



# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

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### NOTICE OF REGULAR MEETING AND AGENDA

Marin Local Agency Formation Commission

**Thursday, October 11, 2018**

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

**7:00 PM – CALL TO ORDER BY CHAIR**

**ROLL CALL BY COMMISSION CLERK**

#### **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.

#### **CLOSED SESSION**

The Commission will adjourn to closed session regarding the following items:

[PUBLIC EMPLOYEE APPOINTMENT \(Gov. Code 54957\)](#)

Title: Executive Officer

[CONFERENCE WITH LABOR NEGOTIATORS \(Gov. Code 54957.6\)](#)

Agency Designated Representatives: Chair McEntee and Commissioner Connolly

Unrepresented Employee: Executive Officer

#### **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 August 8, 2018 Regular Meeting and September 12<sup>th</sup> Workshop**

**2. Commission Ratification of Payments from August 1, 2018 to September 30, 2018**

#### **BUSINESS ITEMS (discussion and possible action)**

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

**3. Resolution of Commendation for Retiring Commissioner Jeffry Blanchfield**

4. Review of Application #1338 - 610 Calle De La Mesa regarding detachment from the City of Novato (Information Only)
5. Filling Vacant Public Seat
6. Approval of New Workplan and Vision Statement
7. Approval of Contract with Planwest Partners, Inc. for MSR work
8. Approval of Executive Officer Employment Agreement
9. Termination of Certain Services from Planwest Partners, Inc. Professional Services Agreement Related to Executive Officer Services
10. Reaffirmation of Personnel Policies

**EXECUTIVE OFFICER REPORT (discussion and possible action)**

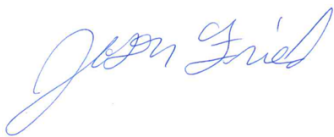
- A. Last Budget Update for FY 2017-2018
- B. Budget Update FY 2018-2019
- C. Committee Assignments
- D. Current and Pending Proposals
- E. Report on CALAFCo Conference

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

**ADJOURNMENT TO NEXT MEETING**

Thursday, December 13, 2018 | 7:00 pm

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



Attest: Jason Fried  
Interim Executive Officer

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**Marin LAFCo**

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# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

October 11, 2018

Item No. 1 (Consent)

**TO:** Local Agency Formation Commissioners

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Approval of Minutes for August 8, 2018 Regular Meeting and September 12 Workshop**  
Staff has prepared meeting minutes for the last 2 Commission meetings. This includes the regular meeting held on August 8<sup>th</sup> and the workshop held on September 12<sup>th</sup>. The minutes are being presented for formal approval with any desired corrections or clarifications.

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### 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. The “Brown Act” requires – and among other items – public agencies to maintain minutes for all meetings.

### Discussion

The action minutes for the August 8<sup>th</sup> meeting and September 12<sup>th</sup> workshop accurately reflect the Commission’s actions as recorded by staff. A video recording of the August 8<sup>th</sup> meeting is also available online for viewing at <http://marinlafco.org/AgendaCenter>

### Staff Recommendation for Action

- 1) Staff recommendation – Approve the draft minutes prepared for the August 8<sup>th</sup> meeting and September 12<sup>th</sup> workshop 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 August 8, 2018
- 2) Draft Minutes for September 12, 2018

**Administrative Office**  
Jason Fried, Interim Executive Officer  
1401 Los Gatos Drive, Suite 220  
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[www.marinlafco.org](http://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**  
Town of San Anselmo

**Craig K. Murray, Vice Chair**  
Las Gallinas Valley Sanitary

**Jack Baker, Regular**  
North Marin Water District

**Lew Kiou, Alternate**  
Almonte Sanitary District

**Vacant, 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 AND AGENDA

**Marin Local Agency Formation Commission**

**Thursday, August 9, 2018**

Marin Clean Energy | Charles McGlashan Room

1125 Tamalpais Avenue, San Rafael, California

#### CALL TO ORDER BY CHAIR

**Chair McEntee called the meeting to order at 7:08 p.m.**

#### ROLL CALL BY CLERK

**Regulars Present:** Sashi McEntee, Chair; Craig K. Murray, Vice Chair; Jack Baker; Sloan Bailey; Jeffry Blanchfield; Damon Connolly; Dennis Rodoni

**Alternates Present:** Lew Kious

**Counsel Present:** Janet Coleson

**Staff Present:** Jason Fried, Interim Executive Officer; Veda Florez, Interim Commission Clerk

#### 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.

#### NO PUBLIC COMMENTS

#### CONSENT CALENDAR ITEMS

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.

**The Commission pulled Items 1, 5, and 6**

**APPROVED; Commissioner Bailey and Rodoni to accept the Consent Calendar to include Items 2, 3, & 4.**

**2. Commission Ratification of Payments from June 1, 2018 to July 31, 2018**

**3. Accept Annual Audit Report for Fiscal Year 2016-2017**

**4. Ratify Response to Civil Grand Jury Report – "Consolidation of Sanitation Districts"**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**

**Nays: none; Abstention: none; Absent: none**

1. Approval of Meeting Minutes | June 14, 2018 Regular Meeting

Commissioner Baker changed the motion-maker of the Executive Officer Report (C. Current and Pending Proposals; File 1338, line 5) from Murray to Baker. He also noted the Commission Workshop (D. Commission Workshop; line 1) is September 12<sup>th</sup>, not September 14<sup>th</sup>.

**APPROVED;** Commissioner Baker and Bailey moved to accept the changes in the Minutes as listed above.

**Ayes:** Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni  
**Nays:** none; **Abstention:** none; **Absent:** none

Commissioner Blanchfield noted that the Commission should change (Item #5, line 3) “we” to “counsel” in last meeting minutes.

Commissioner Bailey and Rodoni moved to reconsider the previous motion. A new motion to approve the Minutes with the above modifications and the addition of Item 5, line 3, changing the wording from “we” to “counsel” as well as approval of Consent Calendar Item 5.

**Ayes:** Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni  
**Nays:** none; **Abstention:** none; **Absent:** none

6. Ratify Fund Transfer from County of Marin to Wells Fargo

Commissioner McEntee highlighted the process by which we transfer funds from the County to Marin LAFCo bank account.

Interim Executive Officer described the processes and noted past payroll was paid directly from the County of Marin account, and other expenses are paid from the Wells Fargo bank account. Given the recent change in staffing, more money is needed in the Wells Fargo account to cover the current staff model.

**APPROVED;** Commissioner Murray and Bailey approve the transfer of funds from the County of Marin to the Wells Fargo account in the amount of \$100,000.

**Ayes:** Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni  
**Nays:** none; **Abstention:** none; **Absent:** none

**BUSINESS ITEMS**

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

7. Proclamation for Retiring Commissioner Carla Condon

Commissioner McEntee presented a Proclamation from Marin Local Agency Formation Commission honoring Carla Condon on the occasion of her retirement from the LAFCo Commission.

**APPROVED; Commissioner Connolly and Bailey moved to accept the Proclamation for retiring board member Carla Condon.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**

**Nays: none; Abstention: none; Absent: none**

8. Request for Time Extension to Complete Approval Terms / 276 Mesa Road to Bolinas Community Public Utility District (File #1337)

IEO advised on the request for a time extension to complete the terms established by Marin LAFCo in approving the annexation of territory at 276 Mesa Road to the Bolinas Community Public Utility.

**APPROVED; Commissioner Connolly and Bailey moved to accept staff recommendation #1 [Approve the requested time extension contingent on the applicant submitting the associated fee] to approve the requested time extension contingent on the applicant submitting the associated fee.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**

**Nays: none; Abstention: none; Absent: none**

9. Civil Grand Jury Report and Ways to Consolidate Special Districts

IEO gave a brief update from 2017-2018 Marin County Civil Grand Jury report on the reorganization of three special districts, and Marin LAFCo starting the merger process.

Public Comment from Eric Stegler, Marin County Department of Public Works acknowledged that the County of Marin received a copy of the grand jury report, and the Board of Supervisors (Board) provided a response on the subject. The Board is open to the merger for consolidation as long as we plan public outreach, and an analysis to consolidation. The County has not had public outreach with Murray Park or San Quinten Sewage District.

IEO plans discussions with each of the districts staff and members of the public from the impacted community.

**APPROVED; Unanimous acceptance of staff recommendation number #1 [The Commission, via staff, talk with each district to determine the level of interest today in going through a consolidation. Should each district be interested then staff should reach out to the impacted communities for public opinion. If any of the districts indicate opposition to consolidation then the item would be brought back to the Commission for further review and discussion.]**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**

**Nays: none; Abstention: none; Absent: none**

10. Evaluation on Other-Employment Benefits Liabilities

IEO reported every two years CalPERS requires actuarial valuation of its Other Post-Employment Benefits (OPEB). This is completed by having an outside firm complete the review of our OPEB and do a Governmental Accounting Standards Board (GASB) No. 75 report.

**APPROVED; Commissioner Bailey and Rodoni moved to accept contract with MacLeod Watts and the GASB 75 actuarial report prepared by MacLeod Watts.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**  
**Nays: none; Abstention: none; Absent: none**

11. Appoint Voting Delegates to the CALAFCo Conference

**APPROVED; Commissioner Bailey and Baker moved to accept staff recommendation #1 [Appoint the delegate and alternate delegate at tonight's meeting, and give the Chair the authority to make changes should either delegate not be able to attend. This would be prudent given the amount of time between this meeting and the conference, given that people schedules may change and no other regular scheduled meeting will occur prior to the CALAFCo conference] and nominate Commissioner McEntee, Chair as the voting delegate, alternate delegate Vice Chair Murray also giving Chair McEntee authority to make changes if changes are needed.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**  
**Nays: none; Abstention: none; Absent: none**

12. Banking options for Marin LAFCo

**IEO reviewed the current banking situation and provided banking options.**

**Alternate Commissioner Rodoni questioned the need to move \$300,000 to one account and mentioned holding some funds in a higher yielding account.**

**1) APPROVED; Commissioner Baker and Blanchfield moved to accept staff recommendation #1 [Switch banking services to Bank of Marin, following our current policy and procedures established by the Commission. Once the new system is in place, transfer all checks to the new system leaving the Wells Fargo account open for at least 90 days or until all checks have been cleared. At that point, all accounts with Wells Fargo Bank will be closed. Any remaining balance would be transferred to Bank of Marin. Furthermore, authorize staff to transfer up to \$300,000 from the Marin County account to the new bank account once set-up of new account is complete.] to move forward with moving banking services to Bank of Marin transferring funds from County of Marin, and opening a credit card.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**  
**Nays: none; Abstention: none; Absent: none**

13. Computer Server Options for Marin LAFCo

**IEO described Marin LAFCo's currently computer server system.**

**APPROVED; Commissioner Blanchfield and Murray moved to accept staff recommendation #1 [Move forward with option 3, buying a new dedicated server. Authorize staff to purchase through Marin MacTech a new server and services for an estimated amount of \$1,925.37] and move forward with the purchase of a dedicated server.**

**Ayes: Commissioner Baker, Bailey, Blanchfield, Connolly, McEntee, Murray, Rodoni**  
**Nays: none; Abstention: none; Absent: none**



## EXECUTIVE OFFICER REPORT

### A. Budget Update for FY 2017-2018 and Year End Projections

IEO will work with the Budget Committee to streamline reports and summarize spending practices.

### B. Progress Report on 2017-2018 Work Plan

IEO informed commissioners that he considers the Work Plan to be a living document and will advise commissioners of completed actions as they occur rather than awaiting a year-end report.

### C. Current and Pending Proposals

IEO has created a new way to track proposals that was presented in the packet. This new system should allow for easier understand of any changes that have occurred since the last meeting.

### D. Commission Workshop

On Wednesday, September 12<sup>th</sup> the Commission will hold the annual workshop at the Marin County Sherriff's Office, Community Room, 1600 Los Gamos Drive, Suite 200, San Rafael, CA. Mr. Bill Chait will facilitate the workshop. No staff memo was prepared for this item.

## COMMISSIONER ANNOUNCEMENTS AND REQUESTS

### NO COMMISSIONER ANNOUNCEMENTS

### CLOSED SESSION (7:55 pm)

The Commission will adjourn to closed session regarding the following items:

#### PUBLIC EMPLOYMENT (Gov. Code 54957)

Title: Executive Officer

### RETURN TO OPEN SESSION (9:15 pm)

There were no actions taken in the closed session therefore the Commission had nothing to report back.

## ADJOURNMENT TO NEXT MEETING

**APPROVED; M/S made by Commissioner Blanchfield and Murray approved to Adjourn.**

**Ayes: Commissioner Bailey, Baker, Blanchfield, Connolly, McEntee, Murray, Rodoni**

**Nays: none; Abstention: none; Absent: none**

**Commissioner McEntee adjourned the meeting at 9:25 p.m.**

Wednesday, September 12, 2018



Attest: Jason Fried  
Interim Executive Officer

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# Marin Local Agency Formation Commission

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## Regional Service Planning | Subdivision of the State of California

**DRAFT**

**SPECIAL MEETING MINUTES**

**NOTICE OF COMMISSION WORKSHOP AND AGENDA**

**Marin Local Agency Formation Commission**  
**Wednesday, September 12, 2018**

Marin County Sheriff's Office | Community Room | 1600 Los Gamos Dr. #220, San Rafael

**9:05 AM – CALL TO ORDER**

**ROLL CALL BY INTERIM COMMISSION CLERK**

**Regular Present:** Sashi McEntee, Chair; Craig K. Murray, Vice Chair; Sloan Bailey; Jack Baker  
Damon Connolly (arrived at 9:25 AM); Dennis J. Rodoni; Chris Skelton

**Alternate Present:** Matt Brown; Lew Kious (arrived at 11:00 AM)

**Regular Absent:** Jeffry Blanchfield

**Alternates Absent:** Judy Arnold

**Counsel Present:** Mala Subramanian

**Staff Present:** Jason Fried, Interim Executive Officer; Veda Florez, Interim Commission Clerk

**AGENDA REVIEW**

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

**Chair McEntee moved Item #2 to the October 11, 2018 Agenda**

**CLOSED SESSION (11:15 AM)**

The Commission will adjourn to closed session regarding the following items:

PUBLIC EMPLOYEE APPOINTMENT (Gov. Code 54957)

Title: Executive Officer

CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code 54957.6)

Agency Designated Representatives: Chair McEntee and Commissioner Connolly

Unrepresented Employee: Executive Officer

**RETURN TO OPEN SESSION (11:40 AM)**

The Chair or designee will report as needed on any actions taken in closed session.

**Counsel reported no action taken during the closed session.**

**BUSINESS ITEMS**

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

1. WORKSHOP

A. Opening Conversation: ***LAFCo Primer***

Overview on the intent, role and responsibilities of Local Agency Formation Commissions.

**Introductions given by William Chiat along with the big-picture overview of LAFCo's existing, emerging duties, and responsibilities. A slide presentation provided several examples of regional growth management service issues and outcomes. Discussion amongst Commissioners - no actions taken.**

**ANNUAL WORKSHOP ITEMS** (continued)B. Reflections: ***The Year in Review***

Setting context by reflecting on successes, changes, trends, dissatisfactions over last year.

**The Commission recognized three challenge areas during the last fiscal year: staff stability; visibility and value to Special Districts and the public; and the maintenance of a 5-year study schedule.**

**Commission accomplishments include continued standards of excellence during staffing transition, the continuation of the application process, open communications, and interactions with Special Districts. During the last fiscal year, Commissioners represented Marin LAFCo at the statewide CALAFCo conference, oversaw the completion of the new website and logo, moved to a new office space and created "our story" in printed handout.**

C. Discussion: ***How Does Marin LAFCo Want to be Known?***

Examine the public value of Marin LAFCo its contributions to the community with a focus on key LAFCo responsibilities: MSRs and Sphere of Influence.

**The Commission would like to be recognized as an organization that supports community planning, provides valuable public documents, employs quality staff, adheres to best practices according to the Cortese-Knox-Hertzberg Act guidelines, with superior internal management systems such as a sustainable pension fund.**

D. Look Forward: ***Commission Goals and Objectives (18 months, Four years)***

Examines current goals in the context of morning discussions. Commissioners consider both 18-month goals and where they see Marin LAFCo in 2022. Conversation begins with big-picture outcomes and then focuses on specific internal and external tactics for the next 18 months.

