



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## NOTICE OF REGULAR MEETING AND AGENDA

### Marin Local Agency Formation Commission

Thursday, April 12, 2018

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

**\* REMINDER OF NEW MEETING LOCATION \***

**7:00 P.M. – CALL TO ORDER BY CHAIR**

**ROLL CALL BY CHAIR**

#### **AGENDA REVIEW**

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

#### **ADJOURN TO CLOSED SESSION (Set Time at 7:00 P.M.)**

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

- **ANTICIPATED LITIGATION** – The Commission will meet to discuss significant exposure to litigation for one case pursuant to Government Code Section 54956.9(d)(2).

#### **RETURN TO OPEN SESSION (Estimated Time at 7:30 P.M.)**

The Chair or designee will report out of closed session.

#### **OPEN TIME**

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

#### **CONSENT CALENDAR ITEMS**

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 Meeting Minutes | February 8, 2018 Regular Meeting (action)**

Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.

**2. Commission Ratification | Reconciled Payments from December 1 to March 31, 2018 (action)**

The Commission will consider ratifying payments made by the Executive Officer during the months from December to March. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$93,204. The payments are being presented for formal ratification per adopted policies.

**3. Budget Update for 2017-2018 and Year End Projections (action)**

The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through March 31, 2018 and its projection. Marin LAFCO is on pace to finish with an operating net of \$13,685.28 or 2.5%. This projection marks a significant improvement over the budgeted operating net of (\$10,000) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

**4. Progress Report on 2017-2018 Work Plan (action)**

The Commission will receive a progress report on accomplishing specific projects established as part of the adopted work plan for 2017-2018. The report is being presented to the Commission to formally accept as well as provide direction to staff as needed.

**5. Current and Pending Proposals (information)**

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. The report is being presented to the Commission for information only.

**6. CALAFCO White Paper I State of the Art on Agricultural Preservation (information)**

The Commission will receive CALAFCO's white paper published in February 2018 in collaboration with the American Farmland Trust on the importance of LAFCOs' role in preserving agricultural lands and case studies on how individual LAFCOs have interpreted this responsibility locally through their own policies. The report is being presented for information only.

**7. Update on New Payroll Accounting System (information)**

The Commission will receive an update on its approval of a new payroll accounting system marked by the transitioning away from the County of Marin to an independent process directly managed by Marin LAFCO through ADP Payroll Solutions. This report is being provided for information only.

**8. Joint Powers of Authority I Informational Report (information)**

The Commission will receive an update on its report identifying Joint Powers Authorities (JPAs) within Marin County that provide a municipal service as part of the requirements imposed by Senate Bill 1266. Staff has identified through the State Controller's Office all of the JPAs within the County that provide a local municipal service consistent with Government Code Section 56047.7. The report is being presented to the Commission for information only.

**9. Postponement of Agency Profiles I San Rafael / Lucas Valley Regional Study District (information)**

The Commission will receive notice that the agency profiles will be included for review in the draft report of the municipal service review of the San Rafael / Lucas Valley Regional Study to be presented at the Commission's June 7, 2018 meeting. The notice is being presented for information only and in anticipation of bringing forward a draft report at the next regular meeting.

**PUBLIC HEARING ITEMS**

Public hearing items require expanded public notification per provisions in State Law or directives of the Commission or Executive Officer.

**10. Adoption of Proposed Operating Budget for 2018-2019 (action)**

The Commission will consider adopting a proposed budget for 2018-2019 in anticipation of taking final actions in June. Proposed budget expenses total \$601,875 and represents an increase of \$45,094 or 8.1% with change entirely attributed to funding projected payroll costs and marked by enhancing legal services. Proposed budget revenues total \$591,875 with remaining shortfall – (\$10,000) – to be covered by reserves.

**BUSINESS ITEMS**

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

**11. Legislative Report (action)**

The Commission will receive an update from the CALAFCO Legislative Committee provided at its March meeting as it relates to proposals impacting Local Agency Formation Commissions. The report is being presented to the Commission for discussion only.

**12. Report on CALAFCO Annual Workshop (information)**

The Commission will receive a report from staff on their recent attendance at the CALAFCO Annual Workshop held in Marin County on April 11-13<sup>th</sup>. Verbal report only.

## EXECUTIVE OFFICER REPORT

## COMMISSIONER ANNOUNCEMENTS AND REQUESTS

## ADJOURNMENT TO NEXT MEETING

Thursday, June 7, 2018



Attest: Rachel Jones  
Interim Executive Officer

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

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

T: 415-448-5877  
E: [staff@marinlafco.org](mailto:staff@marinlafco.org)  
W: [marinlafco.org](http://marinlafco.org)

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# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 1 (Consent/Action)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Amanda DeFoe, Administrative Associate

**SUBJECT:** **Approval of Meeting Minutes | February 8, 2018 Regular Meeting**  
Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.

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Local Agency Formation Commissions (LAFCOs) are political subdivisions of the State of California responsible for providing regional growth management services in all 58 counties. LAFCOs' duties and responsibilities are prescribed under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

### 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

This item is for Marin LAFCO ("Commission") to consider approving action minutes for the February 8, 2018 regular meeting. Attendance is noted below:

- All members were present at the meeting held on February 8<sup>th</sup> with the exceptions of Commissioner Condon and Alternate Commissioner Arnold.

The action minutes for both listed meetings accurately reflect the Commission's actions as recorded by staff. A video recording of the February 8<sup>th</sup> meeting is also available online for viewing at [www.marinlafco.org](http://www.marinlafco.org).

## **Alternatives for Action**

The following alternatives are available to the Commission:

### Alternative One (Recommended):

Approve the draft action minutes prepared for the February 8<sup>th</sup> meeting with any desired corrections or clarifications.

### Alternative Two:

Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

## **Recommendation**

It is recommended the Commission proceed with the action identified in the preceding section as Alternative One.

## **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.

On behalf of staff,



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Rachel Jones  
Interim Executive Officer

### Attachments:

- 1) Draft Minutes for February 8, 2018



## MINUTES

### REGULAR MEETING

Thursday, February 8, 2018  
Marin Clean Energy | Charles McGlashan Room  
1125 Tamalpais Avenue, San Rafael, California

#### CALL TO ORDER BY CHAIR

Chair Blanchfield called the meeting to order at 7:00 p.m.

#### ROLL CALL BY CHAIR

**Regulars Present:** Jeff Blanchfield, Chair  
Jack Baker  
Damon Connolly (7:05 p.m.)  
Craig K. Murray  
Dennis Rodoni  
Sashi McEntee

**Alternates Present:** Matt Brown\*  
Chris Skelton  
Lew Kious

*\* voting in place of absent regular members*

#### AGENDA REVIEW

Chair Blanchfield asked if there were any requests for changes to the agenda. No requests were made.

#### OPEN TIME

Chair Blanchfield invited members of the audience to address the Commission on any LAFCO related matters not listed on the agenda. No requests were made.

#### CONSENT CALENDAR

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 Meeting Minutes | December 14, 2017 Regular Meeting (action)**  
Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.
- 2. Commission Ratification | Reconciled Payments from October 1 to November 30, 2017 (action)**  
The Commission will consider ratifying payments made by the Executive Officer during the months of October and November. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$25,445. The payments are being presented for formal ratification per adopted policies.

