees to reimburse Employee for work-related expenses for purposes including, but not limited to, professional dues and subscriptions, professional development, meal expenses, travel to approved conferences or seminars, and general expenses of a job related and non-personal nature subject to reasonable control and budgetary approval by the

Commission. All reimbursements must be based on receipts and similar documentation. Commission shall provide, at its expense, a cell phone and cell phone service package to Employee for Commission business. Commission shall provide an auto allowance of \$350 per month, paid as wages and subject to appropriate withholdings and deductions, for expenses incurred for mileage due to job-related local travel.”

4. **Benefits and Paid Leave.** After adoption of updated personnel rules for Marin LAFCo (expected to occur in 2020), the Commission and Employee will enter into an appropriate amendment adopting changes to Employee’s Agreement to ensure that, from that point forward, Employee’s paid leave entitlements are consistent with those provided to Marin LAFCo employees.

5. **Term, Termination and Potential Severance.** Section 12A is hereby amended as follows:

“A. This Agreement shall expire on June 30, 2023 unless terminated earlier in accordance with these provisions.”

6. Except as amended herein, all provisions of the Second Amendment, First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Third Amendment.

7. This Third Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment as of the date first herein above written.

By: _____
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: _____
JASON FRIED, EMPLOYEE

Approved as to form:

MALA SUBRAMANIAN,
COMMISSION COUNSEL

SECOND AMENDMENT TO EMPLOYMENT AGREEMENT

This Second Amendment to the Employment Agreement for Executive Officer is made and entered into as of August 8, 2019, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as "Commission"), and Jason Fried (hereinafter referred to as "Employee").

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER ("Agreement").

The Commission and Employee entered into an amendment to the Agreement, effective June 13, 2019 to extend the term of the Agreement and increase compensation ("First Amendment").

The Commission and Employee now desire to amend the Agreement to adjust compensation to address a payroll issue to allow for an even hourly rate.

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:


- 1. **Salary.** The first sentence of Section 2 is hereby amended as follows:

"Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$150,009.60 (ONE HUNDRED FIFTY THOUSAND NINE DOLLARS AND SIXTY CENTS), payable in accordance with the Commission's standard payroll practices effective July 1, 2019."

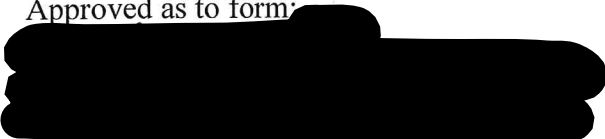
- 2. Except as amended herein, all provisions of the First Amendment and Agreement shall remain in full force and effect and shall govern the actions of the parties under this Second Amendment.

- 4. This Second Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date first herein above written.

By: 
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By: 
JASON FRIED, EMPLOYEE

Approved as to form: 
MALA SUBRAMANIAN,
COMMISSION COUNSEL

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

This First Amendment to the Employment Agreement for Executive Officer is made and entered into as of June 13, 2019, by and between the Marin Local Agency Formation Commission, an Agency established by State of California (hereinafter referred to as "Commission"), and Jason Fried (hereinafter referred to as "Employee").

RECITALS

The Commission and Employee entered into an agreement, effective January 2, 2019, to hire and appoint Employee as EXECUTIVE OFFICER ("Agreement").

The Commission and Employee now desire to amend the Agreement in order to extend the term of the Agreement to June 30, 2020 and increase compensation.

In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. **Salary.** The first sentence of Section 2 is hereby amended as follows:

"Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$150,000 (ONE HUNDRED FIFTY THOUSAND DOLLARS), payable in accordance with the Commission's standard payroll practices."


2. **Term, Termination and Potential Severance.** Section 12A is hereby amended as follows:

"A. This Agreement shall expire on June 30, 2020 unless terminated earlier in accordance with these provisions."

3. Except as amended herein, all provisions of the Agreement shall remain in full force and effect and shall govern the actions of the parties under this First Amendment.