**Goals include improving internal and external mechanisms to support the community and the Commission. Plans include identifying internal office procedures, staffing, equipment replacement opportunities, and Brown Act training for Commissioners.**

**It looks forward to taking a proactive approach to MSR's by identifying the public benefit and usefulness of the documents that will ultimately aid in the creation of policy and better governance. Most of all, Commission objectives are the creation of documents that are used for fair arbitration, whose input to the community reflects an accurate needs assessment.**

**Other opportunities for success include right-sizing MSR's with structured goals, timelines, and consideration of a snap-shot approach when applicable. Commission sees the need for useful reader-friendly content with practical data such as the financial health of the reviewed agency and location demographics.**

**Staff and Commission will consider the appropriate approach and direction for MSR's such as a Countywide focus on Police and Fire districts; municipal studies on Novato and San Rafael; or a location driven MSR that would target report in the Northern end of the County and the Southern end of the County.**

**Commission goals include viewing its role as creating a synergy with Regional Agencies such as Metropolitan Transportation Commission (MTC), connecting with County and Planning Agencies while connecting the dots for the community.**

**Short term goals include enhancing the organizations value statement to create a framework that highlights public perception and transparency. Future goals include a key focus on telling the LAFCo story on our website, social media or e-blasts, on paper and in short programs to groups such as Rotary or Marin County Council of Mayors and Councilmembers (MCCMC) in efforts to join in a dialog to ask what information they would find most useful.**

E. Conversation: ***Work Plan***

Commissioners examine short-term outcomes and priorities, clarify expectations for staff and each other, and identify measures of progress.

**The work plan includes outreach to local agencies with project timelines, focusing on quality over quantity, taking a regional approach through partnerships, and determination of MSR's in relations to future boundary changes. Commission suggests staff reach out to county planners to discuss disadvantaged unincorporated area of the community (DUC) and the adoption of a countywide sphere of influence update.**

F. **Reflection**

Reflections on the day.

**Commission Discussion. No action taken**

2. Resolution for Retiring Jeffry Blanchfield

**Item #2 moved to the October 11, 2018 Agenda**

**ADJOURNMENT**

**Approved: M/S made by Commissioners Bailey and Baker to adjourned the meeting at 2:15 PM**

**Ayes: Commissioner Connolly, McEntee, Murray, Rodoni, Skelton  
Alternate Commissioners Brown and Kious**

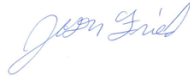
**Nays: none; Abstentions: none; Absent: Commissioner Blanchfield**

The Minutes of this meeting set forth all actions taken by the Local Agency Formation Commission on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

**ADJOURNMENT TO NEXT MEETING**

Thursday, October 11, 2018 | 7:00 pm

Marin Clean Energy | Charles McGlashan Rm | 1125 Tamalpais Ave., San Rafael, CA



Attest: Jason Fried  
Interim Executive Officer

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# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

October 11, 2018

Item No. 2 (Consent)

**TO:** Local Agency Formation Commissioners

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Commission Ratification of Payments from August 1, 2018 to September 30, 2018**

The Commission will consider ratifying payments made by the Interim Executive Officer during the months of August, 2018 and September, 2018. The payments cover all payroll and non-payroll expenses during the period and total \$85,253.40. The payments are being presented for formal ratification per adopted policies.

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### Background

Marin LAFCO's (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 at the end of each month by LAFCO's contracted bookkeeper. Further, all payments are to be reported to the Commission at the next available Commission meeting for formal ratification.

This item is for the Commission to consider ratification of all payments made by the Interim Executive Officer between August 1, 2018 and September 30, 2018 totaling \$85,253.40. The payments are detailed in attachment.

### Staff Recommendation for Action

- 1) Staff Recommendation - Ratify the payments made by the Interim Executive Officer between August 1<sup>st</sup> – September 30<sup>th</sup> as shown in Attachment One.
- 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 unless otherwise specified by the Commission.

#### Attachment:

- 1) Payments from June 1st to July 31st

**Administrative Office**  
Jason Fried, Interim Executive Officer  
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www.marinlafco.org

**Damon Connolly, Regular**  
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City of Mill Valley

**Sloan Bailey, Regular**  
Town of Corte Madera

**Matthew Brown, Alternate**  
Town of San Anselmo

**Craig K. Murray, Vice Chair**  
Las Gallinas Valley Sanitary

**Jack Baker, Regular**  
North Marin Water District

**Lew Kiou, Alternate**  
Almonte Sanitary District

**Vacant, Regular**  
Public Member

**Chris Skelton, Alternate**  
Public Member

3:13 PM

09/28/18

Accrual Basis

## Marin Local Agency Formation Commission Expenses by Vendor Detail August 1 through September 28, 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>ALHAMBRA &amp; SIERRA SPRINGS</b>								
Check	08/06/2018	1480	Invoice # 159...	5220110 · Office Su...		1110000 · Well...	35.11	35.11
Check	08/22/2018	20001	Invoice # 159...	5220110 · Office Su...		1111300 · Sec...	41.10	76.21
Total ALHAMBRA & SIERRA SPRINGS							76.21	76.21
<b>Bailey, Sloan</b>								
Check	08/22/2018	20005	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20024	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total Bailey, Sloan							250.00	250.00
<b>BAKER, JOHN M</b>								
Check	08/22/2018	20007	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20025	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total BAKER, JOHN M							250.00	250.00
<b>BARBIER SECURITY GROUP</b>								
Check	08/06/2018	1479	Invoice #1291...	5210110 · Professio...		1110000 · Well...	80.00	80.00
Check	08/22/2018	1487	Invoice #1378...	5210110 · Professio...		1110000 · Well...	360.00	440.00
Check	09/07/2018	20014	Invoice #13966	5210110 · Professio...		1111300 · Sec...	160.00	600.00
Total BARBIER SECURITY GROUP							600.00	600.00
<b>BEST BEST &amp; KRIEGER LLP</b>								
Check	08/16/2018	1484	Invoice # 828...	5210131 · Legal Ser...		1110000 · Well...	2,622.13	2,622.13
Check	09/27/2018	20034	Invoice # 831...	5210131 · Legal Ser...		1111300 · Sec...	1,917.00	4,539.13
Total BEST BEST & KRIEGER LLP							4,539.13	4,539.13
<b>BLANCHFIELD, JEFFRY S</b>								
Check	08/22/2018	20009	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Total BLANCHFIELD, JEFFRY S							125.00	125.00
<b>Chris Skelton</b>								
Check	09/18/2018	20027	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Total Chris Skelton							125.00	125.00
<b>CITY OF SAN RAFAEL</b>								
Check	09/07/2018	20016	reception dinner	5211325 · Conferen...		1111300 · Sec...	55.00	55.00
Total CITY OF SAN RAFAEL							55.00	55.00
<b>COMCAST</b>								
Check	08/22/2018	1489	Through July1...	5210710 · Communi...		1110000 · Well...	219.60	219.60
Check	09/27/2018	20033	Bill Date Sept ...	5210710 · Communi...		1111300 · Sec...	219.35	438.95
Total COMCAST							438.95	438.95



**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
**August 1 through September 28, 2018**

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>CONDON, CARLA STONE</b>								
Check	08/02/2018	1478	Reimbursmen...	5210935 · Office Eq...		1110000 · Well...	30.00	30.00
Total CONDON, CARLA STONE							30.00	30.00
<b>CONNOLLY, DAMON</b>								
Check	08/22/2018	20010	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20026	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total CONNOLLY, DAMON							250.00	250.00
<b>COUNTY OF MARIN - DOF PAYROLL</b>								
Check	08/22/2018	1488	OPBEB Contr...	5130525 · CalPERS...		1110000 · Well...	461.29	461.29
Total COUNTY OF MARIN - DOF PAYROLL							461.29	461.29
<b>FORKS &amp; FINGERS</b>								
Check	09/18/2018	20019	Order #746-1 ...	5210110 · Professio...		1111300 · Sec...	634.93	634.93
Total FORKS & FINGERS							634.93	634.93
<b>FP MAILING SOLUTIONS</b>								
Check	09/18/2018	20020	Invoice # RI 1...	5210710 · Communi...		1111300 · Sec...	147.15	147.15
Total FP MAILING SOLUTIONS							147.15	147.15
<b>GRAF VAN &amp; STORAGE INC</b>								
Check	08/02/2018	1477	Invioce #0817...	5211215 · Rent - St...		1110000 · Well...	35.19	35.19
Check	08/22/2018	20000	Invoice # 917...	5211215 · Rent - St...		1111300 · Sec...	35.19	70.38
Total GRAF VAN & STORAGE INC							70.38	70.38
<b>KIOUS, LEWIS</b>								
Check	08/22/2018	20012	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20028	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total KIOUS, LEWIS							250.00	250.00
<b>LAK Associates LLC</b>								
Deposit	09/06/2018	2560	Deposit	4640333 · Applicatio...		1111200 · Prim...	-680.00	-680.00
Total LAK Associates LLC							-680.00	-680.00
<b>LIEBERT CASSIDY WHITMORE</b>								
Check	08/06/2018	1055	Invoices from ...	5210131 · Legal Ser...		1100000 · Well...	5,432.50	5,432.50
Check	08/22/2018	1058	Invoices #146...	5210131 · Legal Ser...		1100000 · Well...	4,667.80	10,100.30
Check	09/18/2018	20017	Invoice #1466...	5210131 · Legal Ser...		1111300 · Sec...	806.00	10,906.30
Total LIEBERT CASSIDY WHITMORE							10,906.30	10,906.30

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
**August 1 through September 28, 2018**

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>MacLeod Watts, Inc</b>								
Check	08/06/2018	1057	Invoice 18080...	5210110 · Professio...		1100000 · Well...	3,000.00	3,000.00
Total MacLeod Watts, Inc							3,000.00	3,000.00
<b>MARIN MAC TECH</b>								
Check	08/16/2018	1485	Invoice # 111 ...	5210710 · Communi...		1110000 · Well...	703.00	703.00
Check	08/22/2018	20004	Invoice # 164	5210710 · Communi...		1111300 · Sec...	56.00	759.00
Check	09/18/2018	20018	Invoice # 196	5210710 · Communi...		1111300 · Sec...	595.00	1,354.00
Check	09/27/2018	20031	Invoice # 205	5210935 · Office Eq...		1111300 · Sec...	1,789.74	3,143.74
Total MARIN MAC TECH							3,143.74	3,143.74
<b>Matt Brown</b>								
Check	09/18/2018	20029	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Total Matt Brown							125.00	125.00
<b>McENTEE, SASHI</b>								
Check	08/22/2018	20006	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20022	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total McENTEE, SASHI							250.00	250.00
<b>MCERA</b>								
Check	09/27/2018	20035	Aug-18	5130525 · CalPERS...		1111300 · Sec...	461.29	461.29
Total MCERA							461.29	461.29
<b>MURRAY, CRAIG K</b>								
Check	08/22/2018	20008	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20023	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total MURRAY, CRAIG K							250.00	250.00
<b>Nelson HR</b>								
Check	08/02/2018	1476	Invoice#6240...	5210110 · Professio...		1110000 · Well...	1,005.00	1,005.00
Check	08/14/2018	1482	Invoice#6241...	5210110 · Professio...		1110000 · Well...	1,005.00	2,010.00
Check	08/14/2018	1483	Invoice#6242...	5210110 · Professio...		1110000 · Well...	1,005.00	3,015.00
Check	08/22/2018	1486	Invoice#6243...	5210110 · Professio...		1110000 · Well...	1,005.00	4,020.00
Check	08/22/2018	20002	Invoice #6244...	5210110 · Professio...		1111300 · Sec...	869.16	4,889.16
Check	09/07/2018	20015	Invoice #6245...	5210110 · Professio...		1111300 · Sec...	1,145.70	6,034.86
Check	09/18/2018	20021	Invoice #6246...	5210110 · Professio...		1111300 · Sec...	803.00	6,837.86
Check	09/27/2018	20032	Invoice #6247...	5210110 · Professio...		1111300 · Sec...	2,070.30	8,908.16
Total Nelson HR							8,908.16	8,908.16

3:13 PM

09/28/18

Accrual Basis

## Marin Local Agency Formation Commission Expenses by Vendor Detail August 1 through September 28, 2018

Type	Date	Num	Memo	Account	Cir	Split	Amount	Balance
<b>Planwest Partners, Inc.</b>								
Check	08/06/2018	1056	Invoice - 18-2...	5210110 · Professio...		1100000 · Well...	20,357.20	20,357.20
Check	09/05/2018	10000	Invoice #18-2...	5210110 · Professio...		1111200 · Prim...	23,704.76	44,061.96
Total Planwest Partners, Inc.							44,061.96	44,061.96
<b>RICCIARDI, R J</b>								
Check	08/22/2018	20003	Invoice # 10733	5210110 · Professio...		1111300 · Sec...	945.00	945.00
Total RICCIARDI, R J							945.00	945.00
<b>RICOH USA INC</b>								
Check	08/14/2018	1481	Copier Costs ...	5211520 · Publicatio...		1110000 · Well...	164.39	164.39
Total RICOH USA INC							164.39	164.39
<b>RODONI, DENNIS JAMES</b>								
Check	08/22/2018	20011	August Meeting	5211533 · Commissi...		1111300 · Sec...	125.00	125.00
Check	09/18/2018	20030	Sept. Workshop	5211533 · Commissi...		1111300 · Sec...	125.00	250.00
Total RODONI, DENNIS JAMES							250.00	250.00
<b>SECURITY MORTGAGE GROUP 2</b>								
Check	08/01/2018	1475	Rent	5211270 · Office Le...		1110000 · Well...	2,638.82	2,638.82
Check	09/07/2018	20013	Sept. rent	5211270 · Office Le...		1111300 · Sec...	2,638.82	5,277.64
Total SECURITY MORTGAGE GROUP 2							5,277.64	5,277.64
<b>STATE OF CALIFORNIA-EMPLOYMT DEVELO</b>								
Deposit	09/06/2018	68-50...	Deposit	5140140 · Payroll Tax		1111200 · Prim...	-113.12	-113.12
Total STATE OF CALIFORNIA-EMPLOYMT DEVELO							-113.12	-113.12
<b>TOTAL</b>							<b>85,253.40</b>	<b>85,253.40</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
October 11, 2018  
Item No. 3 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Veda Florez, Interim Commission Clerk

**SUBJECT:** **Proclamation for Retiring Commissioner Jeffrey Blanchfield**  
Proclamation of the Marin Local Agency Formation Commission honoring Jeffrey Blanchfield on the occasion of his retirement from Marin LAFCo.

---

## Background

Jeffrey Blanchfield began service on the Commission as an Alternate Public member in 1996. He was seated as the Public member in 2003, and was immediately nominated as Commission Chair.

He developed a strong collaborative relationship with Commissioners inviting alternates Commissioners to participate on committees and in closed sessions.

He supported the work of three Executive Officers and three Interim Executive.

His vault of historical knowledge will be greatly missed.

## Staff Recommendation for Action

1) Staff recommendation – Approve and present Commissioner Blanchfield with the attached Resolution .

### Attachment:

- 1) Resolution

#### Administrative Office

Jason Fried, Interim Executive Officer  
1401 Los Gamos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: [staff@marinlafco.org](mailto:staff@marinlafco.org)  
[www.marinlafco.org](http://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

Jack Baker, Regular  
North Marin Water District

Lew Kiou, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 18-04

Resolution of Commendation for Jeffry Blanchfield

By the Marin Local Agency Formation Commission (LAFCo), Expressing its gratitude for her service

WHEREAS Jeffry Blanchfield has devoted his professional life to urban, regional and environmental planning. He focused on collaborative planning processes with special districts, cities, counties, regional governmental, state and federal agencies. His work addressed resolving mutual issues of land, water use, economic and natural resource development, conservation and protection; and

WHEREAS Jeffry Blanchfield first started with the Commission as an alternate Public Member seat in 1996, and, was named the Public Member in 2003. He served as the Commission’s Chair from 2003-2018; and

WHEREAS as Chair, Jeffry Blanchfield brought an engaging and steady hand to the Commission. He navigated the Commission through challenging circumstances, and provided leadership while maintaining high standards of excellence. He championed the Southern Marin Fire Protection District annexation of the City of Sausalito, the Richardson Bay wastewater consolidation project, and MSR mandates; and

WHEREAS Jeffry Blanchfield professionalized Marin LAFCo by supporting a move to our own office space and advocated for continued funding for our work. He supported the work of three Executive Officers and three Interim Executive Officers with balanced diligence; and

WHEREAS as Commission Chair, he developed strong collaborative relationship with Commissioners inviting alternates Commissioners to participate on committees and during closed sessions. He established the annual strategic planning workshop, created a dual annexation policy, built relationships with other county LAFCos and actively participated in events at CALAFCo; and

*NOW, THEREFORE, BE IT RESOLVED, that this Commission does hereby express its deep appreciation and sincere thanks to Jeffry Blanchfield for his dedicated service to this Commission and to all the people and public agencies in Marin County.*

*PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 11<sup>th</sup> day of October, 2018.*

Yes:

No:

Abstain:

Approved: \_\_\_\_\_

Sashi McEntee  
Commission Chair

Attest: \_\_\_\_\_

Jason Fried  
Interim Exectuive Officer



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Item No. 4 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT: Review of Application #1338 – 610 Calle De La Mesa regarding detachment from the City of Novato (Information Only)**

Marin LAFCo received an application from the landowner at 610 Calle De La Mesa. Following the CKH detachment process, this is an information only hearing to provide Commissioners with basic background details on this application. Staff will return at a future meeting to discuss the case in greater detail.