**3. Budget Update for 2017-2018 and Year End Projections (action)**

The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through January 31, 2018 and its projection Marin LAFCO is on pace to finish with an operating net of \$13,685.28 or 2.5%. This projection marks a significant improvement over the budgeted operating net of (\$10,000) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

**4. Update on Municipal Service Review: San Rafael / Lucas Valley Regional Study (information)**

The Commission will receive a brief update on work to date as well as pending next steps on Marin LAFCO's scheduled municipal service review on public services in the San Rafael / Lucas Valley communities. The update is being presented for information only and in anticipation of bringing forward agency profiles at the next regular meeting.

**5. Progress Report on 2017-2018 Work Plan (action)**

The Commission will receive a progress report on accomplishing specific projects established as part of the adopted work plan for 2017-2018. The report is being presented to the Commission to formally accept as well as provide direction to staff as needed.

**6. Current and Pending Proposals (information)**

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. The report is being presented to the Commission for information only.

**7. Joint Powers of Authority | Final Notice of Agreements and Amendments (information)**

The Commission will receive an update on its report identifying Joint Powers Authorities (JPAs) within Marin County that provide a municipal service as part of the requirements imposed by Senate Bill 1266. Staff has identified through the State Controller's office all of the JPAs within the County that provide a local municipal service consistent with Government Code Section 56047.7, and has provided notice to those JPAs that have not submitted copies of their agreements and amendments with Marin LAFCO. The report is being presented to the Commission for information only.

**8. Time Extension for 347 and 355 Margarita Drive (action)**

The Commission will consider an applicant's request for a time extension to complete the terms established by Marin LAFCO in approving the annexation of territory 347 and 355 Margarita Drive to the San Rafael Sanitation District on February 9, 2017. Staff believes the request is reasonable and recommends approval of a six-month extension. The affected parcels are identified by the County of Marin as 016-011-18 and 016-011-19.

**9. Postponement of Committee Assignments (action)**

The Commission will consider postponing appointments / reappointments to all of Marin LAFCO's standing committees for the 2018 calendar year until the recruitment of the Executive Officer position has been completed. This includes the (a) Policy and Personnel, (b) Legislative, (c) Public and Technical Information, and (d) Budget Committees.

**Agenda Items No. 4 and No. 9 were pulled for discussion by Commissioners Murray and McEntee, respectively.**

**Commissioner Murray inquired about when agency profiles would be available for public review and comment. The Interim Executive Officer explained that the agency profiles would be presented at the next regular meeting which will then open up a 45-day review period for public feedback.**

**Commissioner McEntee suggested reaffirming special committee appointments until the Strategic Planning Workshop. Commission discussion followed.**



**APPROVED; M/S made by Commissioners Baker and Rodoni to approve the consent calendar and recommendations therein; all yes.**

#### **PUBLIC HEARING ITEMS**

Public hearing items require expanded public notification per provisions in State Law or directives of the Commission or Executive Officer.

#### **10. Policy Amendments**

##### **Special District Appointments to Consolidated Redevelopment Oversight Board District (action)**

The Commission will consider recommended amendments to its existing policies governing the administration of the Procedures of Special District Appointments. The amendments address new legislation for LAFCO to conduct elections to appoint a special district representative to a consolidated oversight board tasked with completing the remaining activities of the three successor redevelopment agencies in Marin County. The amendments have been developed with feedback from the Policy and Personnel Committee and establish specific eligibility, allowances, and procedures in conducting an election ahead of the July 1, 2018 appointment deadline.

**Staff gave a brief summary about new legislation impacting LAFCOs.**

**Commission discussion followed. Comments were received by Commissioner McEntee.**

**APPROVED; M/S made by Commissioner McEntee and Connolly to accept recommendations by staff to policies governing the administration on the procedures of Special District appointments with modifications.**

#### **BUSINESS ITEMS**

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

#### **11. Approval of a New Payroll Accounting System and Related Actions (action)**

The Commission will consider approving a new payroll accounting system marked by the transitioning away from the County of Marin to an independent process directly managed by Marin LAFCO through ADP Payroll Solutions. It is also requested the Commission authorize the Executive Officer to enter into a contract with ADP to provide payroll and related services as part of this transition through the end of the calendar year.

**The Interim Executive Officer informed the Commission on the procedures of transitioning to a new accounting payroll system.**

**Commission discussion followed.**

**APPROVED; M/S made by Commissioners McEntee and Baker to approve a new payroll accounting system through ADP Payroll Solutions and for the Executive Officer to enter into a contract with ADP through the end of the calendar year.**

#### **12. Ratification on Selection of Executive Search Firm and Other Related Actions (action)**

The Commission will consider formal ratification of the Policy Committee's recommendation and selection of Peckham & McKenney for professional services tied to the recruitment of the Executive Officer position. This includes entering into a contract agreement of \$29,000 and authorizing the Policy Committee to administer the recruitment process.

**The Policy Committee spoke to the Commission on the competency and experience of the chosen executive search firm Peckham & McKenney.**

**Commission discussion followed.**

**APPROVED; M/S made by Commissioner Baker and Rodoni to formally ratify the Policy Committee’s recommendation of Peckham & McKenney for their professional services tied to the search for a new Executive Officer.**

**13. Ratification on Selection of Commission Counsel and Other Related Actions (action)**

The Commission will consider formal ratification of the Policy Committee’s recommendation and selection of Best Best & Krieger (BBK) for legal services tied to the appointment of Commission Counsel. This includes entering into a contract agreement at a rate of \$250 per hour for general counsel services.

**Staff explained Marin LAFCO’s work plan included finding Commission Counsel and discussed three firms who submitted proposals. Staff outlined the Policy Committee’s appointment of Best Best & Krieger as Commission Counsel based on their experience.**

**Comments were received from members of the Policy Committee. Commission discussion followed.**

**APPROVED; M/S made by Commissioners Murray and Baker to formally ratify the Policy Committee’s recommendation of Best Best & Krieger for legal services tied to the appointment of Commission Counsel.**

**ADJOURNMENT TO NEXT MEETING**

**Chair Blanchfield adjourned the meeting at 8:05 p.m.**



Attest: Rachel Jones  
Interim Executive Officer

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# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 12, 2018

Item No. 2 (Consent / Action)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Rachel Jones, Interim Executive Officer  
Alyssa Schiffmann, Contract Bookkeeper

**SUBJECT: Commission Ratification |  
Reconciled Payments from December 1 to March 31, 2018**

The Commission will consider ratifying payments made by the Executive Officer during the months from December to March. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$93,204. The payments are being presented for formal ratification per adopted policies.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) to establish written policies and procedures in providing regional growth management services in all 58 counties in California. LAFCOs are also authorized to make their own provisions – including entering into contracts and agreements and without going through the Department of General Services – for all necessary staffing and service needs therein.

### Background

Marin LAFCO’s (“Commission”) adopted Policy Handbook delegates 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 be reconciled at the end of each month by the membership’s contracted bookkeeper. All reconciled payments are to be reported to the Commission at the next available meeting for formal ratification.

### Discussion

This item is for the Commission to consider ratification of all payments made by the Executive Officer between December 1 and March 31<sup>st</sup>. These payments have been reconciled by the Commission’s contracted bookkeeper – Alyssa Schiffmann– and total \$93,204. The payments are detailed in Attachment One.