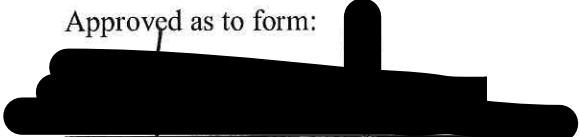
4. This First Amendment may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date first herein above written.

By:  _____
SASHA [REDACTED] NTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

By:  _____
JASON FRIED, EMPLOYEE

Approved as to form:


MALA SUBRAMANIAN,
COMMISSION COUNSEL

AGREEMENT

This Agreement (hereinafter referred to as "Agreement"), made and entered into on the latest date of signature below by and between the Marin Local Agency Formation Commission, an Agency established by the State of California (hereinafter referred to as "Commission") and Jason Fried (hereinafter referred to as "Employee"), to appoint Employee as the duly appointed EXECUTIVE OFFICER of the Commission.

RECITALS

1. Through action of its membership on December 13, 2018, the Commission voted to extend Employee appointment as EXECUTIVE OFFICER of the Commission effective January 2, 2019.
2. It is the desire of the Commission to provide certain benefits, establish certain conditions of employment, and set working conditions of said EXECUTIVE OFFICER.
3. It is the desire of the Commission to (1) retain the services of Employee and to provide inducement for him to continue in such employment; and (2) to provide an equitable means for terminating Employee's services at such time as the Commission in its sole discretion may desire to terminate his employ.
4. In consideration of the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

Section 1. Duties.

The powers and duties of the EXECUTIVE OFFICER shall be as those described generally in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 codified at Section 56000 et seq. of the California Government Code, and any local standards, policies, guidelines or procedures adopted by the Commission. In addition the Commission may direct the EXECUTIVE OFFICER to perform other legally permissible and proper duties and functions as the Commission shall from time to time assign to carry out the functions of the Commission.

Section 2. Salary.

Commission agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$142,000 (ONE HUNDRED FORTY-TWO THOUSAND DOLLARS), payable in accordance with the Commission's standard payroll practices. The Commission may otherwise grant Employee cost-of-living salary adjustments as part of the annual performance evaluation.

Section 3. Hours of Work

Employee is expected to generally be working and available during regular business hours (Mon-Fri, 9am to 5pm), as well as at any other time needed to carry out the duties of the position. Employee's schedule of work each day and week may vary in accordance with the work required to be performed and in accordance with any specific direction provided by the Commission. Employee understands and agrees that he is an exempt executive management employee, and that he shall not be entitled to any additional compensation and/or time off as a result of working more than 40 hours in any given week. It is recognized that work in some weeks may exceed 40 hours and, conversely, work in other weeks may be less than 40 hours. Employee is expected to work the hours required to get the job done.

Section 4. Full Energy and Skills; Conflicts

Employee shall faithfully, diligently, and to the best of Employee's abilities, perform all duties that may be required under this Agreement. Employee agrees that Employee has a duty of loyalty and a general fiduciary duty to the Commission. Absent advance written permission from the Commission, Employee shall devote the whole of Employee's working time, skill, experience, knowledge, ability, labor, energy, attention, and best effort exclusively to the Commission's business and affairs.

Employee shall not engage in any employment, activity, consulting service, or other enterprise, for compensation or otherwise, which is actually or potentially in conflict with, inimical to, or which interferes with the performance of Employee's duties.

Section 5. Vacation Leave.

Employee shall accrue and have credited to his personal account, vacation which is accrued on a pro rata basis as hours are worked at the following schedule:

1. Commencing on the date of hire - 10 working days (.0385 hourly)
2. After 3 years of service - 15 working days (.0577 hourly)
3. After 10 years of service - 20 working days (.0770 hourly)
4. After 20 years of service - 25 working days (.0962 hourly)
5. After 30 years of service - 30 working days (.1154 hourly)

Employee may accumulate a maximum accrual cap of 300 hours of vacation leave, and Employee may not earn any further vacation leave until some vacation is used and the balance

falls below the cap. The cash value of all accrued, but unused vacation at time of Employee' separation from Commission service, for any reason, shall be paid to Employee in a lump sum payment unless another method of payment is mutually agreed upon.