---

### Background

Marin Local Agency Formation Commission (LAFCo) has received a proposal from landowner Janice Tate (applicant) requesting approval to detach part of one incorporated lot totaling .03 acres to from the City of Novato to the County of Marin. The affected territory has been developed to date with a detached single-family residence with a situs address of 610 Calle De La Mesa (160-171-15.) The proposal, as stated by the applicant, is to create continuity with the property. Currently, most of the property is in an unincorporated part of Marin County, and just the vary back portion of the property is within the jurisdiction of the City of Novato. This was discovered when the applicant went to fix the back fence of the property, and discovered that there was a discrepancy with the back-propriety line. The applicant has since had a Lot Line Adjustment (LLA) done as part of a settlement agreement with the Marin County Flood Control and Water Conservation District. The LLA has the bulk of the property within unincorporated Marin County where street access to the propriety is achieved, with .03 arc along the back-fence line within the City of Novato boundary. The applicant is seeking to have all of its property within one justification. Since the means to arrival to the property is within unincorporated Marin County the applicant is seeking to have the entire parcel location within unincorporated Marin County.

This type of application falls under government code section 56751 which states:

**56751.**

*(a) Upon receipt by the commission of a proposed change of organization or reorganization, except a special reorganization, that includes the detachment of territory from any city, the executive officer shall place the proposal on the agenda for the next commission meeting for information purposes only and shall transmit a copy of the proposal to any city from which the detachment of territory is requested.*

*(b) No later than 60 days after the date that the proposal is on the commission's meeting agenda in accordance with subdivision (a), a city from which the detachment of territory is proposed may adopt and transmit to the commission a resolution requesting termination of the proceedings.*

---

#### Administrative Office

Jason Fried, Interim Executive Officer  
1401 Los Gamos 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

Sloan Bailey, Regular  
Town of Corte Madera

Sashi McEntee, Chair  
City of Mill Valley

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City of San Anselmo

Jack Baker, Regular  
North Marin Water District

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kiouss, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

*(c) If the city from which the detachment of territory is proposed has adopted and transmitted to the commission a resolution requesting termination of proceedings within the time period prescribed by this section, then the commission shall terminate the proceedings upon receipt of the resolution from the city.*

*(d) This section shall not apply if the city from which the detachment of territory is proposed has adopted and transmitted to the commission a resolution supporting the proposed change of organization or reorganization.*

Based on subsection (a), staff has placed this item on today's agenda as an informational matter only and subsequently, has sent the application to the impacted agencies for review and comment. Staff will bring this item back to the December meeting for review and action if the City of Novato does not enact subsection b and c of government code 56751. If the City of Novato decides to enact subsection b and c then staff will provide an update to the Commission at the next meeting with no further hearing on the matter.

**Attachment:**

1. Marin LAFCo Application Questionnaire

**MARIN LAFCO**  
**APPLICATION QUESTIONNAIRE**

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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".)

Reorganization. To detach area from the city of Novato and attach it to the County of Marin.  
\_\_\_\_\_  
\_\_\_\_\_

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

See Exhibit 3 B, attached hereto and incorporated by reference.  
\_\_\_\_\_  
\_\_\_\_\_

4. State general location of proposal:

610 Calle de la Mesa, Novato  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes . Which city? Novato (partially)  
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. Assessor's Parcel Number(s)	Site Address(es)
<u>160-092-18</u>	<u>City of Novato</u>
<u>160-171-15</u>	<u>County of Marin - 610 Calle de la Mesa</u>

B. Total number of parcels: 2

9. Total land area: 1,324 sq ft.

## II. LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns: \_\_\_\_\_  
None

2. Indicate current land use:  
(i.e., number of dwellings, permits currently held, etc.)  
610 Calle de la Mesa is developed with a single family residence and pool. The area to be detached has a portion of the pool, a hot tub and landscaping.

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

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.)  
None. The property is fully developed.

### 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 <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
B. Adjacent sites?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	N/A <input type="radio"/>
C. Unincorporated?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
D. Incorporated?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	

4. State general description of site topography: \_\_\_\_\_

Flat  
\_\_\_\_\_

5. Indicated Lead Agency for this project: \_\_\_\_\_

LAFCO  
\_\_\_\_\_

6. Indicate Environmental Determination by Lead Agency: \_\_\_\_\_

with respect to (indicate project) \_\_\_\_\_

dated \_\_\_\_\_

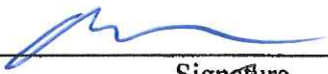
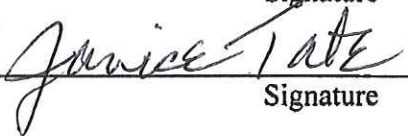
**(COPY OF ENVIRONMENTAL DOCUMENTS MUST BE SUBMITTED WITH APPLICATION.)**

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>
Janice Tate	610 Calle de la Mesa, Novato, CA 94949
Marin Flood Control District	c/o Ed Kiernan, Marin County Counsel's Office 3501 Civic Center Drive, Suite 275 San Rafael, CA 94903
Neil Sorensen	950 Northgate Drive, Suite 200 San Rafael, CA 94903

Name and Address of Applicant: Janice Tate, 610 Calle de la Mesa, Novato, CA 94949

Telephone Number: H (415) 883-1826 W( )

	2/14/18
Signature	Date
	3-13-18
Signature	Date

## Exhibit "3B"

The reorganization is requested as part of the implementation of a Settlement Agreement between Janice Tate ("Tate") and the Marin County Flood Control District ("District"). Tate and the District have agreed to a lot line adjustment ("LLA") to resolve the existing encroachment of a swimming pool onto District property. As part of the LLA approximately 1,324 square feet of District land (A.P. 160-092-18) will be transferred to Tate, who owns a residence at 610 Calle de la Mesa (A.P. 160-171-15). The City boundary and the property line between A.P. 160-092-18 and 160-171-15 currently passes through the pool. The LLA and reorganization will move the property line and the City boundary about 24 feet to accommodate the pool.

**PETITION FOR PROCEEDING  
PURSUANT TO  
THE CORTESE-KNOX-HERTZBERG  
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

Save File      Print  
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The undersigned hereby petition(s) the Marin Local Agency Formation Commission for approval of a proposed change of organization or reorganization and stipulate(s) as follows:

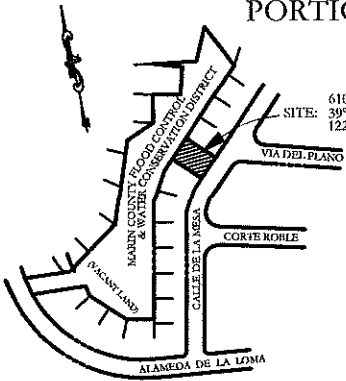
1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc.) is/are: \_\_\_\_\_  
Reorganization Detach area from the City of Novato and add to the unincorporated Marin County
3. The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) "A" \_\_\_\_\_ attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:  
 inhabited (12 or more registered voters)    or  
 uninhabited.
5. This proposal  is  is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed reorganization (annexation, detachment, reorganization, etc.) is/are: \_\_\_\_\_  
An existing structure (pool) crosses over the city limit line (city of Novato) The change in boundaries will allow a Lot Line Adjustment and place the pool and the parcel within the County
7. The proposal is requested to be made subject to the following terms and conditions: None
8. The persons signing this petition have signed as:  
 Registered voters    or  
 Owners of the land.

Chief Petitioners (not to exceed three):

	<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>RESIDENCE ADDRESS</u>
1.		JANICE TATE	<i>Janice Tate</i>	610 Calle de la Loma, Novato, CA
2.		Marin Flood Control District	<i>[Signature]</i>	
3.				

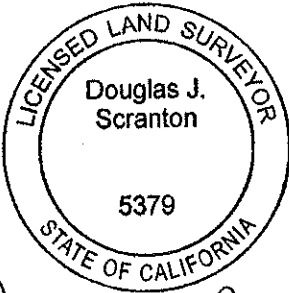
2-14-18

PORTION OF THE RANCHO SAN JOSE

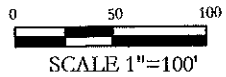
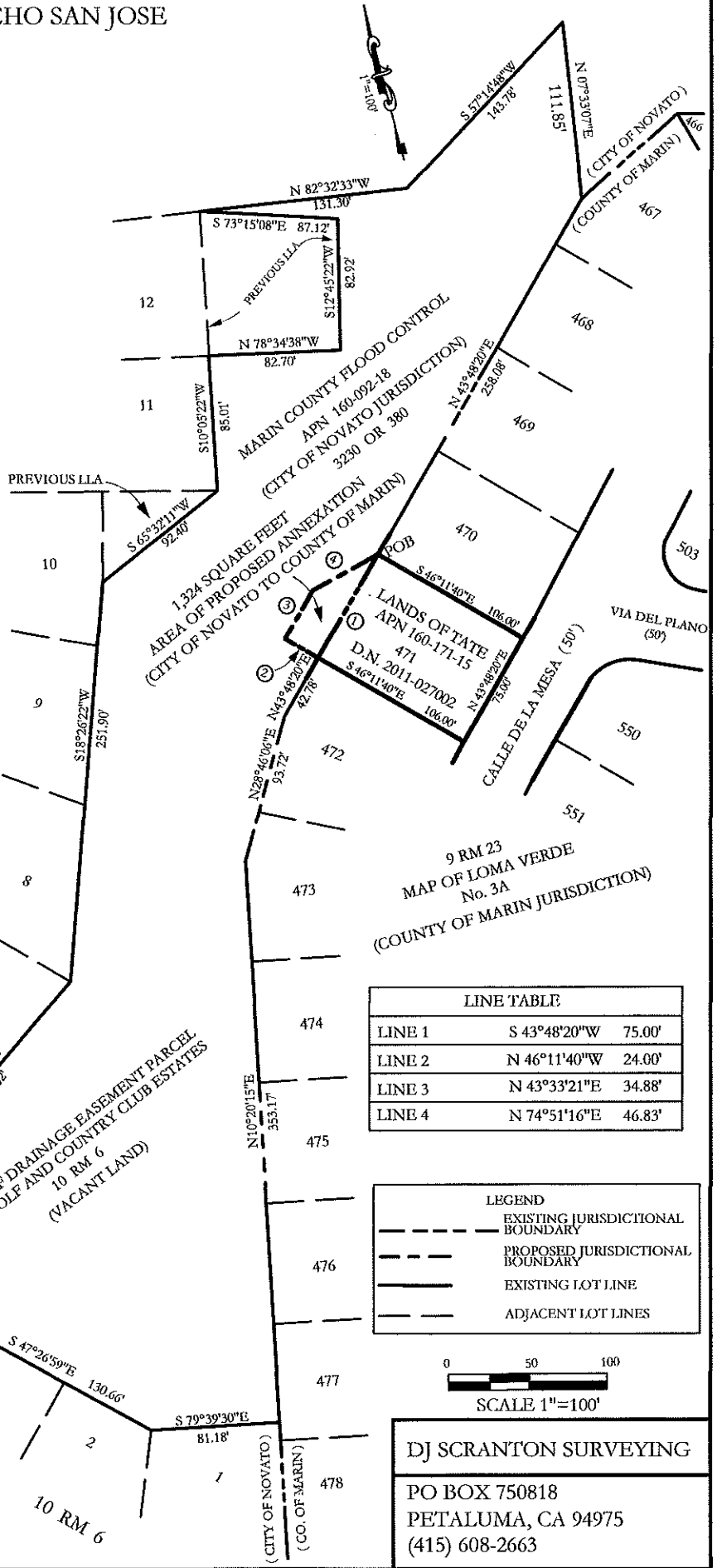


VICINITY MAP  
NOT TO SCALE

610 CALLE DE LA MESA, NOVATO, CA  
SITE: 39°04'03.4" NORTH LATITUDE  
122°33'08.1" WEST LATITUDE



*Douglas J. Scranton*



LAFCO MAPPING NO. XXXX  
ANNEXATION TO COUNTY OF MARIN  
LANDS OF MARIN COUNTY FLOOD CONTROL TO  
610 CALLE DE LA MESA NOVATO, CA  
MARIN COUNTY MAPPING NO. XXXX

DJ SCRANTON SURVEYING  
PO BOX 750818  
PETALUMA, CA 94975  
(415) 608-2663

**EXHIBIT "A"**  
**ANNEXATION TO COUNTY OF MARIN**  
**LAFCO MAPPING #XXXX/MARIN MAPPING #XXXX**

Beginning at a point in the Rancho San Jose, said point being on the existing jurisdictional boundary between the City of Novato and the County of Marin, said point also being the most Northerly corner of Lot 471 as shown upon that certain Map entitled, "Map of Loma Verde No. 3A, in the County of Marin, California", filed for record on May 2, 1956, in Volume 9 of Maps, at Page 23, Marin County Records; thence from said Point of Beginning continue the following courses and distances:

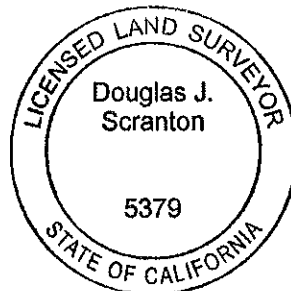
- Course 1 - Thence along the said existing jurisdictional boundary between the City of Novato and the County of Marin and also being the Northwesterly line of said Lot 471, South 43°48'20" West, 75.00 feet to the Southwesterly corner of said Lot 471 of said map;
- Course 2 - Thence leaving said existing jurisdictional boundary between the City of Novato and the County of Marin and also the Northwesterly line of said Lot 471, North 46°11'40" West, 24.00 feet;
- Course 3 - Thence North 43°33'21" East, 34.88 feet;
- Course 4- Thence North 74°51'16" East, 46.83 feet to the Point of Beginning.

Said description containing 1,324 square feet, more or less

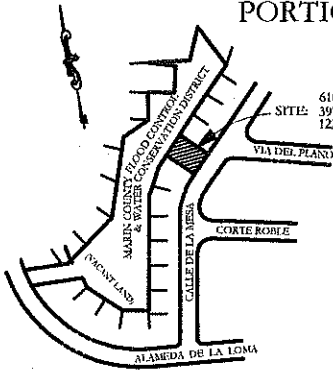
The legal description contained herein is for annexation purposes only, and does not describe real property for the purpose of creating a legal parcel, or for the purpose of any legal transfer or sale.