## **Alternatives for Action**

The following alternatives are available to the Commission:

### Alternative One (Recommended):

Ratify the reconciled payments made by the Interim Executive Officer between December 1<sup>st</sup> and March 31<sup>st</sup> as shown in Attachment One.

### Alternative Two:

Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

## **Recommendation**

It is recommended the Commission proceed with the actions outlined in the preceding section as Alternative One.

## **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.

Respectfully,



Rachel Jones  
Interim Executive Officer

### Attachments:

- 1) Reconciled Payments from December 1 to March 31<sup>st</sup>

## Marin Local Agency Formation Commission Expenses by Vendor Detail December 2017 through March 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>ALHAMBRA &amp; SIERRA SPRINGS</b>								
Check	12/20/2017	1322	Services Through December 2017	5220110 · Office Supplies		1110000 · Wells...	55.73	55.73
Check	01/12/2018	1341	Services Through December 2017	5220110 · Office Supplies		1110000 · Wells...	53.57	109.30
Check	02/02/2018	1346	Services Through January 2018	5220110 · Office Supplies		1110000 · Wells...	51.61	160.91
Check	02/22/2018	1359	Services Through February 2018	5220110 · Office Supplies		1110000 · Wells...	19.92	180.83
Total ALHAMBRA & SIERRA SPRINGS							180.83	180.83
<b>Alyssa Schiffmann</b>								
Check	03/12/2018	1372	Bookkeeping Services Thru February 2018	5210120 · Profesional Servi...		1110000 · Wells...	590.46	590.46
Total Alyssa Schiffmann							590.46	590.46
<b>BAKER, JOHN M</b>								
Check	12/14/2017	1313	Policy Committee Mtgs	5211533 · Commissioner P...		1110000 · Wells...	250.00	250.00
Check	12/21/2017	1328	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	375.00
Check	02/13/2018	1352	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	500.00
Total BAKER, JOHN M							500.00	500.00
<b>BARBIER SECURITY GROUP</b>								
Check	01/12/2018	1340	December 2017 Meeting	5210110 · Professional Serv...		1110000 · Wells...	160.00	160.00
Total BARBIER SECURITY GROUP							160.00	160.00
<b>BLANCHFIELD, JEFFRY S</b>								
Check	12/14/2017	1312	Policy Committee Mtgs	5211533 · Commissioner P...		1110000 · Wells...	250.00	250.00
Check	12/14/2017	1312	Per Diem   Policy Committee Mtgs	5220110 · Office Supplies		1110000 · Wells...	0.00	250.00
Check	12/14/2017	1312	Per Diem   Policy Committee Mtgs	5211440 · Travel - Mileage		1110000 · Wells...	0.00	250.00
Check	12/21/2017	1323	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	375.00
Check	12/21/2017	1323	Per Diem   December Meeting	5220110 · Office Supplies		1110000 · Wells...	0.00	375.00
Check	12/21/2017	1323	Per Diem   December Meeting	5211440 · Travel - Mileage		1110000 · Wells...	0.00	375.00
Check	02/13/2018	1357	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	500.00
Check	02/13/2018	1357	Per Diem   February 2018 Meeting	5220110 · Office Supplies		1110000 · Wells...	0.00	500.00
Check	02/13/2018	1357	Per Diem   February 2018 Meeting	5211440 · Travel - Mileage		1110000 · Wells...	0.00	500.00
Total BLANCHFIELD, JEFFRY S							500.00	500.00
<b>CA SPECIAL DISTRICT ASSOCIATION</b>								
Check	01/12/2018	1338	Membership Dues - AMS Associate Member	5211330 · Memberships & ...		1110000 · Wells...	1,299.00	1,299.00
Total CA SPECIAL DISTRICT ASSOCIATION							1,299.00	1,299.00
<b>Chris Skelton</b>								
Check	12/14/2017	1310	Pier Diem   CALAFCO Annual Conference	5211533 · Commissioner P...		1110000 · Wells...	375.00	375.00
Check	12/21/2017	1330	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	500.00
Check	02/13/2018	1358	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	625.00
Total Chris Skelton							625.00	625.00
<b>COMCAST</b>								
Check	01/05/2018	1334	Through January 16 2018	5210710 · Communications ...		1110000 · Wells...	214.79	214.79
Check	02/02/2018	1343	Through February 16 2018	5210710 · Communications ...		1110000 · Wells...	215.03	429.82
Check	03/09/2018	1370	Through March 16 2018	5210710 · Communications ...		1110000 · Wells...	225.03	654.85
Check	03/23/2018	1375	Through April 16 2018	5210710 · Communications ...		1110000 · Wells...	231.13	885.98
Total COMCAST							885.98	885.98

## Marin Local Agency Formation Commission Expenses by Vendor Detail December 2017 through March 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>COMMUNITY MEDIA CENTER OF MARIN</b>								
Check	02/02/2018	1347	December 2017 Meeting	5210710 · Communications ...		1110000 · Wells...	450.00	450.00
Total COMMUNITY MEDIA CENTER OF MARIN							450.00	450.00
<b>CONDON, CARLA STONE</b>								
Check	12/14/2017	1316	LAFCO Per Diem   October Tech Committee Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Check	12/21/2017	1324	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	250.00
Total CONDON, CARLA STONE							250.00	250.00
<b>CONNOLLY, DAMON</b>								
Check	12/14/2017	1314	October Policy Committee Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Check	12/21/2017	1325	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	250.00
Check	02/13/2018	1351	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	375.00
Total CONNOLLY, DAMON							375.00	375.00
<b>COUNTY OF MARIN</b>								
Deposit	12/31/2017		Deposit	4410125 · Interest Earnings		1110110 · Equit...	-896.59	-896.59
Total COUNTY OF MARIN							-896.59	-896.59
<b>COUNTY OF MARIN - DOF PAYROLL</b>								
Check	12/20/2017	1317	OPBEB Contribution - Banning / October 2017	5130525 · CalPERS - Retire...		1110000 · Wells...	445.47	445.47
Check	01/12/2018	1337	OPBEB Contribution - Banning / November 2017	5130525 · CalPERS - Retire...		1110000 · Wells...	445.47	890.94
Check	02/02/2018	1345	OPBEB Contribution - Banning / December 2017	5130525 · CalPERS - Retire...		1110000 · Wells...	461.29	1,352.23
Check	03/09/2018	1365	OPBEB Contribution - Banning / January 2018	5130525 · CalPERS - Retire...		1110000 · Wells...	461.29	1,813.52
Total COUNTY OF MARIN - DOF PAYROLL							1,813.52	1,813.52
<b>FP MAILING SOLUTIONS</b>								
Check	12/20/2017	1319	Wi-Fi Adapter for Postage	5210710 · Communications ...		1110000 · Wells...	9.81	9.81
Check	12/20/2017	1320	Rental Totals Thru February 2018	5210710 · Communications ...		1110000 · Wells...	137.34	147.15
Check	03/09/2018	1366	Rental Totals Thru February 2018	5210710 · Communications ...		1110000 · Wells...	13.73	160.88
Total FP MAILING SOLUTIONS							160.88	160.88
<b>GRAF VAN &amp; STORAGE INC</b>								
Check	12/20/2017	1318	Through December 2017	5211215 · Rent - Storage		1110000 · Wells...	35.19	35.19
Check	01/12/2018	1339	Through December 2017	5211215 · Rent - Storage		1110000 · Wells...	35.19	70.38
Check	02/02/2018	1344	Through January 2018	5211215 · Rent - Storage		1110000 · Wells...	35.19	105.57
Check	03/09/2018	1369	Through February 2018	5211215 · Rent - Storage		1110000 · Wells...	35.19	140.76
Total GRAF VAN & STORAGE INC							140.76	140.76
<b>KIOUS, LEWIS</b>								
Check	12/14/2017	1315	LAFCO Per Diem   October Tech Committee Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Check	12/21/2017	1331	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	250.00
Check	02/13/2018	1354	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	375.00
Total KIOUS, LEWIS							375.00	375.00