Section 6. Sick Leave.

Employee shall accrue and have credited to his personal account, sick leave at the rate of 96 hours per year, accrued on a pro rata basis each pay period, and not subject to any accrual cap. Such sick leave is not discretionary leave, but may be used for personal illness/injury or the illness/injury of Employee's family members (in accordance with the Healthy Workplaces, Healthy Families Act of 2014), as well as for such time as is reasonably necessary or during otherwise unpaid medical leaves provided by law. Sick leave shall have no cash or other value at the time of Employee separation from Commission service for any reason.

Section 7. Holidays and Personal Leave.

Employee shall receive ten (10) paid holidays annually, namely July 4, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, December 25, New Year's Day, Martin Luther King Jr. Day, Presidents' Day, and Memorial Day. He will also be allocated FORTY (40) hours of personal leave annually (accrued on a pro rata basis as hours are worked), which may be used in accordance with vacation leave use parameters. Any unused Personal Leave hours remaining at the conclusion of the calendar year will be cashed out with the next regularly scheduled payday. Any such cash payments will not be considered as "compensation earnable" for Marin County Employees' (MCERS or MCERA) Retirement System purposes.

Section 8. Benefits.

The Commission agrees to provide to Employee a benefit package consistent with County of Marin unrepresented employees with a similar classification (bargaining group 21-01) to be used to pay the cost of benefits which include, but are not limited to disability, health, life, vision, and dental plans. Employee recognizes and agrees that Employee contributions to the dental, vision services and basic life insurance plans are mandatory. Health insurance contributions are also mandatory absent Employee providing annual documentation demonstrating qualifying alternative coverage.

Section 9. Pension and Retiree Health Care.

Employee is a mandatory member of the Marin County Employees Retirement System (MCERS or MCERA), in Tier 3 thereof, for the purposes of pension and retiree health care, as the terms and provisions of such Tier 3 exist upon the execution of this Agreement. Notwithstanding the preceding, it is anticipated that the Commission will explore the option of

enrolling Employee in a defined benefit plan administered by CalPERS in lieu of continued participation in MCERS or MCERA.

Section 10. Expenses, Phone and Mileage.

The Commission agrees to reimburse Employee for work-related expenses for purposes including, but not limited to, professional dues and subscriptions, professional development, job related travel and meal expenses and general expenses of a job related and non-personal nature subject to reasonable control and budgetary approval by the Commission. All reimbursements must be based on receipts and similar documentation. Commission shall provide, at its expense, a cell phone and cell phone service package to Employee for Commission business. Commission shall reimburse Employee for his business-related auto mileage at the applicable IRS rate.

Section 11. Performance Evaluation.

A. The Commission shall review and evaluate the performance of the Employee within six months, and thereafter at least once annually. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Commission and Employee, consistent with Commission's adopted Policies, Procedures and Guidelines. Said criteria may be added to or deleted from as the Commission may from time to time determine, in consultation with Employee. Further, the Chair of the Commission shall provide Employee with a written summary statement of findings of the Commission and provide an adequate opportunity for the Employee to discuss his evaluation with the Commission.

B. Annually, the Commission and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the Commission and shall further establish a relative priority among those various goals and objectives.

Section 12. Term, Termination, and Potential Severance.

A. This Agreement shall expire on June 30, 2019 unless terminated earlier in accordance with this provisions.

B. Employee recognizes and agrees that the position of EXECUTIVE OFFICER to the Commission is "at will," that he serves at the pleasure of the Commission, and that he has no property interest in such employment but rather may be terminated or asked to resign by the Commission at any time, with or without cause, and with or without advance notice. Either party may terminate this Agreement at any time upon two (2) weeks written notice to the other party in the sole discretion of the party seeking to terminate this agreement.