Prepared for LAFCO Mapping #xxxx  
Douglas J. Scranton  
California Licensed Land Surveyor No. 5379

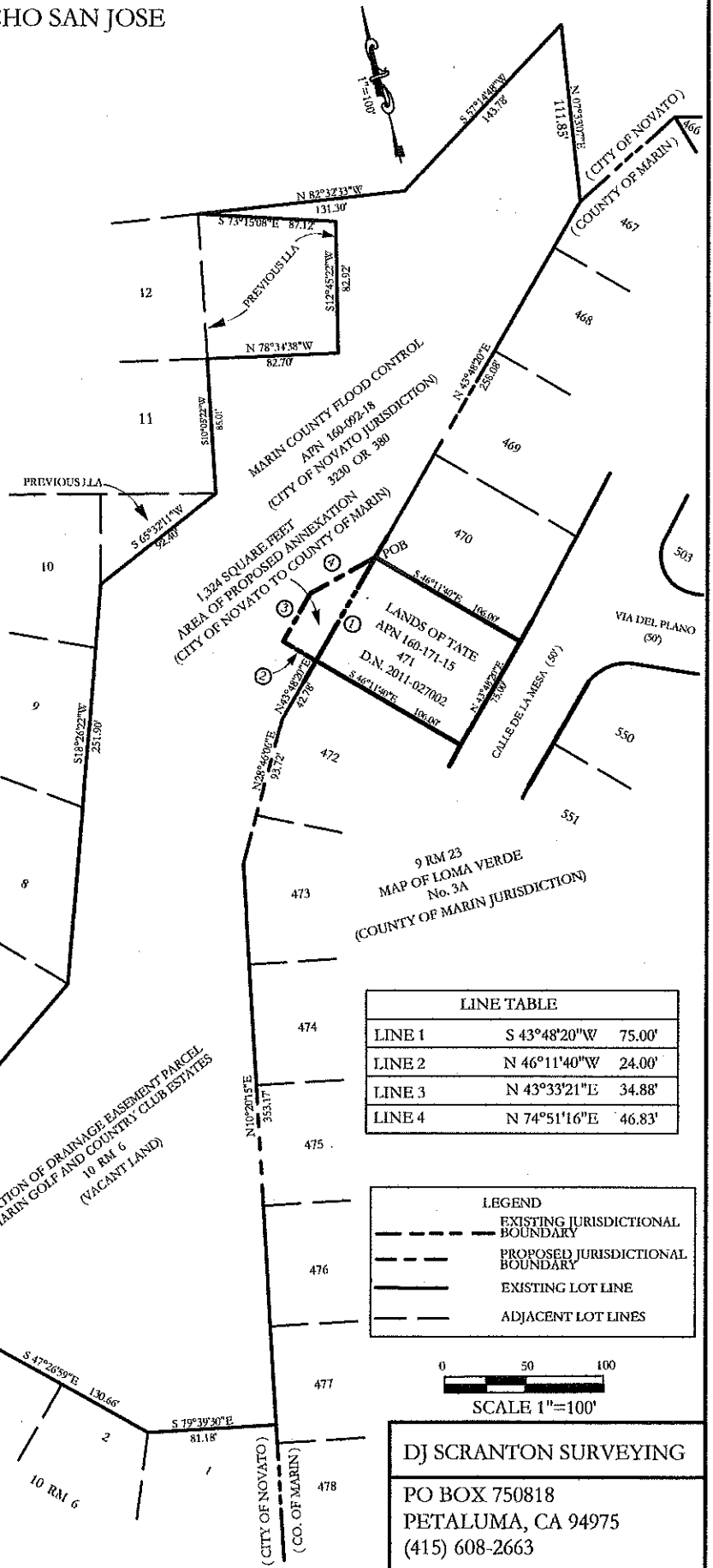


PORTION OF THE RANCHO SAN JOSE



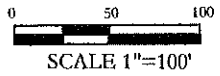
VICINITY MAP  
NOT TO SCALE

610 CALLE DE LA MESA, NOVATO, CA  
SITE: 39°04'03.4" NORTH LATITUDE  
122°53'08.1" WEST LATITUDE



LINE TABLE		
LINE 1	S 43°48'20"W	75.00'
LINE 2	N 46°11'40"W	24.00'
LINE 3	N 43°33'21"E	34.88'
LINE 4	N 74°51'16"E	46.83'

LEGEND	
	EXISTING JURISDICTIONAL BOUNDARY
	PROPOSED JURISDICTIONAL BOUNDARY
	EXISTING LOT LINE
	ADJACENT LOT LINES



LAFCO MAPPING NO. XXXX  
ANNEXATION TO COUNTY OF MARIN  
LANDS OF MARIN COUNTY FLOOD CONTROL TO  
610 CALLE DE LA MESA NOVATO, CA  
MARIN COUNTY MAPPING NO. XXXX

DJ SCRANTON SURVEYING  
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PETALUMA, CA 94975  
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Exhibit "A"





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
October 11, 2018  
Item No. 5 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer  
Mala Subramanian, Legal Counsel

**SUBJECT: Approval of Filling Vacant Public Seat**  
On September 12<sup>th</sup> Jeffry Blanchfield resigned his seat on Marin LAFCo. The Commission now needs to decide how it wishes to move forward.

---

## Background

With the resignation of Jeffry Blanchfield from the Marin Local Agency Formation Commission (LAFCo) board, a decision must now be made on how LAFCo wishes to handle filling the vacant public seat.

Under government code section 56325 (d) states, in part, "...Whenever a vacancy occurs in the public member or alternate public member position, the commission shall cause a notice of vacancy to be posted..." and goes on to state "Final appointment to fill vacancy may not be made for at least 21 days after the posting of the notice."

In addition, LAFCo Policy Handbook section 3.1 A6 (Procedures for the Selection of Public Members) states:

*"6. In the event a vacancy occurs during the public member's term of office, a new appointment shall be made for the unexpired term in a timely manner. The Commission may:*

- a) Select a new member from the applications previously submitted for the current appointment, provided not more than twelve (12) months have passed since such applications were filed with the Commission.*
- b) Direct the Executive Officer to send out a news release announcing the vacancy and solicit applications for future consideration by the Commission; or*
- c) Appoint the alternate public member to serve as regular public member for the remainder of the regular member's term of office."*

Given it has been more 12 months since we had an application pool for this position, subsection "a" of the Policy handbook is not an option for LAFCo. In addition, it is staff and legal counsel opinion that subsection "c" of the Policy handbook goes against government code section 56325 so is not an option that can be used.

Further, this seat is naturally set for expiration in May, 2019. Following the LAFCo policy, staff would start the announcement process after the beginning of the year. Given we are required to announce the remainder of the current term and the announcement for the full-term seat, LAFCo may wish to go through the public announcement process just once. This would both be more time efficient and save costs if only one announcement for both the current term and the new term were in one press release.

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County of Marin

Dennis J. Rodoni, Regular  
County of Marin

Judy Arnold, Alternate  
County of Marin

Sloan Bailey, Regular  
Town of Corte Madera

Sashi McEntee, Chair  
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City of San Anselmo

Jack Baker, Regular  
North Marin Water District

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kiouss, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

Once the public announcement is sent, LAFCo will hold interviews with applicants. Depending on when the commission decides to do interviews to fill the remainder of the current open seat it might need to do another round of interviews next year to fill the full seat. However, if the commission were to hold interviews after January 2019 then it could do interviews for both the remainder of the current term and new four-year term at the same time.

### **Commission Options**

Staff recommendation – Have staff announce both the remainder of the current term and the new term of the public seat simultaneously. The Commission should also decide if it wishes to fill the open seat as quickly as possible or if it wishes to wait until 2019 to begin the interview process so LAFCo only has to do the interview process once.

Alternate option – Alternate option – Have staff immediately announce only the current public open seat, and stay on track to announce the new seat next year.

Alternate option – Take no action today and give staff further instructions to bring back to the Commission at a future meeting.

### **Attachment:**

No attachments



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
October 11, 2018  
Item No. 6 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Approval of New Workplan, Vision Statement, and MSR Schedule**

At the September 12<sup>th</sup> workshop the commission discussed LAFCo's - focus for the remainder of Fiscal Year 2018-2019 and Fiscal Year 2019-2020, along with its vision for how LAFCo should function along with its five-year MSR schedule. Today the Commission will be approving a workplan, vision statement and MSR schedule as discussed at the workshop.

---

## Background

At the September 12<sup>th</sup> workshop the Marin Local Agency Formation Commission (LAFCo) had a lengthy discussion about what it has done over the past year and what it would like to accomplish over the next year and half. Plans to execute these goals are defined below.

The vision statement desire is to make sure we are working with the county, each city and all special districts to ensure that while doing our works we are providing services that can help each of them serve their constituents better. Staff and Chair McEntee took the previous version and updated it to reflect what was discussed at the workshop. LAFCo Mission statement was added to the top of the Vision Statement to help tie them together. Commissioners should review and amend as they deem fit.

Attached is an updated version of the MSR five-year study schedule. This will cover from FY 2018/19 to FY 2022/23. In addition, two additional MSR's on Countywide Fire Services and Countywide Policy Service studies will be done but currently do not have a timeline assigned to them. Staff wants to have discussions with each group of agencies to see what they may want to help create, and what those MSR would look like to help define what LAFCo would do in the MSR as part of its value-added approach. Staff will come back to the Commission at a later time to determine when these would be done. In addition, with the Value-Added approach the approval of all three of the items being presented today, staff will reach out to see if any jurisdictions have a need for moving their MSR's sooner than scheduled due to upcoming projects that could require a MSR being completed. Staff will bring any requests back to the Commission for discussion and needed revisions to the schedule.

The attached draft workplan will guide the work for the current fiscal year (2018 - 2019) and next fiscal year (2019 - 2020). This is a new format that like the pending proposals format implemented earlier this year, will work more like a living document that will be updated at each meeting with the current status of each item. An addition, a column has been added titled "Responsible for work" which list who is the lead for this item. In some cases, it may be more than one, since the item may have sub issues and may go between the different names listed. In cases where a LAFCo subcommittee is listed, staff will of course give support and assist the committee in its work on that matter.

---

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Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

In addition, staff is planning to do a round of meetings with all jurisdictions. Any new items that come from these meetings will be brought back to the LAFCo to decide if amendments to the workplan are needed. Upon approval of the work plan staff will update the chart and not that since this is a work plan that covers two fiscal years some items may not be started until the second fiscal year (FY 19-20).

### **Commission Options**

Staff recommendation – Approve the Mission and Vision Statement, MSR Study Schedule, and Workplan for FY 18/19 and FY 19/20 with any amendments the Commission wishes to make to the documents.

Alternate option – Take no action today and give staff further instructions to bring back to the Commission at a future meeting.

### **Attachment:**

1. Mission and Vision Statement
2. MSR Study Schedule
3. Workplan for FY 18/19 and FY 19/20



## Mission Statement

The Marin Local Agency Formation Commission (LAFCo) promotes and coordinates the efficient delivery of local government services and encourages the preservation of open space and agricultural lands.

## Vision Statement

Marin LAFCo will provide oversight of local government agencies and their municipal service areas consistent with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and in a manner responsive to community needs and in partnership with affected jurisdictions. The Commission will achieve this vision by emphasizing the following core values:

**a) Independent**

The Commission will exercise independent judgment in fulfilling its regulatory and planning responsibilities consistent with the agency's adopted policies and state law.

**b) Principled**

The Commission will maintain a high standard of quality, integrity, and consistency while facilitating accountable and efficient municipal growth.

**c) Reasonable**

The Commission will be objective in its decision-making and will consider the reasonableness of all potential actions before the agency.

**d) Value-Added**

The Commission will add value for the public by collaborating with agencies to improve the efficiency and effectiveness of municipal services.

## 2018-2020 Goals and Objectives

The following goals and objectives for fiscal years 2018/19 and 2019/20 support the agency's vision statement:

1. Comply with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and applicable state law;
2. Stabilize agency administration, staff, and office;
3. Update policies to reflect current practices and to comply with state laws;
4. Stay on track with revised workplan and study schedule within the approved budget;
5. Establish positive working relationships with local agencies;
6. Improve work quality through collaboration with other LAFCo's and CALAFCo;
7. Prioritize public communication and transparency in promoting Marin LAFCo's mandates and functions.

*Draft*

## Marin LAFCo - Five-Year Study Schedule | FY 2018-2023

### FY 2018-2019

#### **San Rafael Area Study (Region Specific)**

- City of San Rafael
- Marinwood Community Services District
- CSA No. 6 (Santa Venetia)
- CSA No. 9 (Northbridge)
- CSA No. 13 (Lucas Valley)
- CSA No. 18 (Gallinas Village)
- CSA No. 19 (Unincorporated San Rafael)
- CSA No. 23 (Terra Linda)

#### **Novato Area Study (Region Specific)**

- City of Novato
- Novato Sanitary District
- Novato Fire Protection District
- Bel Marin Keys Community Services District
- CSA No. 1 (Loma Verde)
- CSA No. 20 (Indian Valley)
- CSA No. 25 (San Marin)

### FY 2019-2020

#### **East Peninsula Area Study (Region Specific)**

- Town of Tiburon
- City of Belvedere
- Strawberry Recreation District
- Tiburon Sanitary District No. 5
- Tiburon Fire Protection District
- CSA No. 29 (Paradise Cay)

#### **Ross Valley Area Study (Region Specific)**

- Town of Fairfax
- Town of Ross
- Town of San Anselmo
- Kentfield Fire Protection District
- Sleepy Hollow Fire Protection District
- Ross Valley Fire Authority (JPA)
- CSA No. 27 (Ross Valley)

### Date to be Determined

- Countywide Fire Service Study
- Countywide Policy Service Study

### FY 2020-2021

#### **Twin Cities Area Study (Region Specific)**

- City of Larkspur
- Town of Corte Madera
- CSA No. 16 (Greenbrae)
- CSA No. 17 (Kentfield)
- Central Marin Police Authority (JPA)

#### **Flood Control and Storm Drainage Study (Service Specific)**

- Marin County Flood Control
- Multiple CSAs

### FY 2021 – 2022

#### **Golden Gate Corridor Study (Region Specific)**

- City of Mill Valley
- City of Sausalito
- Marin City Community Services District
- Tamalpais Community Services District
- Marin City – Sausalito Sanitary District
- Southern Marin Fire Protection District
- CSA No. 14 (Homestead)

#### **Park and Open Space (Services Specific)**

- Marin County Parks and Open Space District
- Marin County Resources Conservation District
- Multiple CSAs

### FY 2022-2023

#### **Southern Marin Wastewater Study (Service Specific)**

- City of Mill Valley
- Almonte Sanitary District
- Alto Sanitary District
- Homestead Valley Sanitary
- Richardson Bay Sanitary District
- Sewer Agency of Southern Marin (JPA)

#### **Mosquito and Vector Control Study (Service Specific)**

- Marin/Sonoma Mosquito Control District

#### **Public Healthcare Services Study (Service Specific)**

- Marin Healthcare District
- Multiple CSAs

Project	Responsible for work	Basic Description	Latest Update
General MSR on San Rafael Area	Staff/consultant?	MSR for Region (FY 18-19)	
General MSR on Novato Area	Staff/consultant?	MSR for Region (FY 18-19)	
General MSR on East Peninsula Area	Staff/consultant?	MSR for Region (FY 19-20)	
General MSR on Ross Valley Area	Staff/consultant?	MSR for Region (FY 19-20)	
General MSR on Countywide Fire Services	Staff/consultant?	MSR for Fire Services across Marin County	
General MSR on Countywide Police Services	Staff/consultant?	MSR for Police Services across Marin County	
Sphere of Influence Updates	Staff	Update, as needed, and approval of current SO Is for all Cities and Districts in Marin County.	
MPSMD Consolidation with RVSD	Staff	Based on the Central Marin Wastewater MSR work with district staff on the possibility of consolidating services with RVSD.	
SQVSMD Consolidation with RVSD	Staff	Based on the Central Marin Wastewater MSR work with district staff on the possibility of consolidating services with RVSD.	
County of Marin transferring of support services to LAFCo	Staff/Policy & Personnel Committee	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.	
Policy Review: Reorganization (Dual Annexation) Policy	Policy & Personnel Committee	Follows San Rafael and Novato Region MSRs; Define Substantially Surrounded	
Disadvantaged Unincorporated Communities	Staff/Policy & Personnel Committee/ad hoc committee?	Work with County Planning to ID any DUCs and possibly create a LAFCo policy	

Project	Responsible for work	Basic Description	Latest Update
Update Application Packet	Staff/ad hoc committee?	Current Application Dated; Need to Address New Requirements; Make User Friendly	
Review GIS Needs and Options	Staff	Existing Benefit of MarinMap Relative to Cost Merits Review; Address Data Limitations	
General Update to Policy Handbook	Policy & Personnel Committee	Various updates to Handbook, including, update Chapter 6 (Personnel Policies).	
Fee Schedule	Staff/Policy & Personnel Committee	Policy Handbook page 31 - "amend therein no less than every two years." Last done Oct 2016. (May want to do after staffing positions are filled.)	
PERS Transition	Staff/Policy & Personnel Committee	Work with CAPERS to transition new staff to that retirement system.	
Review of Current Website	Public/Technical Information Committee	Currently LAFCo is in year 3 of a 3 year contract. When the contract expires Aug. 2019 we can renew with a 5% increase that also comes a "redesign."	





# Marin Local Agency Formation Commission

## Regional Service Planning | Subdivision of the State of California

### AGENDA REPORT

October 11, 2018

Item No. 7 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Approval of Contract with Planwest Partners, Inc. for MSR work**

Earlier in today's LAFCo meeting - we discussed both the workplan (through FY 19-20,) and the five-year MSR work schedule. In order to get the MSR work started, staff is presenting its plan to start the San Rafael and Novato Area MSR studies.

#### Background

Earlier in today's meeting the Marin Local Agency Formation Commission (LAFCo) reviewed a draft workplan for the remainder of the current fiscal year and next fiscal year, along with an updated five-year Municipal Service Reviews (MSR) workplan. Should both of these items be approved, staff has created a plan to begin the two MSR's scheduled in the current fiscal year.

Given that we are in the fourth month of the current fiscal year LAFCo currently is in the process of getting its staffing back in place, and have yet to put out the job announcement for the vacant analyst position, staff is suggesting we get outside assistance to do this year's scheduled MSR work. This can be accomplished by utilizing LAFCo contract with Planwest Partners to have them do this work. LAFCo staff has asked Planwest to prepare a scope of work and cost estimate, see attachment, for the San Rafael and Novato MSR's. Planwest estimates that it would cost \$45,000 for the San Rafael MSR and \$40,000 for the Novato MSR. The two MSR's cover a total of 16 cities and special districts. In 2017, a survey was done of the cost of outside consultants for MSR's completed between 2013-2016. For the MSR's with about the same number of cities/special district the Santa Clara LAFCo paid on average \$5,000 per city/special district (15 total,) and the Yolo LAFCo paid on average \$5,300 per city/special district (15 total.) The cost Planwest is requesting is comparable (average \$5,000 per city/special district,) if not lower, to other MSR's done by consultants for other county LAFCo's.