## Marin Local Agency Formation Commission Expenses by Vendor Detail December 2017 through March 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>LIEBERT CASSIDY WHITMORE</b>								
Check	02/22/2018	1362	Legal Services	5210131 · Legal Services		1110000 · Wells...	546.00	546.00
Check	03/23/2018	1377	Legal Services	5210131 · Legal Services		1110000 · Wells...	1,833.00	2,379.00
Check	03/23/2018	1378	Legal Services	5210131 · Legal Services		1110000 · Wells...	351.00	2,730.00
Check	03/23/2018	1379	Legal Services	5210131 · Legal Services		1110000 · Wells...	1,229.00	3,959.00
Total LIEBERT CASSIDY WHITMORE							3,959.00	3,959.00
<b>Marin CLEAN ENERGY</b>								
Check	01/12/2018	1336	October and December 2017 Room Fee	5211270 · Office Lease/Rent		1110000 · Wells...	336.20	336.20
Check	03/09/2018	1368	February 2017 Room Fee	5211270 · Office Lease/Rent		1110000 · Wells...	168.10	504.30
Total Marin CLEAN ENERGY							504.30	504.30
<b>MARIN MAC TECH</b>								
Check	01/05/2018	1335	IT Services Through 12-15-2017	5210710 · Communications ...		1110000 · Wells...	595.00	595.00
Check	01/17/2018	1342	IT Services Through 1-15-2017	5210710 · Communications ...		1110000 · Wells...	595.00	1,190.00
Check	02/22/2018	1360	IT Services Through 2-15-2018	5210710 · Communications ...		1110000 · Wells...	595.00	1,785.00
Check	03/23/2018		IT Services Through 3-15-2018	5210710 · Communications ...		1110000 · Wells...	595.00	2,380.00
Total MARIN MAC TECH							2,380.00	2,380.00
<b>Matt Brown</b>								
Check	12/21/2017	1329	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Check	02/13/2018	1356	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	250.00
Total Matt Brown							250.00	250.00
<b>McENTEE, SASHI</b>								
Check	02/13/2018	1355	Per Diem   February 2018 Meeting	5211533 · Commissioner P...	X	1110000 · Wells...	0.00	0.00
General Journal	02/13/2018	adj	For CHK 1355 voided on 03/12/2018	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
General Journal	03/12/2018	adjR	Reverse of GJE adj -- For CHK 1355 voided on 03/12/2...	5211533 · Commissioner P...		1110000 · Wells...	-125.00	0.00
Check	03/12/2018	1373	Per Diem   02-09-18 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Total McENTEE, SASHI							125.00	125.00
<b>MURRAY, CRAIG K</b>								
Check	12/14/2017	1311	Pier Diem   CALAFCO Conference and Tech Mtg	5211533 · Commissioner P...		1110000 · Wells...	500.00	500.00
Check	12/21/2017	1327	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	500.00	1,000.00
Check	01/03/2018	1332	Per Diem   December Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	1,125.00
Check	02/13/2018	1353	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	1,250.00
Total MURRAY, CRAIG K							1,250.00	1,250.00
<b>PAYROLL</b>								
Check	12/01/2017	50		5110110 · Sal - Regular Staff		1110110 · Equit...	3,461.76	3,461.76
Check	12/01/2017	50		5110210 · Salaries - Extra H...		1110110 · Equit...	551.80	4,013.56
Check	12/01/2017	50		5110323 · Sick Leave		1110110 · Equit...	0.00	4,013.56
Check	12/01/2017	50		5110328 · Personal Leave		1110110 · Equit...	0.00	4,013.56
Check	12/01/2017	50		5110324 · Vacation Leave		1110110 · Equit...	0.00	4,013.56
Check	12/01/2017	50		5110313 · Holiday Pay		1110110 · Equit...	384.64	4,398.20
Check	12/01/2017	50		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	4,724.76
Check	12/01/2017	50		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	1.12	4,725.88
Check	12/01/2017	50		5130120 · County of Marin -...		1110110 · Equit...	351.16	5,077.04
Check	12/01/2017	50		5130210 · Dental Insurance		1110110 · Equit...	21.99	5,099.03
Check	12/01/2017	50		5130310 · Vision Service Plan		1110110 · Equit...	2.55	5,101.58
Check	12/01/2017	50		5130410 · Benefits - Disabili...		1110110 · Equit...	12.97	5,114.55
Check	12/01/2017	50		5140140 · Payroll Tax		1110110 · Equit...	97.98	5,212.53