C. Subject to this subsection and subsection D below, should Employee be terminated or should he resign, in lieu of termination, in the first two (2) years of this Agreement he shall receive two (2) pay periods of salary and should Employee be terminated or should he resign, in lieu of termination, beginning in the third year and anytime thereafter of this Agreement he shall receive four (4) pay periods of salary. Any payments provided under this section are expressly conditioned on Employee's written release of any and all claims against the Commission, its Board members, officers and employees. Further, any payments under this section are subject to and must comply with the limitations set forth in Government Code Sections 53260 and 53243-53243.4.

D. If the termination of Employee is the result of gross mismanagement and/or an act or acts of moral turpitude, Employee shall not be eligible for or paid any severance pay. In such an instance, Employee's sole remedy shall be a judicial action in declaratory relief to determine whether there was substantial evidence of gross mismanagement and/or an act or acts of moral turpitude. If the court determines there was not substantial evidence, Employee shall receive the severance pay provided in this Section 12, but no other damages.

Section 13. Indemnification.

In accordance with statutory indemnification applicable to the EXECUTIVE OFFICER through Marin County Code and/or State and Federal statutes, the Commission, shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance by Employee of his duties. The Commission may, in its discretion, compromise and settle any such claim or suit, and will pay the amount of any settlement or final judgment rendered against Employee occurring in the performance of his duties as EXECUTIVE OFFICER.

Section 14. Other Terms and Conditions.

The Commission, with the mutual consent of Employee, may fix any such other terms and conditions of employment, as it may determine from time to time, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement or any law.


Section 15. Notices.

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, First Class postage prepaid, or by traceable overnight delivery service (FedEx or equivalent), addressed as follows:

A. COMMISSION:

Chair
Marin Local Agency Formation Commission
1401 Los Gamos Drive, Suite 220
San Rafael, CA 94903

B. EXECUTIVE OFFICER:

Jason Fried


Alternatively, notices required pursuant to this agreement may be personally served in the same manner as if applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service, or as of the date of deposit of such written notice with the United States Postal Service or overnight delivery service.

Section 16. General Provisions.

A. The text of this Agreement shall constitute the entire agreement between the parties, and it supersedes any and all prior or contemporaneous agreements, representations and understandings of the parties. This Agreement may be amended at any time by mutual agreement of the parties, but any such amendment must be in writing, dated, and signed by the parties.

B. Employee may not assign this Agreement in whole or in part.

C. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

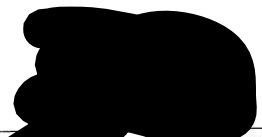
D. This agreement shall become effective on the latest date of signature below.

E. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Employee and City agree that venue for any dispute shall be in Marin County, California.

F. If any provision or any portion thereof contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

G. The headings on each of the sections and subsections of this Agreement are for the convenience of the parties only and do not limit or expand the contents of any such section or subsection.

IN WITNESS WHEREOF, the Marin Local Agency Formation Commission has caused this agreement to be signed and executed on its behalf by its Chair.



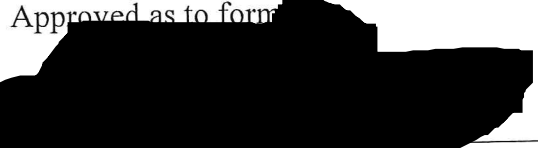
SASHI MCENTEE, CHAIR
MARIN LOCAL AGENCY FORMATION
COMMISSION

Date: 1/2/2019



JASON [REDACTED], EMPLOYEE

Date: 1/2/19

Approved as to form


MALA SUBRAMANIAN,
COMMISSION COUNSEL

Date: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Item No. 12 (Business)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
(On behalf of the Budget & Workplan Committee – Chair Kious, Member Coler & Rodoni)
SUBJECT: Approval of Update of Current Reserve Fund and The Creation of Two New Funds

Background

At the April 30th Commission meeting, the full LAFCo Commission authorized the Budget Committee to review and make suggestions to the full Commission on any changes or additions needed for the reserve policy and possible creation of new contingency funds.