As is noted later in the agenda under the Executive Officer Report – A) LAFCo ended last year with just over \$115 thousand in unspent funds. Staff would look to use a portion of this to cover the cost of getting these two MSR's started by Planwest Partners.

#### Commission Options

Staff recommendation – Give staff approval to have Planwest Partners do the San Rafael and Novato MSR for a not to exceed amount of \$85,000. This will be covered from unspent funds from fiscal year 2017-2018.

Alternate option – Take no action today and give staff further instructions to bring back to the Commission at a future meeting.

#### Attachment:

1. Planwest Scope of work and cost estimate

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Vacant, Regular  
Public Member

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**Scope of Work and Cost Estimate  
San Rafael/Lucas Valley and Novato Regional MSR**

The 2016 Marin LAFCO work program proposed two Municipal Service Reviews (MSRs), including the San Rafael/Lucas Valley Regional MSR and the City of Novato Regional MSR. A regional approach to conducting these MSRs provides an opportunity to identify shared trends relating to the adequacy, capacity, and cost of providing services within a particular geographic area. The following scope of work serves to describe the process for completing the above referenced MSRs.

**San Rafael/Lucas Valley Regional MSR**

As described in 2016, the proposed study region for the San Rafael /Lucas Valley Regional MSR includes the Marin County northern central 101 corridor that serves San Rafael and communities of San Venetia and Lucas Valley. A total of eight public agencies have been identified for possible inclusion, as identified in the following table:

<b>Agency Name</b>	<b>Services Provided</b>	<b>Other Service Providers*</b>
City of San Rafael*	Ambulance Service, Fire Protection, Library, Parks and Recreation, Police, Road Maintenance and Construction, Street Sweeping	<ul style="list-style-type: none"> <li>• Las Gallinas Valley Sanitary District</li> <li>• Marin Municipal Water District</li> <li>• San Rafael Sanitation District</li> </ul>
Marinwood CSD	Fire Protection, Parks and Recreation, Open Space Management, and Street Lighting	
CSA #6 (Gallinas Creek)	Channel Maintenance	
CSA #9 (Northbridge)	Parkway (median strip) and landscape maintenance	
CSA #18 (Las Galinas)	Parks and Recreation	
CSA #19 (San Rafael)	Fire Protection	
CSA #23 (Terra Linda)	Open Space Preserve Management	
CSA #13 (Upper Lucas Valley)	Fire Protection and Open Space Management	

*\*There are several agencies that provide services either directly or through contracts with the City of San Rafael. In order to comprehensively evaluate services provided to the incorporated area, these agencies will be evaluated as part of the agency profile for the City of San Rafael.*

The following tasks will be completed for the San Rafael/ Lucas Valley Regional MSR:

### **Task 1 – Regional Setting**

A regional setting will be established that describes the context for the provision of services to the San Rafael /Lucas Valley region. This includes evaluating growth and population projections, identifying disadvantaged unincorporated communities, and describing current and proposed land uses on a regional scale. A GIS analysis component will be included in the regional setting to assist in identification of potential areas of growth.

### **Task 2 – Agency Profiles**

Agency profiles will be prepared that describe the core services, functions, boundaries, and infrastructure for each service provider. The brief profiles will largely incorporate information collected and analyzed from research and agency questionnaires. The agency profiles will generally include the following information:

- Formation and Development
- Adopted Commission Boundaries
- Organizational Structure
- General Governmental Services
- Financial Summary

### **Task 3 – Service Evaluation and Determination**

An evaluation of services under review, on a regional scale, provides LAFCo with a more comprehensive understanding of the adequacy and efficiency of the services provided. Evaluations will consider service levels, service demand, financing challenges and opportunities, infrastructure needs and deficiencies, opportunities for shared facilities, and governance structure options. Written determinations will be made to address the mandatory factors required under statute.

### **Task 4 – Draft Report and Public Review**

A draft report will be prepared and presented to the Commission for discussion and feedback as part of a noticed workshop that will be facilitated by the Executive Officer. The draft report will be a complete document and include an introduction, regional setting, agency profiles, services evaluation and written determinations. Input received by affected agencies and interested stakeholders will be incorporated into the final MSR.

### **Task 5 – Final Report and Adoption**

A final MSR will be presented to the Commission for action at a noticed public hearing. The final draft report will include updates from earlier drafts based on new information or comments generated during the public review period. The Commission will consider formally adopting the MSR and codifying the written MSR determinations.

***Proposed Cost for the San Rafael/Lucas Valley Regional MSR: \$45,000.00***

## Novato Regional Municipal Service Review

The Novato Regional MSR will include the City of Novato and the Novato Sanitary District. In addition, this MSR will analyze a range of study areas to further evaluate service needs and opportunities for SOI expansion. Study areas may include: Indian Valley, Black Point, Green Point, North Atherton, Bel Marin Keys, and Verrisimo/Stafford areas. The following table identifies the services provided by agencies included in the Novato MSR:

Agency Name	Services Provided	Other Service Providers*
City of Novato	Lighting, Parks & Recreation, Police, Redevelopment, Road Maintenance & Construction, Street Sweeping	<ul style="list-style-type: none"> <li>• Marin Municipal Water District</li> <li>• North Marin Water District</li> </ul>
Novato Sanitary District	Solid Waste Collection& Disposal, Household hazardous waste collection & disposal, Reclamation facility for pasture irrigation, Recycled Water (in cooperation with North Marin Water District), Sewage collection, treatment & disposal	
Novato Fire Protection District	Fire Protection	
Bel Marin Keys CSD	Architectural control and open space, Flushing of lagoons, Maintain and repair BMK Community Center building, Maintains Dredge material disposal site, Navigational lock maintenance, Repair and maintain boat ramps, Roadway median and park landscape maintenance, Shoreline reinforcement, South Levee repairs, Street lighting, Tidal Moat improvement, Waterways maintenance	<ul style="list-style-type: none"> <li>• North Marin Water District</li> <li>• Novato Sanitary District</li> </ul>
CSA #1 (Loma Verde)	Open Space and Parkway (Median Strip) maintenance	
CSA #20 (Indian Valley)	Open Space Preserve Management	
CSA #25 (County Parks)	Parks and Recreation	
CSA #31 (County Fire)	Fire Protection	

*\*There are several agencies that provide services either directly or through contracts with the City of Novato. In order to comprehensively evaluate services provided to the incorporated area, these agencies will be evaluated as part of the agency profile for the City of Novato.*

The following tasks will be completed for the Novato Regional MSR:

### **Task 1 – Regional Setting**

A regional setting will be established that describes the context for the provision of services to the City of Novato and the Novato Sanitary District. This includes evaluating growth and population projections, identifying disadvantaged unincorporated communities, and describing land uses on a regional scale. In addition, those study areas deemed appropriate for inclusion in this regional analysis will be evaluated. A GIS analysis component will be included to assist in the evaluation of the study areas.

### **Task 2 – Agency Profiles**

Agency profiles will be prepared that describe the core services, functions, boundaries, and infrastructure for each service provider. The brief profiles will largely incorporate information collected and analyzed from research and agency questionnaires. The agency profiles will generally include the following information:

- Formation and Development
- Adopted Commission Boundaries
- Organizational Structure
- General Governmental Services
- Financial Summary

### **Task 3 – Service Evaluation and Determination**

An evaluation of services under review, on a regional scale, provides LAFCo with a more comprehensive understanding of the adequacy and efficiency of the services provided. Evaluations will consider service levels, service demand, financing challenges and opportunities, infrastructure needs and deficiencies, opportunities for shared facilities, and governance structure options. Written determinations will be made to address the mandatory factors required under statute.

### **Task 4 – Draft Report and Public Review**

A draft report will be prepared and presented to the Commission for discussion and feedback as part of a noticed workshop that will be facilitated by the Executive Officer. The draft report will be a complete document and include an introduction, regional setting, agency profiles, services evaluation and written determinations. Input received by affected agencies and interested stakeholders will be incorporated into the final MSR.

### **Task 5 – Final Report and Adoption**

A final MSR will be presented to the Commission for action at a noticed public hearing. The final draft report will include updates from earlier drafts based on new information or comments generated during the public review period. The Commission will consider formally adopting the MSR and codifying the written MSR determinations.

***Proposed Cost for the Novato Regional MSR: \$40,000.00***



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Item No. 9 (Business Item)

**TO:** Marin Commissioners

**FROM:** Mala Subramanian, General Counsel

**SUBJECT:** **Termination of Certain Services from Planwest Partners, Inc. Professional Services Agreement Related to Executive Officer Services**

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### Background

On July 20, 2018, the Chair executed the attached Agreement with Planwest Partners for Interim Executive Officer, which expires on December 31, 2018. The Agreement also allows for additional analyst services, as well as services associated with Municipal Services Reviews, if approved by the Commission.

### Discussion

Presuming the Commission approves the Employment Agreement for Executive Officer's Services, no services of Planwest Partners as it relates to providing Interim Executive Officer services will be needed. The Agreement with Planwest Partners requires providing 10 calendar days notice for termination of any of their services.

### Recommendation

If the Commission approves the Employment Agreement for Executive Officer Services earlier on the agenda, it should authorize the Chair to notify Planwest Partners that the services provided in the Professional Services Agreement related to Interim Executive Officer services will no longer be needed. The services which are no longer needed are listed in Exhibit A, Scope of Services Bullet Points 1-11, as well as deletion of a portion of 12 related to scheduling MSR's). However, the Commission will retain the services listed in Exhibit A, Scope of Services Bullet Points 12 (completing Sphere of Influence Updates), and 13-16).

#### Attachment:

1. Planwest Partners Professional Services Agreement

#### Administrative Office

Jason Fried, Interim 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

Jack Baker, Regular  
North Marin Water District

Lew Kiou, Alternate  
Almonte Sanitary District

Vacant, Public  
Public Member

Chris Skelton, Alternate  
Public Member

**MARIN LOCAL AGENCY FORMATION COMMISSION  
PROFESSIONAL SERVICES AGREEMENT**

This Agreement is made and entered into as of July 20, 2018 by and between the Marin Local Agency Formation Commission, a public agency organized and operating under the laws of the State of California with its principal place of business at 1401 Los Gamos Drive, San Rafael, CA 94903 ("Commission"), and Planwest Partners, Inc., a California corporation with its principal place of business at 1125 16<sup>th</sup> Street Suite 200 Arcata CA 95521 (hereinafter referred to as "Consultant"). Commission and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

**RECITALS**

A. Commission is a public agency of the State of California and is in need of professional services for the following project:

Interim Contract Executive Officer Service Project (hereinafter referred to as "the Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services.

C. The Commission had an immediate need to fill a vacant executive officer position following the abrupt resignation of Commission's prior interim executive officer. The Commission received a recommendation from CALAFCo to engage Consultant based on Consultant's experience and qualifications. Following an interview during which Consultant demonstrated its qualifications and experience, the Commission chose to engage Consultant to perform interim executive officer services on a temporary basis.

D. The Parties desire by this Agreement to establish the terms for Commission to retain Consultant to provide the services described herein.

**AGREEMENT**

**NOW, THEREFORE, IT IS AGREED AS FOLLOWS:**

1. Services.

Consultant shall provide the Commission with the services described in the Scope of Services attached hereto as Exhibit "A."

2. Compensation.

a. The Commission shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit "B" subject to any not-to-exceed amounts set forth therein. The amounts set forth in Exhibit "B" cover all printing and related costs, and the Commission will not pay any additional fees for printing expenses. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed comparable to the June 2018 invoice. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Commission, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Commission by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the Commission and executed by both Parties before performance of such services, or the Commission will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the contract period and for four (4) years from the date of final payment under the contract for inspection by Commission.

5. Time of Performance; Term.

Consultant shall perform its services in a prompt and timely manner. The term of this Agreement shall commence on July 1, 2018 and expire on December 31, 2018, unless earlier terminated or extended pursuant to the provisions of this Agreement.

6. Delays in Performance.

a. Neither Commission nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the Commission, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care



Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Commission, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

10. Independent Contractor

Consultant is retained as an independent contractor and is not an employee of Commission. No employee or agent of Consultant shall become an employee of Commission for the duration of this contract. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from Commission as herein provided.

11. Insurance. Consultant shall not commence work for the Commission until it has provided evidence satisfactory to the Commission it has secured all insurance required under Exhibit "C," Insurance Requirements, attached hereto and incorporated herein by this reference. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required therein.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (with counsel of Commission's choosing), indemnify and hold the Commission, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the Commission, its officials, officers, employees, agents, or volunteers.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. [RESERVED].

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

15. [RESERVED].

16. Laws and Venue.

This Agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Marin, State of California.

17 Termination or Abandonment

a. Commission has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, Commission shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. Commission shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by Commission and Consultant of the portion of such task completed but not paid prior to said termination. Commission shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to Commission only in the event of substantial failure by Commission to perform in accordance with the terms of this Agreement through no fault of Consultant.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the Commission.

19. Organization

Consultant shall assign Jason Fried as Interim Executive Officer. The Interim Executive Officer shall not be removed from the Project or reassigned without the prior written consent of the Commission.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

COMMISSION:

Marin Local Agency Formation Commission  
1401 Los Gamos Drive  
San Rafael, CA 94903  
Attn: Jason Fried Interim Executive Officer

CONSULTANT:

Planwest Partners, Inc.  
P.O. Box 4581  
Arcata, CA 95518  
Attn: George Williamson

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the Consultant.

23. Equal Opportunity Employment.

Consultant represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of Commission and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each Party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the remaining provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights,

burdens, duties or obligations without the prior written consent of Commission. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either Party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. Commission's Right to Employ Other Consultants

Commission reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, Commission shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of Commission, during the term of his or her service with Commission, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.


**[SIGNATURES ON FOLLOWING PAGE]**

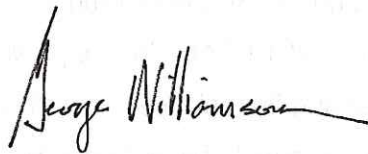
**SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT  
BETWEEN THE MARIN LOCAL AGENCY FORMATION COMMISSION  
AND PLANWEST PARTNERS, INC.**

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

MARIN LOCAL AGENCY FORMATION  
COMMISSION

PLANWEST PARTNERS, INC.

By:  \_\_\_\_\_  
Sashi McEntee  
Chair

By:  \_\_\_\_\_  
Its: Principal and Majority Owner  
Printed Name: George Williamson

ATTEST:

By: \_\_\_\_\_  
[TITLE]

## EXHIBIT A

### Scope of Services

The Consultant is responsible for coordinating basic Commission functions until the Commission makes a decision on permanent staffing and during an appropriate transition period. Services include:

- Administering and supervising day-to-day Commission operations and staff in their offices at 1401 Los Gatos Rd, Suite 220 San Rafael, California 94903;
- Attending the Regular Commission meetings;
- Upon FY 2018-19 budget approval, make appropriate distribution and posting;
- Processing financial claims and payments as approved by the Commission;
- Maintaining website and posting meeting and related information in a timely manner;
- Responding to inquiries, and information requests including application materials;
- Supporting Policy Committee with meeting staffing and agenda materials;
- Coordinating with contract legal counsel and bookkeeper as needed;
- Following up on actuarial report for other post employee benefits (OPEB);
- Coordinating with Travis Woods/Marin Mac Tech on IT support and interim email addresses;
- Processing applications on file and accepting new applications received;
- Scheduling Municipal Services Reviews and completing Sphere of Influence Updates;
- Potential sewer districts consolidation
- Collection of data, preparation, submittal and presentation of Municipal Service Reviews (as approved by the Commission);
- Additional analyst services related to LAFCO issues (as approved by the Commission); and
- Other duties as assigned by the Commission.

## EXHIBIT B

### Schedule of Charges/Payments

Consultant will invoice Commission on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent during that billing cycle and to date. Consultant will inform Commission regarding any out-of-scope work being performed by Consultant. This is a time-and-materials contract, including direct travel expenses.

Consultant's rate for performance of services under this Agreement are as follows:

Interim Executive Officer	\$112.00/hour (not-to-exceed the aggregate sum of \$116,480.00)
Principal Planner	\$112.00/hour
Senior Planner/Analyst	\$92.00/hour
Associate Planner	\$78.00/hour
GIS Analyst	\$72.00/hour
Assistant Planner	\$62.00/hour
GIS Technician	\$62.00/hour
Planning Technician	\$58.00/hour

## EXHIBIT C

### Insurance Requirements

Consultant must procure and maintain insurance meeting the requirements set forth below.

a. Commercial General Liability

(i) The Consultant shall take out and maintain, during the performance of all work under this Agreement, in amounts not less than specified herein, Commercial General Liability Insurance, in a form and with insurance companies acceptable to the Commission.