## Marin Local Agency Formation Commission Expenses by Vendor Detail December 2017 through March 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
Check	12/01/2017	50		5130524 · Benefits - Fringe ...		1110110 · Equit...	57.14	5,269.67
Check	12/15/2017	1315		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	9,116.07
Check	12/15/2017	1315		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	10,219.67
Check	12/15/2017	1315		5110323 · Sick Leave		1110110 · Equit...	0.00	10,219.67
Check	12/15/2017	1315		5110328 · Personal Leave		1110110 · Equit...	0.00	10,219.67
Check	12/15/2017	1315		5110324 · Vacation Leave		1110110 · Equit...	0.00	10,219.67
Check	12/15/2017	1315		5110313 · Holiday Pay		1110110 · Equit...	0.00	10,219.67
Check	12/15/2017	1315		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	10,546.23
Check	12/15/2017	1315		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	1.12	10,547.35
Check	12/15/2017	1315		5130120 · County of Marin -...		1110110 · Equit...	351.16	10,898.51
Check	12/15/2017	1315		5130210 · Dental Insurance		1110110 · Equit...	21.99	10,920.50
Check	12/15/2017	1315		5130310 · Vision Service Plan		1110110 · Equit...	2.55	10,923.05
Check	12/15/2017	1315		5130410 · Benefits - Disabili...		1110110 · Equit...	12.97	10,936.02
Check	12/15/2017	1315		5140140 · Payroll Tax		1110110 · Equit...	140.20	11,076.22
Check	12/15/2017	1315		5130524 · Benefits - Fringe ...		1110110 · Equit...	57.14	11,133.36
Check	12/29/2017	2662		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	14,979.76
Check	12/29/2017	2662		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	16,083.36
Check	12/29/2017	2662		5110323 · Sick Leave		1110110 · Equit...	0.00	16,083.36
Check	12/29/2017	2662		5110328 · Personal Leave		1110110 · Equit...	0.00	16,083.36
Check	12/29/2017	2662		5110324 · Vacation Leave		1110110 · Equit...	0.00	16,083.36
Check	12/29/2017	2662		5110313 · Holiday Pay		1110110 · Equit...	0.00	16,083.36
Check	12/29/2017	2662		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	16,409.92
Check	12/29/2017	2662		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	1.12	16,411.04
Check	12/29/2017	2662		5130120 · County of Marin -...		1110110 · Equit...	351.16	16,762.20
Check	12/29/2017	2662		5130210 · Dental Insurance		1110110 · Equit...	21.99	16,784.19
Check	12/29/2017	2662		5130310 · Vision Service Plan		1110110 · Equit...	2.55	16,786.74
Check	12/29/2017	2662		5130410 · Benefits - Disabili...		1110110 · Equit...	12.97	16,799.71
Check	12/29/2017	2662		5140140 · Payroll Tax		1110110 · Equit...	140.21	16,939.92
Check	12/29/2017	2662		5130524 · Benefits - Fringe ...		1110110 · Equit...	57.14	16,997.06
Check	01/12/2018	885		5110110 · Sal - Regular Staff		1110110 · Equit...	2,692.48	19,689.54
Check	01/12/2018	885		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	20,793.14
Check	01/12/2018	885		5110323 · Sick Leave		1110110 · Equit...	769.28	21,562.42
Check	01/12/2018	885		5110328 · Personal Leave		1110110 · Equit...	0.00	21,562.42
Check	01/12/2018	885		5110324 · Vacation Leave		1110110 · Equit...	384.64	21,947.06
Check	01/12/2018	885		5110313 · Holiday Pay		1110110 · Equit...	384.64	22,331.70
Check	01/12/2018	885		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	22,658.26
Check	01/12/2018	885		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	22,659.10
Check	01/12/2018	885		5130120 · County of Marin -...		1110110 · Equit...	342.36	23,001.46
Check	01/12/2018	885		5130210 · Dental Insurance		1110110 · Equit...	23.61	23,025.07
Check	01/12/2018	885		5130310 · Vision Service Plan		1110110 · Equit...	2.55	23,027.62
Check	01/12/2018	885		5130410 · Benefits - Disabili...		1110110 · Equit...	12.97	23,040.59
Check	01/12/2018	885		5140140 · Payroll Tax		1110110 · Equit...	140.19	23,180.78
Check	01/12/2018	885		5130524 · Benefits - Fringe ...		1110110 · Equit...	64.60	23,245.38
Check	01/26/2018	2321		5110110 · Sal - Regular Staff		1110110 · Equit...	3,461.76	26,707.14
Check	01/26/2018	2321		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	27,810.74
Check	01/26/2018	2321		5110323 · Sick Leave		1110110 · Equit...	0.00	27,810.74
Check	01/26/2018	2321		5110328 · Personal Leave		1110110 · Equit...	0.00	27,810.74
Check	01/26/2018	2321		5110324 · Vacation Leave		1110110 · Equit...	0.00	27,810.74
Check	01/26/2018	2321		5110313 · Holiday Pay		1110110 · Equit...	0.00	27,810.74
Check	01/26/2018	2321		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	28,137.30
Check	01/26/2018	2321		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	28,138.14
Check	01/26/2018	2321		5130120 · County of Marin -...		1110110 · Equit...	342.36	28,480.50
Check	01/26/2018	2321		5130210 · Dental Insurance		1110110 · Equit...	23.61	28,504.11
Check	01/26/2018	2321		5130310 · Vision Service Plan		1110110 · Equit...	2.55	28,506.66
Check	01/26/2018	2321		5130410 · Benefits - Disabili...		1110110 · Equit...	-2.81	28,503.85
Check	01/26/2018	2321		5140140 · Payroll Tax		1110110 · Equit...	140.21	28,644.06



## Marin Local Agency Formation Commission Expenses by Vendor Detail December 2017 through March 2018

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
Check	01/26/2018	2321		5130524 · Benefits - Fringe ...		1110110 · Equit...	80.38	28,724.44
Check	02/09/2018	688		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	32,570.84
Check	02/09/2018	688		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	33,674.44
Check	02/09/2018	688		5110323 · Sick Leave		1110110 · Equit...	0.00	33,674.44
Check	02/09/2018	688		5110328 · Personal Leave		1110110 · Equit...	0.00	33,674.44
Check	02/09/2018	688		5110324 · Vacation Leave		1110110 · Equit...	0.00	33,674.44
Check	02/09/2018	688		5110313 · Holiday Pay		1110110 · Equit...	0.00	33,674.44
Check	02/09/2018	688		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	34,001.00
Check	02/09/2018	688		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	34,001.84
Check	02/09/2018	688		5130120 · County of Marin -...		1110110 · Equit...	342.36	34,344.20
Check	02/09/2018	688		5130210 · Dental Insurance		1110110 · Equit...	23.61	34,367.81
Check	02/09/2018	688		5130310 · Vision Service Plan		1110110 · Equit...	2.55	34,370.36
Check	02/09/2018	688		5130410 · Benefits - Disabili...		1110110 · Equit...	5.08	34,375.44
Check	02/09/2018	688		5140140 · Payroll Tax		1110110 · Equit...	140.20	34,515.64
Check	02/09/2018	688		5130524 · Benefits - Fringe ...		1110110 · Equit...	72.49	34,588.13
Check	02/23/2018	2093		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	38,434.53
Check	02/23/2018	2093		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	39,538.13
Check	02/23/2018	2093		5110323 · Sick Leave		1110110 · Equit...	0.00	39,538.13
Check	02/23/2018	2093		5110328 · Personal Leave		1110110 · Equit...	0.00	39,538.13
Check	02/23/2018	2093		5110324 · Vacation Leave		1110110 · Equit...	0.00	39,538.13
Check	02/23/2018	2093		5110313 · Holiday Pay		1110110 · Equit...	0.00	39,538.13
Check	02/23/2018	2093		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	39,864.69
Check	02/23/2018	2093		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	39,865.53
Check	02/23/2018	2093		5130120 · County of Marin -...		1110110 · Equit...	342.36	40,207.89
Check	02/23/2018	2093		5130210 · Dental Insurance		1110110 · Equit...	23.61	40,231.50
Check	02/23/2018	2093		5130310 · Vision Service Plan		1110110 · Equit...	2.55	40,234.05
Check	02/23/2018	2093		5130410 · Benefits - Disabili...		1110110 · Equit...	5.08	40,239.13
Check	02/23/2018	2093		5140140 · Payroll Tax		1110110 · Equit...	140.19	40,379.32
Check	02/23/2018	2093		5130524 · Benefits - Fringe ...		1110110 · Equit...	72.49	40,451.81
Check	03/09/2018	?		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	44,298.21
Check	03/09/2018	?		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	45,401.81
Check	03/09/2018	?		5110323 · Sick Leave		1110110 · Equit...	0.00	45,401.81
Check	03/09/2018	?		5110328 · Personal Leave		1110110 · Equit...	0.00	45,401.81
Check	03/09/2018	?		5110324 · Vacation Leave		1110110 · Equit...	0.00	45,401.81
Check	03/09/2018	?		5110313 · Holiday Pay		1110110 · Equit...	0.00	45,401.81
Check	03/09/2018	?		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	45,728.37
Check	03/09/2018	?		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	45,729.21
Check	03/09/2018	?		5130120 · County of Marin -...		1110110 · Equit...	342.36	46,071.57
Check	03/09/2018	?		5130210 · Dental Insurance		1110110 · Equit...	23.61	46,095.18
Check	03/09/2018	?		5130310 · Vision Service Plan		1110110 · Equit...	2.55	46,097.73
Check	03/09/2018	?		5130410 · Benefits - Disabili...		1110110 · Equit...	5.08	46,102.81
Check	03/09/2018	?		5140140 · Payroll Tax		1110110 · Equit...	140.19	46,243.00
Check	03/09/2018	?		5130524 · Benefits - Fringe ...		1110110 · Equit...	72.49	46,315.49
Check	03/23/2018	?		5110110 · Sal - Regular Staff		1110110 · Equit...	3,846.40	50,161.89
Check	03/23/2018	?		5110210 · Salaries - Extra H...		1110110 · Equit...	1,103.60	51,265.49
Check	03/23/2018	?		5110323 · Sick Leave		1110110 · Equit...	0.00	51,265.49
Check	03/23/2018	?		5110328 · Personal Leave		1110110 · Equit...	0.00	51,265.49
Check	03/23/2018	?		5110324 · Vacation Leave		1110110 · Equit...	0.00	51,265.49
Check	03/23/2018	?		5110313 · Holiday Pay		1110110 · Equit...	0.00	51,265.49
Check	03/23/2018	?		5130521 · Co Ret Cont Tier ...		1110110 · Equit...	326.56	51,592.05
Check	03/23/2018	?		5130110 · Ben-Med-GrpLife...		1110110 · Equit...	0.84	51,592.89
Check	03/23/2018	?		5130120 · County of Marin -...		1110110 · Equit...	342.36	51,935.25
Check	03/23/2018	?		5130210 · Dental Insurance		1110110 · Equit...	23.61	51,958.86
Check	03/23/2018	?		5130310 · Vision Service Plan		1110110 · Equit...	2.55	51,961.41
Check	03/23/2018	?		5130410 · Benefits - Disabili...		1110110 · Equit...	5.08	51,966.49