During the May 26th Budget Committee meeting, they discussed the three attached policies. In the attachment, you will also see the current LAFCo Policy section 3.10 (B)(vii) which was previously approved by the Commission. Committee recommended edits to this section are shown in redline format so you know what had already been approved and what is being suggested as changes. The other two show the agreed-upon recommended language for the creation of two new funds.

Background for each policy:

Current Reserve Policy (LAFCo Policy 3.10 (B)(vii) - The current reserve amount is set at 20%. The Committee decided to change that to 25%, which equates to 3 months of operating expenses. At our current funding level, an increase from 20% to 25% would mean keeping about an additional \$28,000 in reserve. The Committee also made other suggested additions to this policy. The first change is making the reserve fund a minimum level and allow the amount to be higher if circumstances warrant it. Right now the way staff reads the policy it can make it appear that that fund should stay at 20%. The second suggested change plays into the first change and that is how to handle unspent funds at the end of the year. Currently, we have unspent funds from the previous year that exceed our current reserve policy just sitting in our bank account but not assigned to any line item. Staff would suggest correcting this by adding the statement about any unspent funds not assigned by the Commission be automatically transferred to the reserve fund.

A new Technology Reserve Fund is being suggested as a way to smooth out the cost to replace various items such as computers, iPads, and printers. Staff worked with Marin Mac Tech to get estimated replacement costs to help create a suggested amount for this fund. Based on those estimates the Committee is recommending the cap for this fund be set at \$20,000. When creating this fund, the Committee is suggesting using the current Office Equipment Purchases line item and then using any

Administrative Office
Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
County of Marin

Judy Arnold, Regular
County of Marin

Dennis Rodoni, Alternate
County of Marin

Sashi McEntee, Chair
City of Mill Valley

Barbara Coler, Regular
Town of Fairfax

James Campbell, Alternate
City of Belvedere

Craig K. Murray, Vice Chair
Las Gallinas Valley Sanitary

Lew Kious, Regular
Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

unspent funds at the end of each fiscal year to build that fund up since this line item would be what is used to make purchases of this type.

The final fund being considered is the Consultant Reserve Fund. In order to avoid large increases in requests from member agencies, LAFCo should consider how to set aside money for future consultant needs. As an example of costs, when we recently hired Planwest the average agency MSR was \$5,000, totaling \$85,000 for all the work they did. When you get to larger studies that look at multiple agencies for consolidation or merger, they can start at \$25,000 - \$30,000 range for smaller basic services and go up from there. Fire Service reports have been known to start at the \$40,000 range and can quickly go up based on the needs of the number of agencies and depth of review. Large Countywide studies can be in the \$75,000 range depending on the services being reviewed. All of these are estimates based on hypothetical studies so any actual study the Commission looks to do may be higher or lower. The question in establishing this fund is what funding level should be established as a target. The Committee suggests this fund have a target amount of \$50,000. Given the size of the funds needed for this type of work, the Committee has also suggested some ways to fund this with the hope of not seeing large increases in funding requests but does allow for that option in the future if needed.

Staff Recommendation for Action

- 1.** Committee Recommendation – Approve any individual policies that the Commission is ready to approve and continue to a future Commission meeting or send back to Committee any individual policies that the Commission wishes to work on further.
- 2.** Alternate Option - Not make a decision today and give staff further instructions.

Attachment:

- 1) Draft Polices

LAFCo Policy - 3.10 (B)(vii) Marin LAFCo will strive to maintain an unrestricted reserve account balance of at least approximately [20%/25%] of budgeted expenses for purposes including, but not limited to, unanticipated legal fees, unrealized application fee revenue, special studies, and environmental review. Once accounting has been completed for the fiscal year, any unspent funds from that fiscal year will be transferred to this fund unless other actions have been taken by the Commission or another LAFCo policy determines the use of all or some apportionment of those unspent funds. Should funds in this account be higher than needed, the Budget Committee can make recommendations for its use to the full Commission as part of the annual budget process.