(ii) Coverage for Commercial General Liability insurance shall be at least as broad as the following:

(1) Insurance Services Office Commercial General Liability coverage (Occurrence Form CG 00 01) or exact equivalent.

(iii) Commercial General Liability Insurance must include coverage for the following:

- (1) Bodily Injury and Property Damage
- (2) Personal Injury/Advertising Injury
- (3) Premises/Operations Liability
- (4) Products/Completed Operations Liability
- (5) Aggregate Limits that Apply per Project
- (6) Explosion, Collapse and Underground (UCX) exclusion deleted
- (7) Contractual Liability with respect to this Agreement
- (8) Property Damage
- (9) Independent Consultants Coverage

(iv) The policy shall contain no endorsements or provisions limiting coverage for (1) contractual liability; (2) cross liability exclusion for claims or suits by one insured against another; (3) products/completed operations liability; or (4) contain any other exclusion contrary to the Agreement.

(v) The policy shall give Commission, its officials, officers, employees, agents and Commission designated volunteers additional insured status using ISO endorsement forms CG 20 10 10 01 and 20 37 10 01, or endorsements providing the exact same coverage.

(vi) The general liability program may utilize either deductibles or provide coverage excess of a self-insured retention, subject to written approval by the Commission, and provided that such deductibles shall not apply to the Commission as an additional insured.

b. Automobile Liability

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and



property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the Commission.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto).

(iii) The policy shall give Commission, its officials, officers, employees, agents and Commission designated volunteers additional insured status.

(iv) Subject to written approval by the Commission, the automobile liability program may utilize deductibles, provided that such deductibles shall not apply to the Commission as an additional insured, but not a self-insured retention.

c. Workers' Compensation/Employer's Liability

(i) Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing work under this Agreement.

(ii) To the extent Consultant has employees at any time during the term of this Agreement, at all times during the performance of the work under this Agreement, the Consultant shall maintain full compensation insurance for all persons employed directly by him/her to carry out the work contemplated under this Agreement, all in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any acts amendatory thereof, and Employer's Liability Coverage in amounts indicated herein. Consultant shall require all subconsultants to obtain and maintain, for the period required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the Commission and in an amount indicated herein. This insurance shall be endorsed to include contractual liability applicable to this Agreement and shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Minimum Policy Limits Required

(i) The following insurance limits are required for the Agreement:

Combined Single Limit

Commercial General Liability	\$1,000,000 per occurrence/ \$2,000,000 aggregate for bodily injury, personal injury, and property damage
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Automobile Liability	\$1,000,000 per occurrence for bodily injury and property damage
Employer's Liability	\$1,000,000 per occurrence
Professional Liability	\$1,000,000 per claim and aggregate (errors and omissions)

(ii) Defense costs shall be payable in addition to the limits.

(iii) Requirements of specific coverage or limits contained in this section are not intended as a limitation on coverage, limits, or other requirement, or a waiver of any coverage normally provided by any insurance. Any available coverage shall be provided to the parties required to be named as Additional Insured pursuant to this Agreement.

f. Evidence Required

Prior to execution of the Agreement, the Consultant shall file with the Commission evidence of insurance from an insurer or insurers certifying to the coverage of all insurance required herein. Such evidence shall include original copies of the ISO CG 00 01 (or insurer's equivalent) signed by the insurer's representative and Certificate of Insurance (Acord Form 25-S or equivalent), together with required endorsements. All evidence of insurance shall be signed by a properly authorized officer, agent, or qualified representative of the insurer and shall certify the names of the insured, any additional insureds, where appropriate, the type and amount of the insurance, the location and operations to which the insurance applies, and the expiration date of such insurance.

g. Policy Provisions Required

(i) Consultant shall provide the Commission at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the Consultant shall provide at least ten (10) days prior written notice of cancellation of any such policy due to non-payment of premium. If any of the required coverage is cancelled or expires during the term of this Agreement, the Consultant shall deliver renewal certificate(s) including the General Liability Additional Insured Endorsement to the Commission at least ten (10) days prior to the effective date of cancellation or expiration.

(ii) The Commercial General Liability Policy and Automobile Policy shall each contain a provision stating that Consultant's policy is primary insurance and that any insurance, self-insurance or other coverage maintained by the Commission or any named insureds shall not be called upon to contribute to any loss.

(iii) The retroactive date (if any) of each policy is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the work under this Agreement. Consultant shall purchase a one (1) year extended reporting period A) if the retroactive date is advanced past the effective date of this Agreement; B) if the policy is cancelled or not renewed; or C) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement.

(iv) All required insurance coverages, except for the professional liability coverage, shall contain or be endorsed to waiver of subrogation in favor of the Commission, its officials, officers, employees, agents, and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against Commission, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(v) The limits set forth herein shall apply separately to each insured against whom claims are made or suits are brought, except with respect to the limits of liability. Further the limits set forth herein shall not be construed to relieve the Consultant from liability in excess of such coverage, nor shall it limit the Consultant's indemnification obligations to the Commission and shall not preclude the Commission from taking such other actions available to the Commission under other provisions of the Agreement or law.

h. Qualifying Insurers

(i) All policies required shall be issued by acceptable insurance companies, as determined by the Commission, which satisfy the following minimum requirements:

(1) Each such policy shall be from a company or companies with a current A.M. Best's rating of no less than A:VII and admitted to transact in the business of insurance in the State of California, or otherwise allowed to place insurance through surplus line brokers under applicable provisions of the California Insurance Code or any federal law.

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Commission, is not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Commission has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Commission will be promptly reimbursed by Consultant or Commission will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Commission may cancel this Agreement.

(iii) The Commission may require the Consultant to provide complete copies of all insurance policies in effect for the duration of the Project.

(iv) Neither the Commission nor any of its officials, officers, employees, agents or volunteers shall be personally responsible for any liability arising under or by virtue of this Agreement.

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Commission that they have secured all insurance required under

this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Commission as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, Commission may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
October 11, 2018  
Item No. 10 (Business Item)

**TO:** Marin Commissioners  
**FROM:** Mala Subramanian, General Counsel  
**SUBJECT:** **Reaffirmation of Personnel Policies**

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## Background

In September 2013, the Commission approved Personnel Policies. The Commission adopted a new Policy Handbook on June 9, 2016.

## Discussion

When the Commission adopted the new Policy Handbook, it did so by motion. There was some question as to whether the new Policy Handbook superseded the 2013 Personnel Policies. It was not the intent of the Commission to terminate the 2013 Personnel Policies. Therefore, out of an abundance of caution, we have brought this agenda item for the Commission to reaffirm the 2013 Personnel Policies. At a later date, we will bring back a comprehensive update to the Personnel Policies.

## Recommendation

Reaffirm the 2013 Personnel Policies.

### Attachment:

1. Personnel Policies

#### Administrative Office

Jason Fried, Interim 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  
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Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Jack Baker, Regular  
North Marin Water District

Lew Kious, Alternate  
Almonte Sanitary District

Vacant, Public  
Public Member

Chris Skelton, Alternate  
Public Member

## **Section 8. Personnel Policies**

### **Equal Employment Opportunity Policy**

#### **A. Purpose**

The purpose of this policy is to comply with Federal and State law with regard to Equal Employment Opportunity (EEO) in the workplace, and to establish reporting procedures and disciplinary sanctions for violators of the Commission's EEO policy.

#### **B. Equal Employment Opportunity Policy**

Marin LAFCO is committed to equal employment opportunity and will evaluate each application and employee on the basis of personal skill and merit. The Commission does not discriminate based on an individual's race, sex, religion, color, national origin, ancestry, physical or mental disability, medical condition, marital status, sexual orientation, age, or any other basis prohibited by law. This policy governs all aspects of employment, including hiring, assignments, training, promotions, compensation, employee benefits, employee discipline and discharge, and all other terms and conditions of employment. Marin LAFCO will reasonably accommodate an individual's physical or mental disability in accordance with its legal obligations.

#### **C. Complaint Procedure**

Any employee who believes that he or she has been subjected to unlawful discrimination, or who has observed or has become aware of unlawful discrimination, should immediately report the incident to the Executive Officer. If, for some reason, the employee feels uncomfortable about making a report to the Executive Officer, the report should be made to the Chair of the Commission.

The Executive Officer or a person designated by the Commission shall promptly investigate any such report of discrimination and after completing his or her investigation, shall report the findings to the Commission with recommendation for corrective action, if appropriate.

The investigator will document all matters related to complaints of alleged discrimination, including the contents of meetings, interviews, results of investigations, and all other actions attendant to the allegations. All documentation must be maintained for all charges, substantiated and unsubstantiated, in CONFIDENTIAL SEALED INVESTIGATION FILES, in the Commission's personnel office.

#### **D. New Employees Shall Not Be Related to Current Employees or Commission Members**

To the extent permitted by law, the policy of the Commission is that new employees shall not be related to current employees or Commission members. At the time a person is applying for a position with the Commission, the person must identify any individual who is a close relative employed by the Commission. A close relative is defined as mother, father, stepmother, stepfather, father-in-law, mother-in-law, husband, wife, child, stepchild, brother, sister, brother-in-law, and sister-in-law.

#### **E. Working Conditions**

##### **1. Purpose**

State and Federal laws mandate that employees have a right to work in an environment that is free from all forms of unlawful discrimination, including harassment. Harassment on the basis of an individual's race, color, sex, religion, sexual orientation, age, national origin, ancestry, citizenship, marital status, and physical or mental disability is a form of discrimination that is prohibited by federal and state law. Commission employees have a personal responsibility for maintaining high standards of honesty, integrity, impartiality, and conduct to assure proper performance of the Commission's business. The policy of Marin LAFCO is that unlawful harassment is unacceptable and will not be tolerated.

##### **2. Scope of Policies Governing Employment and Working Conditions**

This policy applies to all employees, volunteers and Commissioners of Marin LAFCO, and it governs their conduct toward each other and toward all members of the public with whom they come in contact because of their position.

##### **3. General Harassment Policy**

Each individual has the right to work in a professional atmosphere that promotes equal opportunity and prohibits discriminatory practices, including sexual and other forms of prohibited harassment. Such

prohibited harassment is unacceptable and will not be tolerated. Marin LAFCO prohibits the harassment of any of its employees based on an individual's race, religion, color, gender, age, national origin, ancestry, marital status, medical condition, sexual orientation, or physical and mental disability, regardless of whether that harassment is targeted specifically to the employee. Prohibited harassment may include, but is not limited to, epithets, slurs, derogatory comments or jokes, intimidation, negative stereotyping, threats, assault or any physical interference with the employee's normal work or movement, directed at an employee because of their race, religion, color, gender, age, national origin, ancestry, marital status, medical condition, sexual orientation, or physical and mental disability. Harassment may also include written or graphic material placed on walls, bulletin boards or elsewhere on Marin LAFCO premises or circulated in the workplace that denigrates, shows hostility or aversion towards an individual or group because of the characteristics identified above. Whether or not the offending employee means to offend or believed his or her comments or conduct were welcome is not significant. Rather, the Commission's policy is violated when other employees, whether recipients or mere observers, are in fact offended by comments or conduct which are based on race, religion, color, gender, age, national origin, ancestry, marital status, medical condition, sexual orientation or disability.

#### **4. Sexual Harassment**

Marin LAFCO is committed to provide a workplace free of sexual harassment. Sexual harassment is defined as unwelcome sexual conduct of any nature that creates an offensive or hostile work environment or unwelcome sexual conduct that is made a condition of working at LAFCO.

Prohibited sexual harassment includes unwelcome sexual conduct such as:

- Verbal harassment (e.g., sexual requests, comments, jokes, slurs);
- Physical harassment (e.g., touching, kissing) and;
- Visual harassment (e.g., posters, cartoons or drawings of a sexual nature.)

The Commission's policy rests on the fundamental precept that each employee must treat all others with respect, dignity and professionalism.



Deviation from that standard will not be tolerated. Whether or not the offending employee meant to offend, or believed his or her comments or conduct were welcome, is not significant. Rather, the policy is violated when other employees, whether recipients or mere observers, are in fact offended by comments or conduct which are sexual in nature.

## **5. Complaint Procedure**

Any employee who believes that he or she is the victim of harassment, or who has observed or has become aware of harassment, should immediately report the incident to the Executive Officer. If for some reason the employee feels uncomfortable about making a report to the Executive Officer, the report should be made to the Chair of the Commission.

The Executive Officer or a person designated by the Commission shall promptly investigate any such report of harassment and after completing his or her investigation, shall report the findings to the Commission with recommendation for corrective action, if appropriate.

In the event that the Commission's investigation of the alleged incident of harassment fails to substantiate that a violation of the Policies Governing Employment and Working Conditions occurred, management will inform both the employee and the complaining party that a thorough investigation has been conducted and that there exists no grounds or basis to substantiate the alleged claim.

In the event that the Commission's investigation reveals that an employee has engaged in actions or conduct in violation of this Policy, disciplinary action will be taken up to and including immediate termination depending upon the seriousness of the violation. Disciplinary action may range from written warnings, suspensions, demotion, discharge, etc., or a combination of actions. Following an investigation sustaining an allegation of harassment and the completion of appropriate corrective measures, the Executive Officer will advise the complaining party that a thorough investigation has been conducted and that appropriate corrective action has been taken by management.

## **6. Confidentiality of Personnel Files**

California State law states that personnel files shall be kept private and confidential and that no one without a legitimate business reason to do so shall have access to these files without consent from the individual. The

Executive Officer and his/her designated staff shall be the only persons allowed to access any individual's file without permission from the individual. Said personnel files shall be kept in a locked file at all times.

## **F. Employment Status**

### **1. Pre-Employment Physical Examination**

All offers of employment may be conditioned upon the certification of a qualified physician that the applicant is qualified to do the type of work required by the position being applied for. The Commission may also require an applicant being offered a job to submit to drug screening and, in that case, the offer of employment is contingent upon a negative drug screen result.

### **2. Probationary Period**

The first six months of employment is considered a probationary period. During this time, the Executive Officer will closely monitor a new employee's performance, and may dismiss the employee for any reason. Continued employment with the Commission is contingent on the successful completion of this probationary period. The Executive Officer's decision to release an employee from probation is not subject to appeal and is not subject to the grievance processes set forth in Chapter II, Section 8.J of these Policies, Procedures and Guidelines.

### **3. Employment Categories**

Each employee of the Commission is categorized as full-time or part-time, and as exempt or non-exempt.

#### *a. Full-Time/Part-Time*

Full-time employees are regularly scheduled to work 37.5 hours or more per week. Part-time employees are regularly scheduled to work fewer than 37.5 hours per week.

#### *b. Exempt/Non-Exempt*

Each employee will be informed when hired whether he or she is considered a non-exempt or exempt employee under the Fair Labor Standards Act. These categories refer to whether the employee is eligible for FLSA overtime pay. The EXEMPT category applies to

certain administrative, professional and executive staff. The NON-EXEMPT category applies to all other employees. Non-exempt employees receive extra pay for overtime work. Exempt employees' salaries already take into account that they sometimes work additional hours.

#### **4. Personal Data**

All employees must promptly notify the Commission of any changes in personal data. Personal mailing addresses, telephone numbers, number and names of dependents, beneficiaries, tax-withholding information, individuals to be contacted in the event of an emergency, and educational accomplishments. Such data must be accurate and current at all times. The Commission will maintain the confidentiality of such information in accordance with its legal obligations.

#### **5. Performance Reviews**

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Ongoing discussions between supervisors and employees about job duties, performance, and the work environment furthers employees' satisfaction with the Commission and the Commission's satisfaction with employees. A formal performance evaluation will be conducted after six months of employment and annually thereafter. The performance review will be the primary determinant of merit-based pay adjustments as recommended by the Executive Officer granted by the Commission.

### **G. Compensation and Benefits**

Compensation and benefits for the Commission's Executive Officer shall be specified in an employment agreement. The employment agreement shall be authorized by action of the Commission and signed by the Executive Officer and shall further define the Executive Officer's duties and terms and conditions of his or her employment.

The County of Marin provides payroll and benefits administration services for Commission employees. Commission employees participate in standard benefit programs offered by the County to County employees. For purposes of equity and administrative convenience, it is the intention of the Commission to provide its employees with pay and benefits directly comparable to equivalent positions in the County's employment classification system and to adopt the policies and procedures for accrual and use of annual leave and annual performance review

adopted by the County of Marin. A copy of the applicable policies and procedures as published by the County of Marin for its employees is attached to this document and incorporated herein as Attachment 2.

LAFCO shall specify the number and classification of all positions. A position description specifying duties and responsibilities for each classification position will be approved by LAFCO; each LAFCO position will be linked by the Commission to a comparable or similar classification within the Marin County classification plan for purposes of determining compensation and benefits.