**Marin Local Agency Formation Commission  
Expenses by Vendor Detail  
December 2017 through March 2018**

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
Check	03/23/2018	?		5140140 · Payroll Tax		1110110 · Equit...	140.19	52,106.68
Check	03/23/2018	?		5130524 · Benefits - Fringe ...		1110110 · Equit...	72.49	52,179.17
Total PAYROLL							52,179.17	52,179.17
<b>Peckham &amp; McKenney</b>								
Check	03/14/2018	1045	Professional Fee Retainer - 1/3 of Contract Payment	5210110 · Professional Serv...		1100000 · Wells...	9,666.67	9,666.67
Total Peckham & McKenney							9,666.67	9,666.67
<b>RICCIARDI, R J</b>								
Check	02/22/2018	1363	15-16 Audit Work   Through May 31, 2017 - Back Invoice	5210110 · Professional Serv...		1110000 · Wells...	3,375.00	3,375.00
Check	03/09/2018	1367	16-17 Audit Work   Through Feb 2018	5210110 · Professional Serv...		1110000 · Wells...	1,035.00	4,410.00
Total RICCIARDI, R J							4,410.00	4,410.00
<b>RICOH USA INC</b>								
Check	02/22/2018	1361	Copier Costs February 2018	5211520 · Publications/Noti...		1110000 · Wells...	71.19	71.19
Total RICOH USA INC							71.19	71.19
<b>RODONI, DENNIS JAMES</b>								
Check	12/21/2017	1326	Per Diem   December 2017 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	125.00
Check	02/13/2018	1350	Per Diem   February 2018 Meeting	5211533 · Commissioner P...		1110000 · Wells...	125.00	250.00
Total RODONI, DENNIS JAMES							250.00	250.00
<b>SECURITY MORTGAGE GROUP 2</b>								
Check	12/05/2017	1308	December 2017	5211270 · Office Lease/Rent		1110000 · Wells...	2,565.25	2,565.25
Check	01/04/2018	1333	January 2017	5211270 · Office Lease/Rent		1110000 · Wells...	2,565.25	5,130.50
Check	02/08/2018	1349	February 2018	5211270 · Office Lease/Rent		1110000 · Wells...	2,565.25	7,695.75
Check	03/09/2018	1371	March 2018	5211270 · Office Lease/Rent		1110000 · Wells...	2,565.25	10,261.00
Total SECURITY MORTGAGE GROUP 2							10,261.00	10,261.00
<b>VERIZON WIRELESS</b>								
Check	12/20/2017	1321	EO Mobile Plan   Thru December 2017	5210710 · Communications ...		1110000 · Wells...	141.13	141.13
Check	02/02/2018	1348	EO Mobile Plan   Thru January 2018	5210710 · Communications ...		1110000 · Wells...	146.17	287.30
Check	03/23/2018	1376	EO Mobile Plan   Account Closed	5210710 · Communications ...		1110000 · Wells...	200.33	487.63
Total VERIZON WIRELESS							487.63	487.63
<b>TOTAL</b>							<b>93,203.80</b>	<b>93,203.80</b>



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 3 (Consent / Action)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Rachel Jones, Interim Executive Officer  
Alyssa Schiffmann, Contract Bookkeeper

**SUBJECT: Budget Update for 2017-2018 and Year End Projections**  
The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through March 31, 2018 and its projection Marin LAFCO is on pace to finish with an operating net of \$13,685.28 or 2.5%. This projection marks a significant improvement over the budgeted operating net of (\$10,000) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 mandates operating costs for Local Agency Formation Commissions (LAFCOs) shall be annually funded by the affected counties, cities, and independent special districts on a one-third apportionment process. Apportionments for cities and independent special districts are further divided and proportional to each agency’s total revenues as a percentage of the overall revenue amount collected by these agencies as determined by the State Controller’s Office. LAFCOs are also authorized to collect fees to offset contributions.

### Background

Marin LAFCO’s (“Commission”) adopted final budget for 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) or (1.8%) was budgeted with setting annual revenues at \$546,781 in step with phasing a corresponding contribution increase among the funding agencies in recent years. Budgeted revenues are divided between three active units and are intergovernmental contributions, service charges, and investments. The Commission’s estimated available unaudited fund balance as of July 1, 2017 was \$191,436.

Budgeted 17-18 Expenses	Budgeted 17-18 Revenues	Budgeted 17-18 Year End Balance	Budgeted 17-18 Revenues
\$556,781	\$546,781	(\$10,000)	\$191,436

**Administrative Office**  
Rachel Jones, 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

**Carla Condon, Vice Chair**  
Town of Corte Madera

**Sashi McEntee, Regular**  
City of Mill Valley

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

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

**Craig K. Murray, Regular**  
Las Gallinas Valley Sanitary

**Lew Kious, Alternate**  
Almonte Sanitary District

**Jeffry Blanchfield, Chair**  
Public Member

**Chris Skelton, Alternate**  
Public Member

## Discussion

This item is for the Commission to receive an update comparison of (a) budget to (b) actual expenses and revenues through the month of March. The report provides the Commission the opportunity to track expenditure trends accompanied by year-end operating balance projections from the Executive Officer. The report is being presented to the Commission to formally accept and file and provide related direction as needed.

## Summary of Operating Expenses

The Commission’s budgeted operating expense total for 2017-2018 is \$556,781. Actual expenses processed through the first nine months totaled \$274,191; an amount representing 49.2% of the budgeted total with 74.8% of the fiscal year complete.