New LAFCo Policy for Technology Replacement Fund

In an effort to be better prepared for and to anticipate the cost to replace various technology needs including, but not limited to, computers, printers, servers, iPads, and accessories, Marin LAFCo shall have a technology replacement fund. The money for this will come from any unspent funds at the end of the fiscal year from the Office Equipment Purchases line item in the LAFCo budget. Once this fund has \$20,000 in it, any leftover funds from the Office Equipment Purchases line item shall be put into the unrestricted reserve account as described in LAFCo Policy 3.10 (B)(vii). LAFCo staff, as needed, shall update the replacement cost chart to determine if the amount in the annual budget is enough to properly replace items as needed. Any adjustments needed because of updates to the replacement chart will be made as part of the annual budget process.

New LAFCo Policy for Consultant Reserve Fund

Marin LAFCo may need to hire outside experts to assist with large specialized studies. In order to mitigate large increases in requests from member agencies, LAFCo will maintain a reserve fund to hire consultants when the Commission approves the need. LAFCo shall have a goal of building this reserve fund to \$50,000. When this fund is not at that set amount the LAFCo Chair and Budget Committee Chair shall annually review LAFCo's overall financial situation to determine if unspent funds from previous fiscal years should be transferred to this fund instead of the general reserve fund. If determined needed by the Commission, a new line item can be added to the budget to help raise money for this fund.



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Executive Officer Report – Section A

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Budget Update for FY 2019-2020

Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2019-2020 totaling \$647,927.78. This budget includes unspent funds from last FY in order to pay for the completion of the work in the current FY. From July 1, 2019, through May 31, 2020, LAFCo has spent \$472,001.57 or about 73% of the FY 2019-2020 budget. This report covers 11 months, which is about 92% of the year.

Our bookkeeper has some outstanding issues around how our salary and benefits are being reported in MUNIS which is why our current report looks like not as much has been spent as we think has been. Staff has a meeting scheduled with County staff and our bookkeeper to see if we can figure this out. That is scheduled to occur after you have received this packet but before our next meeting. Staff will report out at the meeting if anything has been discovered around this matter.

Two new line items, “Communication Services” and “Rent – Storage” have surpassed the 100% threshold. Communication line amount is due to the change over of our phone system and updating to new software needed for our current workload. On the Storage issue, during this year the place where LAFCo had off-site storage of our files decided to stop doing storage of our files and they moved our items to another company that does this work. The price for the new place is slightly higher than what we had with our old location. This is why our FY 20-21 budget has some increases to both those line items in order to address this issue.

Attachment:

- 1) FY 2019-2020 Budget Report as of 6/03/2020

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Damon Connolly, Regular
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Judy Arnold, Regular
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Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Marin Local Agency Formation Commission