All changes approved by the County Board of Supervisors for county employees in comparable positions may be reviewed and considered by LAFCO for its employees. Unless otherwise specified by LAFCO policy, employees of LAFCO shall receive compensation and benefits available to employees of Marin County in comparable classifications.

## **H. Work Environment**

### **1. Workplace Violence**

#### **a. Workplace Violence Prohibition**

The Commission is committed to providing a workplace that is free of threats or acts of violence and to protecting its employees from such conduct on its premises. The Commission prohibits any employee from engaging in behavior that is violent, threatening or intimidating, while on duty or on Commission business. This policy applies to all employees, including management and non-supervisory staff. The Commission will not tolerate employees who make threats, engage in threatening behavior, or commit acts of violence against others. Such behavior will be subject to disciplinary action up to and including termination. In addition, the Commission is committed to preventing violent or threatening behavior on its premises by non-employees, such as visitors, guests, customers, or family members of its employees.

#### **b. Prohibited Conduct**

This policy prohibits not only physically violent behavior, but also behavior that is threatening, harassing or intimidating. Prohibited behavior includes, but is not limited to:

- Possession of firearms, explosives, weapons such as knives, or any other hazardous or dangerous devices on any employer property or at any organization function, whether on or off premises. Additionally, use of any item as a weapon is prohibited.
- Disorderly conduct on Commission premises, including fighting, inciting/provoking another to fight, battery, attempted bodily injury, or physically abusing any employee or visitor.
- Using abusive or threatening language, coercing, threatening or otherwise harassing any employee or visitor.
- Actual or threatened physical violence towards another employee or visitor.

### c. **Policy and Response Guidelines**

All employees are responsible for reporting any incident involving threats or acts of violence immediately to their supervisor. The matter will be investigated and any appropriate corrective action taken. Violations of this policy will lead to disciplinary action, up to and including immediate dismissal.

## 2. **Non-fraternization Policy**

The Commission is committed to fostering a professional work environment where all employees are treated fairly and impartially by their supervisors. Intimate personal relationships between supervisors and subordinates may result in workplace problems, such as a lack of objectivity in supervising and evaluating employees, the perception of favoritism by other employees (whether justified or not), and the potential for sexual harassment claims if a relationship ends. Therefore, supervisors are prohibited from dating, engaging in amorous relationships with, or participating in sexual relations with employees who report to them, either directly or indirectly. Employees who violate this policy will be subject to discipline, up to and including termination of employment.

## 3. **Personal Conduct and Appearance**

Employees of the Marin LAFCO are encouraged to wear standard business attire as commonly accepted for our region of California, as they are representatives of the Commission.

#### **4. Use of Telephone**

The Commission's telephone system is designed and intended for business use. Employees are expected to limit all personal calls so as not to interfere with work. Employees are required to reimburse the Commission for any special charges for personal telephone calls.

#### **5. Information Systems/Electronic Mail (E-Mail)**

The computer and other electronic communications and information systems of the Commission, including voice mail, electronic mail and access to the Internet, are the property of the Commission and should be used for business purposes only. Although employees have passwords that restrict access to their voice mail and computers, the Commission may access any files, voice mail, or e-mail messages stored on or deleted from the computer system or voice mail system. The Commission reserves the right to access such information and to monitor on-line activities. Although the Commission reserves the right to access such information, employees are strictly prohibited from accessing another employee's personal voice mail or e-mail messages without the latter's express permission. In addition, the voice mail and e-mail systems are not to be used in a way that may be disruptive or offensive to others. For example, the Commission prohibits the display or transmission of sexually explicit images, messages, or cartoons, or any transmission or use of voice mail, e-mail or Internet communications that contain ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion or political beliefs. Nor may employees use the Internet, voice mail or e-mail system to solicit or proselytize others for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations. E-mail messages are official internal Commission communications, subject to summons in legal proceedings. Copyrights and restrictions that pertain to outside materials and trade secrets shall be respected, and employees are prohibited from the unauthorized downloading of software or other copyrighted materials.

### **I. Employee Conduct**

#### **1. Standards of Conduct**

The Commission prides itself on a friendly and flexible environment. As in other organizations, however, order and discipline are essential to the Commission's ability to provide excellent service to the public and other

public agencies. Employees are expected to comply with basic standards of conduct and professionalism in the workplace and while conducting Commission business. Although it is impossible to provide a complete list of conduct that is not tolerated at the Commission, the following are examples:

- Unsatisfactory job performance. • Poor attitude and/or behavior (for example, rudeness or lack of cooperation).
- Excessive absenteeism or tardiness, or an unacceptable pattern of absences.
- Insubordination.
- Dishonesty.
- Use of the Commission's name or letterhead for personal business.
- Harassing, including sexually harassing, employees, customers, clients or other persons with whom the Commission has a business relationship.
- Theft, unauthorized possession or removal of property belonging to the Commission, fellow employees, customers, clients or other persons with whom the Commission has a business relationship.
- Engaging in behavior that is threatening, physically aggressive or violent.
- Failure or refusal to cooperate in or interference with an internal Commission investigation.
- Possession, distribution, sale or use, or being under the influence of, illegal drugs while on Commission property or Commission business.
- Violation of Commission policy.

## **2. Attendance and Punctuality**

To maintain a productive work environment, the Commission expects employees to be reliable and punctual in reporting for work at their regularly scheduled start time. Absenteeism and tardiness place a burden on other employees and on the Commission. Excessive absenteeism or an



inappropriate pattern of absences can lead to disciplinary action, up to and including termination.

### **3. Drug and Alcohol Use**

The presence or use of illegal drugs or unauthorized alcohol on Commission premises will not be tolerated. Illegal drugs, as referred to in this policy, include drugs that are not legally obtainable, as well as drugs that are legally obtainable but used for illegal or unauthorized purposes. The sale, purchase, transfer, distribution, use or possession of illegal drugs, as defined above, by anyone on Commission premises is prohibited. Moreover, employees are prohibited from reporting to work under the influence of alcohol or illegal drugs.

### **4. Outside Employment**

No Commission employee shall be permitted to accept employment in addition to or outside of Commission service if: a) The additional or outside employment leads to a conflict, or potential conflict of interest for said employee; or b) The additional or outside employment interferes with the employee's ability to perform his/her Commission job; or c) The nature of the additional or outside employment is such that it will reflect unfavorably on the Commission.

The duties to be performed in the additional or outside employment shall not be accomplished with the use of Commission records, materials, equipment, facilities or other Commission resources.

### **5. Outside Inquiries/Employee References**

All outside inquiries regarding employment references for current or former Commission employees must be directed to the Executive Officer. "Off the record" comments are strictly prohibited. The Commission will release only an employee's job title, salary and dates of employment to third parties unless the employee signs a written authorization to disclose further information about his/her employment. All media inquiries regarding the Commission should be referred to the Executive Officer.

### **6. Leaving the Commission**

The Commission shall provide employees written notice two weeks in advance of any action that terminates his or her employment with the Commission.



Although advance notice is not required of employees, the Commission requests two weeks' notice if an employee intends to resign. An employee's consideration in this regard will enable the Commission to arrange for a replacement and assist in the smooth transition of responsibilities. An employee may be asked at the time he or she leaves the Commission to provide an evaluation of the employee's employment with the Commission ("exit interview"). The Commission hopes that this constructive exchange will help it identify any areas that need further attention to provide the best possible work environment.

## **J. Grievance Procedure**

### **1. Scope of Grievance Procedure Policy**

This policy shall apply to all regular employees in all classifications.

### **2. Purpose of Grievance Procedure Policy**

The purpose of this policy is to provide a procedure by which employees may formally claim that he/she has been affected by a violation, misapplication, or misinterpretation of these Policies and may appeal disciplinary action as provided for in Policy No. P 119.

### **3. Exclusions**

Specifically excluded from the grievance procedure are subjects involving the amendment of state or federal law and Commission resolutions. Also specifically excluded from this grievance procedure are complaints of discrimination and harassment which are covered by Personnel Policies Nos. P 103.01-103.06.

### **4. Grievance Procedure Steps**

#### **a. Level I, Preliminary Informal Resolution**

Any employee who believes he/she has a grievance shall present the evidence thereof orally to the Executive Officer within five (5) working days after the employee knew, or reasonably should have known, of the circumstances which form the basis for the alleged grievance. The Executive Officer shall hold discussions and attempt to resolve the matter within three (3) working days after the presentation of such evidence. The Executive Officer shall document the informal meeting including the outcome and provide

a copy to the employee and the Chair of the Commission, as appropriate.

**b. Level II, Appeal of Grievance to the Commission**

If the grievance has not been resolved at the Level I, the grievant must present his/her grievance in writing on a form provided for this purpose (attached hereto as Attachment 3) to the Chairman of the Commission and to the Executive Officer within three (3) working days after the date of the Executive Officer's response to the Level I grievance process.

**5. Procedure**

Upon receiving a written appeal of a grievance from an employee, the Executive Officer shall place the matter on the agenda of the next available Commission agenda. The Commission shall convene in executive session to review the written grievance submittal and determine how the grievance will be addressed. In making this determination, the Commission may direct one of the following procedures:

- a. The Commission will meet in executive session to investigate the grievance, determine what corrective actions, if any, will be required to address the grievance and provide written documentation of its actions;
- b. Appoint a subcommittee of one, two or three of its members to investigate the grievance. The subcommittee will determine what corrective actions, if any, should be taken to address the grievance, provide written documentation of its meetings and report its recommendations to the Commission for action by the Commission in closed session;
- c. Retain or request the voluntary participation of an independent hearing officer. The independent hearing officer shall will recommend what corrective actions, if any, should be taken to address the grievance, provide written documentation of its meetings and report its recommendations to the Commission for action by the Commission in closed session; or

Take other steps that the Commission deems necessary and appropriate to address the written grievance.

## 6. Procedural Rules

- a. If an employee does not present the grievance, or does not appeal the decision rendered regarding the grievance within the time limits specified above, the grievance shall be considered resolved.
- b. By agreement in writing, the grievant and the Executive Officer may extend any time limitations on steps of the grievance procedure.
- c. A copy of all formal grievance decisions shall be retained in the Commission grievance file.
- d. The employee filing a grievance is obligated to participate in good faith in the grievance procedure. If the employee filing the grievance does not participate in good faith, the grievance shall be considered resolved.

## K. Disciplinary Actions

### 1. Types of Disciplinary Actions

The following are types of actions that may be utilized by the Executive Officer in disciplining employees. The specific type of disciplinary action taken is a decision made by the Executive Officer based on the severity of the employee's actions.

- a. **Oral Reprimand:** A formal discussion with an employee about performance or conduct problems. This action preferably is summarized by a memo to the employee outlining the nature of the discussion. An oral reprimand is not subject to the grievance process set forth in Policy P 118.
- b. **Written Reprimand:** A written document presented to an employee regarding performance or conduct problems. A copy must be provided to the employee with a copy being placed in the employee's personnel file. A written reprimand is not subject to the grievance process set forth in Policy P 118.
- c. **Disciplinary Suspension:** An involuntary absence without pay for a fixed period of time.
- d. **Reduction in pay:** A reduction in pay for a fixed or indefinite period of time.

- e. **Termination:** Discharge or removal from Commission service.
- f. **Administrative Leave:** An employee may be placed on administrative leave with pay immediately in an emergency situation or when the seriousness of a matter warrants such action pending the proper disciplinary process.

## 2. **Reasons for Reprimand, Suspension or Termination**

An employee's failure to meet the standards of employee conduct set forth in these Policies, Procedures and Guidelines will result in disciplinary action up to and including termination.

## 3. **Pre-Disciplinary Notice and Meeting**

Prior to suspending, reducing the pay of, or terminating an employee who has completed his or her probationary period, the Executive Officer shall provide the employee with a written notice of the proposed disciplinary action, a statement of the charges and reasons supporting the proposed disciplinary action and copies of the materials upon which the proposed action is based. Within five working days, the Executive Officer shall provide the employee with the opportunity to respond in person or verbally to the proposed discipline as to why the proposed disciplinary action should not be taken. After considering the response provided by the employee, the Executive Officer shall proceed with the proposed disciplinary action or modification thereof.

## 4. **Disciplinary Appeal**

An employee may appeal a suspension, reduction in pay or termination to the Commission by presenting the appeal in writing on a form provided for this purpose (attached hereto as Attachment 4) to the Chair of the Commission within three working days after receipt of the Executive Officer's notice of final disciplinary action. The Commission shall then hear the appeal in accordance with the procedures set forth in the Commission's Level II Grievance Procedure. The decision of the Commission shall be final.

## L. **Layoff - Authorization**

The Commission may lay off any employee because of lack of appropriate funds, curtailment or lack of work, changes in duties or organization, abolition of position or other reasons. When reduction of personnel is necessary, the criteria

for determining employees to be laid off shall be consideration of the work and administrative needs of the Commission as determined by the Executive Officer. Within a classification to be reduced, employees shall be laid off in the following order: (1) temporary employees, (2) part-time employees and then (3) full-time employees.

## **Section 9. Records Retention**

### **A. Purpose**

The purpose of this policy is to specify retention periods for compliance with Government Code Section 56382 and to define time limits for retention of records not addressed in Government Code Section 56382.

### **B. Records Retention Schedule**

The various forms of records created and received by Marin LAFCO shall be retained for minimum time periods as specified in Appendix A. Records extending beyond time periods specified in Appendix A will be subject to disposal.



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Executive Officer Report – Section A

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Last Budget Update for FY 2017-2018**

The Commission will review a report on the FY 2017 – 2018 budget. Marin LAFCo finishes the fiscal year with a surplus of \$115,841.79.

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### Background

Marin LAFCo's (LAFCo) adopted -budget for FY 2017-2018 totals \$556,781. This amount represents the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; administrative activities; and services and supplies. A purposeful operating deficit of (\$10,000) was budgeted with setting annual revenues at \$546,781 in step with the phasing of corresponding contribution increases among the funding agencies in recent years.

Budgeted revenues are divided between three active units: intergovernmental contributions, service charges, and investments. The Commission's estimated unaudited fund balance as of June 30, 2018 is \$115,841.79. While working to finalize the FY 2017-2018 budget LAFCo bookkeeper noticed 2 individual items, totaling about \$1,300, that need to be rectified before the books can be closed. Once those have been resolved LAFCo bookkeeper will close the books, and staff will inform our independent auditor to start the audit process of the FY 2017-2018 records. Attached is a budget report for FY 2017-2018.