Expense Units	Adopted w/ Amendments	Actuals Through 3/31	Percent Expended	Unexpended Balance
1) Salaries and Benefits	360,639	152,615	42%	208,024
2) Administrative	90,614	36,478	40%	54,136
3) Services and Supplies	105,529	85,097	81%	20,432
4) Contingencies	-	-	-	-
<b>Total</b>	<b>\$556,781</b>	<b>\$274,191</b>	<b>49%</b>	<b>\$398,176</b>

Actuals through the first nine months or third quarter and related analysis suggest the Commission is on pace to finish the fiscal year with \$533,096 in total expenses and produce an unexpended budgeted savings of \$23,686 or 4%. An unexpended discussion on budgeted and actual expenses through the first nine months and related year-end projections follow.

### Salaries / Benefits Unit

The Commission budgeted with amendments \$360,639 in the Salaries and Benefits Unit for 2017-2018 with proceeds largely tied to funding 2.85 fulltime equivalent employees as well as existing retiree obligations. Through the first nine months the Commission’s actual expenses within the seven affected accounts totaled \$152,615 or 42% of the budgeted amount. One of the accounts – Workers Compensation – finished with balances exceeding the proportional 75% spending threshold for the period with explanations provided below. Additionally, with the recent departure of one fulltime equivalent employee, the Executive Officer, and the hiring of a part-time employee, the Administrative Associate, it is reasonable to assume staff salaries, benefits and pension contributions will amount to only 80% of the budgeted totals with the adjustment in anticipated staffing levels. The savings from this unit has been placed under the administrative unit for professional services. In the absence of any additional amendments at this time, however, it is projected the Commission finish the fiscal year with an expense total of \$293,380, and result in a surplus of \$67,259 or 19%.<sup>1</sup>

- Workers Compensation

This account covers the Commission’s contract costs to participate in the Special Districts Risk Management Authority’s (SDRMA) risk-pool for employee injury and disability coverage while performing work-related functions. The Commission budgeted \$1,774 in this account in

<sup>1</sup> The projected year-end total assumes the Commission Clerk will remain on full leave through June 30<sup>th</sup> and factors in the reduction in anticipated staffing levels.

2017-2018 based on recent trends and ahead of a formal notification from SDRMA. Actual expenses through March totaled \$1,643 or 94.2% of the budgeted amount and tied to providing full invoice payment in September. Staff anticipates all budgeted costs are paid and the Commission will finish with a \$0 ending balance.

### **Administrative Activities Unit**

The Commission budgeted with amendments \$90,614 in the Administrative Activities Unit for 2017-2018 to provide funding for *direct* support services necessary to operate Marin LAFCO (emphasis).<sup>2</sup> Through the first nine months the Commission's actual expenses within the six affected accounts totaled \$36,478 or 40% of the budgeted amount. One of the affected accounts – Commissioner Pier Diems – finished with balances exceeding the proportional 75% spending threshold for the period with explanations provided below. Additionally, with the departure of one fulltime equivalent employee, it is reasonable to assume the Commission will expend additional consultant costs over the current budgeted outlay in professional services for additional staff and legal support. In the absence of subsequent amendments at this time, it is projected the Commission will finish the fiscal year with an expense total the estimated total of \$132,614.

- Work Conferences

This account covers the Commission's costs for continued educational training specific to attending overnight conferences and workshops. The Commission budgeted \$2,965 in this account for 2017-2018 based on recent actual trends. Actual expenses through March totaled \$3,127 and attributed to registration costs for the CALAFCO Annual Conference held in October in San Diego. Staff projects no additional registration costs over the succeeding three months and estimates a resulting year-end shortfall of (\$1,676) or (44%).

### **Services and Supplies Unit**

The Commission budgeted \$105,529 in the Services and Supplies Unit for 2017-2018 to provide funding for *indirect* support services necessary to operate Marin LAFCO (emphasis). Through the first nine months the Commission's actual expenses within the 11 affected accounts totaled \$85,097 or 81% of the budgeted amount. Six accounts – Membership Dues, General Insurance, Communication Services, Office Equipment and Replacement, Ongoing Education and Training, and Graphic Website/Design– finished with balances exceeding the proportional 75% spending threshold for the period with explanations provided below. In the absence of subsequent amendments, it is projected the Commission will finish the fiscal year with an expense total of \$107,102, and result in an overall shortfall of (\$1,573) or (1.5%).

- Membership Dues

This account covers the Commission's annual dues for ongoing membership with several outside agencies and organizations as previously authorized by the members. This includes MarinMap and CALAFCO memberships. The Commission budgeted \$14,556 in this account for 2017-2018 based on recent actual trends. Actual expenses in this account through the first nine months totaled \$14,025 or 96.4% of the budgeted amount and tied to providing full payment of all budgeted costs. Staff anticipates all budgeted costs will be paid and the Commission will finish with a \$0 ending balance.

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<sup>2</sup> The original budgeted amount in the Administrative Unit totaled \$86,114. This total was subsequently amended to \$90,614 with the increase - \$4,500 – being drawn from the Salaries/Benefits Unit.

- General Insurance

This account covers the Commission's contract cost to participate in SDRMA's risk-pool for general liability coverage to meet future claims and losses tied to third-party injuries and property damages. The Commission budgeted \$3,993 in this account in 2017-2018 based on the prior year's charge. Actual expenses through the first nine months totaled \$3,993 or 100% of the budgeted amount and tied to providing full payment upon receipt of an invoice in August. No other invoices are expected, and accordingly the Commission should finish the fiscal year with an ending balance of \$0.

- Communication Services

This account principally covers the Commission's three traditional communicative expenses, internet/network provision, website hosting, and office telephone/facsimile lines. The Commission budgeted \$8,236 in this account for 2017-2018. Actual expenses in this account through the first nine months totaled \$7,881 or 95.7% of the budgeted amount with the costs primarily associated with rental totals for postage solutions, a final payment to resolve a claim with AT&T, and the account closure of the Executive Officer's mobile plan. Staff anticipates year-end expenses totaling \$8,236 and resulting in an ending balance of \$0.

- Office and Equipment

This account covers the Commission's general overhead costs ranging from basic material supplies to office furniture. The Commission amended its budget to \$23,066 in this account for 2017-2018 based on projected year-end totals. Actual expenses in this account through the first nine months totaled \$20,216 or 87.6% of the budgeted amount. Nearly two-thirds of these expenses are attributed to the purchase, delivery and set up of a new computer network system and computers for four workstations; costs that had been amended to the budget this fiscal year. It is projected the Commission will ultimately expend \$25,000 in this account through June, and result in a year-end deficit of (\$1,934) or (8%).

- Training

This account covers ongoing education services for Commissioners and staff. The Commission budgeted \$1,250 in this account for 2017-2018. Actual expenses in this account through the first nine months totaled \$1,350 or 108% of the budgeted amount with the costs tied to the Interim Executive Officer completing a certificate program from eCornell in Measuring and Improving Business Performance. No additional expenses are expected within this account through June and producing a year-end deficit balance of (\$100) or (7.4%).

- Graphic/Website Design

This account covers the Commission's general costs tied to utilizing professional services for all specified graphic and website design or edits. The Commission budgeted \$11,613 in this account in 2017-2018 with nearly all funds earmarked for the design, launch and maintenance of the new website. Actual expenses in this account through the first nine months totaled \$11,217 or 97% of the budgeted amount and predominately tied to paying in full the second of

three annual installment payments to CivicPlus for website design and ongoing support services. Limited additional costs are expected, and as such the Commission is projected to finish with an ending balance of \$0.