2019/20 BUDGET REPORT

06/03/20

July 2019 through May 2020

Accrual Basis

	Jul '19 - May 20	Budget	\$ Over Budget	% of B...
Income				
4410125 · Interest Earnings	8,065.76	5,000.00	3,065.76	161.3%
4700000 · Prior Year Carryover	6,889.61	83,405.27	-76,515.66	8.3%
4710510 · Agency Contributions	559,522.53	559,522.51	0.02	100.0%
Total Income	574,477.90	647,927.78	-73,449.88	88.7%
Expense				
5111000 · Salary and Benefit Costs				
5110109 · Salaries	261,700.79	305,553.00	-43,852.21	85.6%
5130120 · County of Marin - Group Health	17,081.65	61,110.60	-44,028.95	28.0%
5130500 · MCERA / Pension	25,085.82	56,911.23	-31,825.41	44.1%
5130525 · Retiree Health	449.02	16,000.00	-15,550.98	2.8%
5140115 · Workers Compenstation	-723.39			
5140145 · Unemployment Insurance	434.00			
Total 5111000 · Salary and Benefit Costs	304,027.89	439,574.83	-135,546.94	69.2%
5210110 · Professional Services	54,071.72	70,000.00	-15,928.28	77.2%
5210131 · Legal Services	31,280.85	35,000.00	-3,719.15	89.4%
5210525 · General Insurance	6,391.28	4,000.00	2,391.28	159.8%
5210710 · Communications Services	14,197.74	14,000.00	197.74	101.4%
5210935 · Office Equipment Purchases	0.00	4,500.00	-4,500.00	0.0%
5211215 · Rent - Storage	532.46	500.00	32.46	106.5%
5211270 · Office Lease/Rent	29,860.60	32,652.95	-2,792.35	91.4%
5211325 · Conferences	2,801.39	4,000.00	-1,198.61	70.0%
5211330 · Memberships & Dues	14,707.00	15,000.00	-293.00	98.0%
5211340 · Training	0.00	1,700.00	-1,700.00	0.0%
5211440 · Travel - Mileage	1,481.56	4,000.00	-2,518.44	37.0%
5211510 · Misc Services	1,034.09	2,000.00	-965.91	51.7%
5211520 · Publications/Notices	396.92	3,500.00	-3,103.08	11.3%
5211533 · Commissioner Per Diems	7,625.00	13,500.00	-5,875.00	56.5%
5220110 · Office Supplies & Postage	3,593.07	4,000.00	-406.93	89.8%
Total Expense	472,001.57	647,927.78	-175,926.21	72.8%
Net Income	102,476.33	0.00	102,476.33	100.0%



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

June 11, 2020

Executive Officer Report – Section B

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Current and Pending Proposals

Background

The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and/or action.

On today's agenda, File #1348 is being discussed as a separate item. Updates on this item can be found as part of item #6 in the agenda packet.

LAFCo currently has no other application pending in front of it.

Attachment:

- 1) Chart of Current and Pending Proposals

Administrative Office

Jason Fried, Executive Officer
1401 Los Gatos Drive, Suite 220
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Judy Arnold, Regular
County of Marin

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County of Marin

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Las Gallinas Valley Sanitary