### Attachment:

- 1) FY 2017-2018 Accrual as of 6/30/18

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#### Administrative Office

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Town of Corte Madera

Matthew Brown, Alternate  
City of San Anselmo

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Jack Baker, Regular  
North Marin Water District

Lew Kiou, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

**Marin Local Agency Formation Commission  
2017/18 BUDGET REPORT**

July 2017 through June 2018

	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
4410125 · Interest Earnings	2,852.80	2,000.00	852.80	142.6%
4640333 · Application Fees	17,243.31	30,000.00	-12,756.69	57.5%
4710510 · Agency Contributions	514,780.60	514,781.10	-0.50	100.0%
<b>Total Income</b>	<b>534,876.71</b>	<b>546,781.10</b>	<b>-11,904.39</b>	<b>97.8%</b>
<b>Expense</b>				
<b>511000 · Salary and Benefit Costs</b>				
5110110 · Sal - Regular Staff	101,831.97	265,913.14	-164,081.17	38.3%
5110210 · Salaries - Extra Hire	13,050.07	0.00	13,050.07	100.0%
5110313 · Holiday Pay	3,975.68	0.00	3,975.68	100.0%
5110323 · Sick Leave	3,050.37	0.00	3,050.37	100.0%
5110324 · Vacation Leave	6,302.28	0.00	6,302.28	100.0%
5110328 · Personal Leave	2,376.56	0.00	2,376.56	100.0%
5110335 · VacationPayout	26,123.14	0.00	26,123.14	100.0%
<b>5130120 · County of Marin - Group Health</b>				
5130110 · Ben-Med-GrpLifelnur	23.60	0.00	23.60	100.0%
5130210 · Dental Insurance	548.77	0.00	548.77	100.0%
5130310 · Vision Service Plan	61.38	0.00	61.38	100.0%
5130410 · Benefits - Disability Plan	217.53	0.00	217.53	100.0%
5130524 · Benefits - Fringe Retirement	1,238.36	0.00	1,238.36	100.0%
5130120 · County of Marin - Group Health - Other	10,761.61	32,312.65	-21,551.04	33.3%
<b>Total 5130120 · County of Marin - Group Health</b>	<b>12,851.25</b>	<b>32,312.65</b>	<b>-19,461.40</b>	<b>39.8%</b>
<b>5130500 · MCERA / Pension</b>				
5130520 · Co Ret Cont Tier III	5,186.38	0.00	5,186.38	100.0%
5130524 · Co Ret Cont Tier IV	7,679.48	0.00	7,679.48	100.0%
5130500 · MCERA / Pension - Other	0.00	37,561.07	-37,561.07	0.0%
<b>Total 5130500 · MCERA / Pension</b>	<b>12,865.86</b>	<b>37,561.07</b>	<b>-24,695.21</b>	<b>34.3%</b>
<b>5130825 · CalPERS - Retiree Health</b>				
5140115 · Workers Compensation	19,703.33	15,615.00	4,088.33	126.2%
5140140 · Payroll Tax	7,780.98	1,744.21	6,036.77	446.1%
5140145 · Unemployment Insurance	3,306.06	3,887.46	-581.40	85.0%
	172.77	3,605.00	-3,432.23	4.8%
<b>Total 511000 · Salary and Benefit Costs</b>	<b>213,390.32</b>	<b>360,638.53</b>	<b>-147,248.21</b>	<b>59.2%</b>
<b>5210000 · Professional Services</b>				
5210110 · Professional Services	54,161.39	30,680.00	23,481.39	176.5%
5210129 · Graphic Design	22,701.51	11,613.00	11,088.51	195.5%
5210131 · Legal Services	9,229.40	35,880.00	-26,650.60	25.7%
5210525 · General Insurance	3,993.39	3,993.39	0.00	100.0%
5210710 · Communications Services	12,115.13	8,236.00	3,879.13	147.1%
5210935 · Office Equipment Purchases	20,719.83	23,066.00	-2,346.17	89.8%
5211215 · Rent - Storage	387.09	400.94	-13.85	96.5%
5211270 · Office Lease/Rent	31,794.58	31,252.75	541.83	101.7%
5211325 · Conferences	3,775.12	2,965.00	810.12	127.3%
5211330 · Memberships & Dues	26,830.00	14,558.00	12,272.00	184.3%
5211340 · Training	1,350.00	1,250.00	100.00	108.0%
5211440 · Travel - Mileage	773.39	4,538.50	-3,765.11	17.0%
5211510 · Misc Services	972.75	1,961.00	-988.25	49.6%
5211520 · Publications/Notices	3,025.10	5,000.00	-1,974.90	60.5%
5211533 · Commissioner Per Diems	11,125.00	11,000.00	125.00	101.1%
5220110 · Office Supplies	2,690.92	4,200.00	-1,509.08	64.1%
<b>Total Expense</b>	<b>419,034.92</b>	<b>551,231.11</b>	<b>-132,196.19</b>	<b>76.0%</b>
<b>Net Income</b>	<b>115,841.79</b>	<b>-4,450.01</b>	<b>120,291.80</b>	<b>-2,603.2%</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Executive Officer Report – Section B

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT:** **Budget Update for FY 2018-2019**

The Commission will review a report on the FY 2018 – 2019 budget. Marin LAFCo has spent \$116,765.52 through September 30<sup>th</sup>, 2018.

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### Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2018-2019 totaling \$601,875. This amount represents the total approved operating expenditures for the fiscal year divided between three active expense units: salaries and benefits; administrative activities; and services and supplies. A purposeful operating deficit of (\$10,000) was budgeted with setting annual revenues at \$591,875 in step with the phasing of corresponding contribution increases among the funding agencies in recent years. Budgeted revenues are divided between three active units: intergovernmental contributions, service charges, and investments.

LAFCo is budgeted to receive \$559,875 from the contributing agencies. To date, LAFCo has received \$538,235.45 or 96.1% of funds from contributing agencies. Staff will work to get the outstanding contributing agencies to submit funds.

From July 1<sup>st</sup>, 2018 through September 30<sup>th</sup>, 2018 LAFCo has spent \$116,765.52 or about 20% of the FY 2018 - 2019 budget so far this year.

Staff will also be working with the Budget and Work Plan Committee to make line item adjustments to the current budget. The main purpose is to deal with the fact that so far, this year, we have not had payroll staff but contract staff, so we have spent 0% of our staff allocation but have already spent 266.1% of our professional services line item.

Attached is the budget report for FY 2018-2019.

#### Attachment:

- 1) FY 2018-2019 Accrual as of 9/30/18

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Jack Baker, Regular  
North Marin Water District

Lew Kiou, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member



## Marin Local Agency Formation Commission

## 2018/19 BUDGET REPORT

09/28/18

July 2018 through June 2019

Accrual Basis

	Jul '18 - Jun 19	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
4410125 · Interest Earnings	0.00	2,000.00	-2,000.00	0.0%
4640333 · Application Fees	5,576.00	30,000.00	-24,424.00	18.6%
4710510 · Agency Contributions	538,235.45	559,875.00	-21,639.55	96.1%
<b>Total Income</b>	<b>543,811.45</b>	<b>591,875.00</b>	<b>-48,063.55</b>	<b>91.9%</b>
<b>Expense</b>				
5111000 · Salary and Benefit Costs				
5110110 · Sal - Regular Staff	0.00	328,449.00	-328,449.00	0.0%
5130120 · County of Marin - Group Health				
5130121 · Health Insurance	0.00	28,524.00	-28,524.00	0.0%
5130210 · Dental Insurance	0.00	3,114.00	-3,114.00	0.0%
5130310 · Vision Service Plan	0.00	345.00	-345.00	0.0%
5130410 · Benefits - Disability Plan	0.00	330.00	-330.00	0.0%
<b>Total 5130120 · County of Marin - Group Health</b>	<b>0.00</b>	<b>32,313.00</b>	<b>-32,313.00</b>	<b>0.0%</b>
5130500 · MCERA / Pension				
5130522 · MCERA Pension	0.00	23,901.00	-23,901.00	0.0%
<b>Total 5130500 · MCERA / Pension</b>	<b>0.00</b>	<b>23,901.00</b>	<b>-23,901.00</b>	<b>0.0%</b>
5130525 · CalPERS - Retiree Health				
5140115 · Workers Compensation	1,383.87	15,615.00	-14,231.13	8.9%
5140140 · Payroll Tax	0.00	1,965.00	-1,965.00	0.0%
5140145 · Unemployment Insurance	-99.12	3,131.00	-3,230.12	-3.2%
5140145 · Unemployment Insurance	0.00	3,713.00	-3,713.00	0.0%
<b>Total 5111000 · Salary and Benefit Costs</b>	<b>1,284.75</b>	<b>409,087.00</b>	<b>-407,802.25</b>	<b>0.3%</b>
5210110 · Professional Services				
5210110 · Professional Services	81,629.21	30,680.00	50,949.21	266.1%
5210129 · Graphic Design				
5210129 · Graphic Design	0.00	11,613.00	-11,613.00	0.0%
5210131 · Legal Services				
5210131 · Legal Services	19,495.43	40,500.00	-21,004.57	48.1%
5210230 · Support Services				
5210230 · Support Services	0.00	6,438.00	-6,438.00	0.0%
5210525 · General Insurance				
5210525 · General Insurance	0.00	3,993.00	-3,993.00	0.0%
5210710 · Communications Services				
5210710 · Communications Services	2,754.70	8,608.00	-5,853.30	32.0%
5210935 · Office Equipment Purchases				
5210935 · Office Equipment Purchases	1,694.74	4,620.00	-2,925.26	36.7%
5211215 · Rent - Storage				
5211215 · Rent - Storage	105.57	401.00	-295.43	26.3%
5211270 · Office Lease/Rent				
5211270 · Office Lease/Rent	5,277.64	34,652.00	-29,374.36	15.2%
5211325 · Conferences				
5211325 · Conferences	1,762.96	2,965.00	-1,202.04	59.5%
5211330 · Memberships & Dues				
5211330 · Memberships & Dues	0.00	14,734.00	-14,734.00	0.0%
5211340 · Training				
5211340 · Training	0.00	1,500.00	-1,500.00	0.0%
5211440 · Travel - Mileage				
5211440 · Travel - Mileage	0.00	7,239.00	-7,239.00	0.0%
5211510 · Misc Services				
5211510 · Misc Services	0.00	2,045.00	-2,045.00	0.0%
5211520 · Publications/Notices				
5211520 · Publications/Notices	164.39	5,000.00	-4,835.61	3.3%
5211533 · Commissioner Per Diems				
5211533 · Commissioner Per Diems	2,125.00	13,500.00	-11,375.00	15.7%
5220110 · Office Supplies				
5220110 · Office Supplies	471.13	4,300.00	-3,828.87	11.0%
<b>Total Expense</b>	<b>116,765.52</b>	<b>601,875.00</b>	<b>-485,109.48</b>	<b>19.4%</b>
<b>Net Income</b>	<b>427,045.93</b>	<b>-10,000.00</b>	<b>437,045.93</b>	<b>-4,270.5%</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Interim Executive Offer Report – Section C

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT: Committee Assignments**

Marin LAFCo has created sub-committees to assist the Commission in its work. The Commission through its Policy Handbook has given authority to the Chair of the Commission to assign members of the Commission sub-committees.

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### Background

In Marin Local Agency Formation Commission (LAFCo) Policy Handbook section 3.7 A (Selection and Duties of the Chair) gives the LAFCo Chair, in part, “Make appointments to committees as needed.” In order to assist with this process, staff has polled Commissioners about committee preferences.

Chair McEntee has informed staff that starting October 11<sup>th</sup> the following committee assignments will take effect.

#### **Budget and Work Plan Committee:**

Commissioner Dennis Rodoni  
Commissioner Craig Murray  
Commissioner Sashi McEntee

#### **Legislative Committee:**

Commissioner Jack Baker  
Commissioner Lew Kious  
Commissioner Chris Skelton

#### **Policy Committee:**

Commissioner Sloan Bailey  
Commissioner Damon Connolly  
Commissioner Sashi McEntee

#### **Public and Technical Committee:**

Commissioner Matt Brown  
Commissioner Lew Kious  
Commissioner Chris Skelton

#### **Attachment:**

No attachments

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City of San Anselmo

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North Marin Water District

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kious, Alternate  
Almonte Sanitary District

Vacant, Regular  
Public Member

Chris Skelton, Alternate  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

October 11, 2018

Interim Executive Officer Report – Section D

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Interim Executive Officer

**SUBJECT: Current and Pending Proposals**

The Commission will receive a report identifying active proposals on file with Marin LAFCo as required under statute. The report also identifies pending local agency proposals to help telegraph future workload.

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### 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.

### Current Proposals -Approved and Awaiting Term Completion

No updates

### Current Proposals – Under Review and Awaiting Hearing

File #1335 (Reorganization of 400 Upper Toyon Road) – Staff has meet with both the applicant and talked with staff from the City of San Rafael. The application is still under review by the City of San Rafael.

File #1338 – (De-Annexation of 610 Calle de La Mesa) – Item 4 heard earlier in the meeting, see staff memo.

### Possible Future Item

Staff has reached out to all 3 possible future that have been on the list. As of writing this memo:

- Muir Beach CSD (Police Power Activation) had a meeting on September 26th to discuss this matter. The board of MBCSD had some additional questions, and LAFCo staff plans to discuss with MBCSD staff.
- CSA 29 (Boundary Adjustment) plans to discuss this matter at their October advisory board meeting. MBCSD will inform LAFCo staff of any outcomes from that meeting.
- Bel Marin Keys CSD (Conditions, Covenants and Restrictions Service Power Activation) will take the matter to its Board in October. BMKCSMD will inform LAFCo staff of any outcomes from that meeting.

Staff has also added two new items under this category, the consolidation of Murray Park Sewer Maintenance District (MPSMD) and San Quentin Village Sewer Maintenance District (SQVSMD) in to Ross Valley Sanitary District (RVSD). LAFCo staff and the staff of each district holds the opinion, at this point, that MPSMD and SQVSMD should be handled separately because each district has unique issues that must be addressed.

Attachment: 1.) Chart of Current and Pending Proposals

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Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government agency	Latest Update
1324	Approved by Commission and Awaiting Terms Completion	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 additional terms at its December 14, 2017 meeting. Terms remain outstanding as of date and therefore the proposal remains active.	Marin Municipal Water District	Terms remain outstanding
1337	Approved by Commission and Awaiting Terms Completion	Reorganization of Mesa Road	Landowner (Brad Drury) requesting annexation approval of 276 Mesa Road (188-170-54) in the unincorporated coastal community of Bolinas to the Bolinas Community Public Utility District. The affected territory is approximately 20.6 acres in size and is currently undeveloped. The stated purpose of the proposal is to provide water service to the affected territory in order for the development of a single-family residence. The Commission approved the proposal with amendments to include the entire public right-of-way extending to 276 Mesa Road on October 12, 2017 with additional terms. Terms remain outstanding as of date and therefore the proposal remains active.	Bolinas Community Public Utility District	1 year extension approved at 8/9/18 meeting.
1328	Under Review and Awaiting Hearing	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 recently established service with the San Rafael Sanitation District 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	Waiting for consent determination by SRSD.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government agency	Latest Update
1335	Under Review and Awaiting Hearing	Reorganization of 400 Upper Toyon Road	<p>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.</p>	City of San Rafael and Town of Ross	Application is currently under administrative review and is deemed incomplete at this time.
1338	Under Review and Awaiting Hearing	Detachment of 610 Calle de La Mesa	<p>The Commission has received a proposal by the affected landowner Janice Tate requesting a boundary line adjustment for the lot located at 610 Calle de La Mesa (160-171-15) in the unincorporated island community of Loma Verde to the County of Marin. The affected territory is approximately 0.18 acres in size and currently developed with a single-family residence. The applicant wishes to de-annex 0.03 acres of land adjoining the affected territory from the City of Novato into the County of Marin. The applicant believed that the proposed annexation territory was included in her lot line, but after requiring to install a fence, was informed that the 0.03 acres of land contiguous to her parcel was in fact within the City of Novato. The application is currently under administrative review and is deemed incomplete at this time.</p>	County of Marin and City of Novato	Application has been official submitted to staff. Information hearing heard earlier on Oct agenda. Application is out for review by all impacted agencies. Staff expects to see this matter on the December agenda for Commission decision.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government agency	Latest Update
	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 have been deemed as possibly 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.
	Possible Future Item	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 have been deemed as possibly 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 MPSMD and RVSD.
	Possible Future Item	Police Power Activation	The Muir Beach Community Services District – which presently provides water, fire, and recreation services – has conveyed interest on a potential proposal to activate the District’s latent police powers. This interest is borne from the District’s desire to establish and maintain more effective traffic / parking control either directly or by contract with an existing law enforcement agency. The interest – which has been effectuated in areas like Pebble Beach (Monterey County) – responds to an increasing problem with visitors to Muir Beach where illegal / haphazard parking has become a public nuisance to community residents.	Muir Beach Community Services District	MBCSD staff will be taking this matter to its September board meeting for discussion and will report back to LAFCo after that meeting.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government agency	Latest Update
	Possible Future Item	Conditions, Covenants and Restrictions Service Power Activation	The Bel Marin Keys Community Services District, which presently provides park and recreation, reclamation and lighting services, received special legislation through Assembly Bill 1995 (Levine) to add enforcement of conditions, covenants and restrictions (CCRs) as a latent power under its principal act. The special legislation became effective January 1, 2015 with the intent the District will proceed to apply for formal activation approval with Marin LAFCo as part of an agreement with the local home owner associations.	Bel Marin Keys Community Services District	BMKCSO staff believes this matter will be on its Oct. board meeting agenda and will report back to LAFCo after that meeting.
	Possible Future Item	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	CSA 29 staff believes this matter will be on its Oct. advisory board meeting agenda and will report back to LAFCo after that meeting.
1322	Completed	Annexation of 700 and 726 Sequoia Valley Road	Filed by the Homestead Valley Sanitary District requesting approval to annex approximately 1.1 acres of unincorporated territory. The stated purpose of the proposal is to align HVSD's existing jurisdictional boundary with its existing service area given the affected territory and its two developed residential parcels at 700 (046-231-07) and 726 (046-301-01) Sequoia Valley Road connected to the District through non-conforming connections in the early 1990s. The Commission approved the proposal with amendments to include adjacent portions of the public right-of-way along Sequoia Valley Road and Panoramic Highway on June 9, 2016 with standard terms. The Commission separately approved a one-year extension to complete the terms in June 2017.	Homestead Valley Sanitary District	File reported completed at 8/9/18 meeting

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government agency	Latest Update
1336	Completed	Reorganization of 238 Summit Drive et al	This proposal was filed by Sanitary District No. 2 (Corte Madera) requesting approval to annex four incorporated parcels in the Town of Corte Madera totaling 4.5 acres to Sanitary District No. 2 and Ross Valley Sanitary District. The proposal's purpose is to formalize and rationalize current public wastewater services provided in the affected territory through earlier actions outside of Marin LAFCO. The Commission approved the proposal with amendments to include an adjacent public right-of-way along Summit Drive on June 8, 2017 with standard terms.	Corte Madera Sanitary District and Ross Valley Sanitary District	File reported completed at 8/9/18 meeting