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Almonte Sanitary District

Tod Moody, Alternate
Sanitary District #5

Larry Loder, Regular
Public Member

Chris Skelton, Alternate
Public Member

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1348	Under Review	Boundary Adjustment	The County Service Area No. 29, which provides dredging for properties located within the District, has conveyed interest on a potential proposal to detach at least six parcels that do not benefit from the municipal service and the addition of one parcel that is currently outside of CSA 29's jurisdictional boundary and does benefit from the dredging. The proposal would essentially match public services to the appropriate service area.	County Service Area No. 29 - Paradise Cay	On today's agenda
1346	Approved by Commission and Awaiting Completion of Terms	Annexation of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requesting approval to annex one lot totaling 9.575 acres to the Town of Tiburon. The affected territory is near the Town of Tiburon with a situs address of 4576 Paradise Drive (038-142-02.)	Town of Tiburon	Terms must be completed by 12/12/20
1341	Emergency OSA and Future Application	Emergency OSA and awaiting application to annex into San Rafael Sanitation District	32 Fairway Dr, San Rafael, had a failed septic tank which they reported to Marin County Environmental Health Services Division and needs an OSA to connect into SRSD. The applicant also plans to annex permanently into SRSD but first needs to get all needed materials, such as legal description and legal maps produced. They should be submitting application in the near future.	San Rafael Sanitation District	On 3/28/19 SRSD informed LAFCo the basic plans had been approved for OSA.
	Possible Future Item	San Quentin Village Sewer Maintenance District consolidation with Ross Valley Sanitary District	Based on past action of Marin LAFCo, discussion of possible consolidation between SQVSMD with RVSD has been deemed as seemingly in the best interest of the community of San Quentin Village customers.	SQVSMD and RVSD	Staff is currently reviewing outstanding issues with the staffs from both SQVSMD and RVSD.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1347	Under Review	Annexation of 1501 Lucas Valley Road	This is a resubmittal of File 1324 that had been terminated due to not completing conditions of approval. Landowner (Andre Souang) requesting approval to annex approximately 61.3 acres of unincorporated/improved territory (164-280-35) located at 1501 Lucas Valley Road to Marin Municipal Water District (MMWD). The applicant requested annexation to MMWD to provide a reliable source of domestic water service given concerns regarding the continued use of an onsite well.	Marin Municipal Water District	Approved at April 2020 Meeting.
1345	Completed	Reorganization of 55 Thomas Drive/70 N Knoll Road	Vikrum Nijjar (applicant) requesting approval to annex a lot that is being planned for a single-family home, approximately 6.74 acres, to the Alto Sanitary District. The affected territory is in unincorporated Marin County within the Town of Tiburon Sphere of Influence (SOI) with a situs address of 70 N Knoll Rd./55 Thomas Dr (APN 034-012-26 and 034-061-09). The applicant is also asking to move from Richardson Bay SD SOI to Alto SD SOI.	Alto Sanitary District	Approved at Feb. 2020 meeting.
1335	Completed	Reorganization of 400 Upper Toyon Road	Landowner (Raphael de Balmann) requesting approval to reorganize one incorporated parcel totaling 2.5 acres located at 400 Upper Toyon Drive (012-121-28) in the City of San Rafael. The proposed reorganization involves the detachment of the affected territory and concurrent annexation therein to the Town of Ross. The affected territory is developed to date with a four-bedroom single family residence and accessible through a privately-owned and maintained road located atop a ridge at approximately 520 feet. The stated purpose of the proposal is to match the affected territory with the applicant's preferred municipality given the communities of interests with Ross. Concurrent sphere of influence amendments would be needed to accommodate the request. The application is currently under administrative review and is deemed incomplete at this time.	City of San Rafael and Town of Ross	Approved at Aug 2019 meeting.
1342	Completed	Reorganization of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requesting approval to annex one lot totaling 9.575 acres to Corte Madera Sanitary District #2. The affected territory is near the Town of Tiburon with a situs address of 4576 Paradise Drive (038-142-02.)	Sanitary District #2	SD#2 was approved at the Dec. Meeting
1343	Completed	Reorganization of 2260 Vineyard Rd	Patrick and Erin Sheedy ("applicant") requesting approval to annex one lot to Novato Sanitary District. The affected territory is in City of Novato with a situs address of 2260 Vineyard (132-311-61.)	Novato Sanitary District	Approved at Aug 2019 meeting.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1344	Completed	Murray Park Sewer Maintenance District consolidation with Ross Valley Sanitary District	Based on past action of Marin LAFCo, discussion of possible consolidation between MPSMD with RVSD has been deemed as seemingly in the best interest of the community of Murray Park customers.	MPSMD and RVSD	Approved at Dec. 2019 meeting
1324	Deemed Terminated	Annexation of 1501 Lucas Valley Road	Landowner (Andre Souang) requesting approval to annex approximately 61.3 acres of unincorporated/improved territory (164-280-35) located at 1501 Lucas Valley Road to Marin Municipal Water District (MMWD). The applicant requested annexation to MMWD to provide a reliable source of domestic water service given concerns regarding the continued use of an onsite well. The Commission approved the proposal without amendments and with additional terms at its December 14, 2017 meeting. Terms remain outstanding as of date and therefore the proposal remains active.	Marin Municipal Water District	Deemed Terminated but applicant has refiled see File # 1347
1328	Deemed Terminated	Annexation of 255 Margarita Drive	Landowner (Paul Thompson) requesting annexation approval of 255 Margarita Drive (016-011-29) in the unincorporated island community of Country Club to the San Rafael Sanitation District. The affected territory is approximately 1.1 acres in size and currently developed with a single-family residence. It has also established service with the SRSD as part of a LAFCo approved outside service extension due to evidence of a failing septic system. The outside service extension was conditioned – among other items – on the applicant applying to LAFCo to annex the affected territory to the San Rafael Sanitation District as a permanent means to public wastewater service. The application remains incomplete at this time and awaits consent determination by SRSD.	San Rafael Sanitation District	Application is now deemed terminated and staff is working to get SRSD to disconnect.