### Summary of Operating Revenues

The Commission’s budgeted operating revenue total for 2017-2018 is \$546,781. Actual revenues collected through the first nine months totaled \$530,051. This amount represents 97% of the budgeted total with 75% of the fiscal year complete. A summary comparison of budgeted to actual operating revenues follows.

Revenue Unit	Adopted	Actuals Through 3/31	Percent Collected	Amount Outstanding
1) Intergovernmental	514,781	514,781	100%	-
2) Service Charges	30,000	13,829	46%	16,171
3) Interest Earnings	2,000	1,440	72%	560
<b>Total</b>	<b>\$546,781</b>	<b>\$530,051</b>	<b>97%</b>	<b>\$16,730</b>

Actuals through the first nine months and related analysis suggest the Commission’s year-end revenue totals will tally \$546,781 and result in an ending balance of \$0. An expanded discussion on the budgeted and actual revenues through the first nine months in the main revenue units follows.

#### Intergovernmental Fees Unit

The Commission budgeted \$514,781 in the Intergovernmental Fees Unit for 2017- 2018. This total budgeted amount was to be divided into three equal shares at \$171,594 and invoiced among the County of Marin, 11 cities/towns, and 30 independent special districts as provided under State statute. All invoices are received. Accordingly, the Commission will finish with an ending balance of \$514,780 or 100% of the budgeted amount.

#### Application Fees Unit

The Commission budgeted \$30,000 in the Application Fees Unit for 2017-2018. Through the first nine months \$13,829 in application fees have been collected. Staff anticipates – and at least for budgeting purposes – the account ultimately tallying \$30,000 and result in a year-end balance of \$0.

#### Interest Unit

The Commission budgeted \$2,000 in the Interest Unit for 2017-2018. Through the first nine months \$1,440 of interest earnings by the County Treasurer have been collected. Staff anticipates – and at least for budgeting purposes – the account ultimately tallying \$2,000 and result in a year-end balance of \$0.

Activity through the first nine months of the fiscal year indicates the Commission is proceeding as planned while also – and advantageously – on pace to eliminate its budgeted net operating deficit of (\$10,000) and finish with a surplus of \$13,685. This projected improvement is largely tied to accruing salary and related benefit savings associated with the continued leave of one the Commission’s three budgeted positions and the departure of the Executive Officer. These saving in salary and benefits – and among other potential uses – is expected to help absorb significant projected overruns in general administrative and office expenses with the latter tied to outside consultants and ongoing support services.

## **Alternatives for Action**

The following alternatives are available to the Commission:

### Alternative One (Recommended):

Accept and file the report as presented and provide direction as needed to staff with respect to any related matters for future consideration.

### Alternative Two:

Continue consideration of the report to a future meeting and provide direction for more information as needed.

## **Recommendation**

It is recommended the Commission proceed with the actions outlined in the preceding section as Alternative One.

## **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.

Respectfully,



Rachel Jones  
Interim Executive Officer

### Attachments:

- 1) 2017-2018 General Ledger through March 31, 2018





# MARIN LOCAL AGENCY FORMATION COMMISSION

Regional Service Planning | State of California

## Expense Ledger

		FY2014-2015		FY2015-2016		FY2016-2017		FY2017-2018			
		Final	Actuals	Final	Actuals	Final	Actuals	Adopted	Amended	Actuals	Projected
		FY14-15	FY14-15	FY15-16	FY15-16	FY16-17	FY16-17	FY17-18	FY17-18	As of 3-31-18	FY17-18
								(74.8% of FY)			
								% of Budget			
<b>Salary and Benefit Costs</b>											
<u>Account</u>	<u>Description</u>										
5110110	Staff Salaries	189,884	179,672	246,688	241,699	234,111	217,782	282,079	265,913	124,140	212,730.51
5130510	Employee Retirement (MCERA)	51,793	45,258	61,990	59,730	57,852	45,478	37,561	37,561	10,170	30,048.85
5140125	Employee Benefits (County of Marin)	16,888	15,486	25,443	25,980	26,867	22,210	32,313	32,313	10,907	25,850.12
5140141	Payroll Tax	2,518	2,704	3,693	4,270	4,020	5,298	3,887	3,887	2,606	3,887
5140115	Workers Compensation	736	792	742	1,064	960	1,731	1,744	1,744	1,643	1,643
5140145	Unemployment Insurance	868	1,215	868	2,234	6,290	106	3,605	3,605	-	3,605
5130525	Post Employment Benefits (CalPERS)	16,798	24,898	14,880	13,481	15,615	15,320	15,615	15,615	3,150	15,615
		279,486	270,024	354,304	348,459	345,716	307,925	376,805	360,639	152,615	293,380.18
<b>General Administrative Costs</b>											
<u>Account</u>	<u>Description</u>										
5210110	Professional Services	5,800	17,183	15,255	15,793	15,020	13,554	26,180	30,680	16,350	70,680
5210131	Legal Services	14,196	2,477	10,075	10,045	58,579	54,301	35,880	35,880	6,220	35,880
5210230	Accounting and Payroll	8,000	-	4,925	1,200	6,125	7,217	5,550	5,550	2,007	5,550
5211325	Work Conferences	4,000	2,614	2,975	3,495	2,450	1,953	2,965	2,965	3,127	2,965
5211440	Mileage and Travel	3,000	3,523	3,037	3,851	4,118	4,486	4,539	4,539	773	4,539
5211533	Commissioner Per Diems	7,100	4,600	7,100	5,500	10,875	10,625	11,000	11,000	8,000	13,000
		42,096	30,397	43,367	39,884	97,166	92,136	86,114	90,614	36,478	132,614
<b>Service and Supply Costs</b>											
<u>Account</u>	<u>Description</u>										
5211270	Office Space Leases/Rents	16,770	16,770	17,370	19,774	24,938	25,527	31,253	31,253	21,338	31,403
5211330	Membership and Dues	13,340	13,896	14,092	14,017	14,369	14,269	14,556	14,556	14,025	14,556
5210525	General Insurance	3,000	2,771	2,771	2,677	2,677	2,564	3,993	3,993	3,993	3,993
5210715	Communication Services	5,875	5,416	6,054	7,497	6,568	8,783	8,236	8,236	7,881	8,236
5211516	Reprographic/Map Services	-	-	-	-	-	180	-	-	-	-
5220110	General Office Supplies	2,000	5,831	23,400	19,795	7,590	6,823	4,200	4,200	2,078	4,200
5210935	Office Equipment and Replacement	6,000	8,672	2,907	4,706	5,137	3,783	11,400	23,066	20,216	25,000
5211340	Ongoing Education and Training	1,500	327	1,095	820	1,800	808	1,250	1,250	1,350	3,000
5211520	Public Notices and Publications	2,000	1,121	2,095	3,804	5,000	4,006	5,000	5,000	2,680	3,500
5210129	Website and Graphic Design	2,000	3,000	2,000	-	15,500	12,795	11,613	11,613	11,217	11,613
TBD	Miscellaneous / Petty Cash	-	-	-	-	-	-	1,961	1,961	39	1,200
5211215	Records Storage	800	315	800	366	401	458	401	401	282	401
		53,285	58,119	72,584	73,456	83,980	79,996	93,863	105,529	85,097	107,102
<b>Contingencies</b>											
<u>Account</u>	<u>Description</u>										
	Operating Reserve	-	-	-	-	-	-	-	-	-	-
<b>EXPENSE TOTALS</b>		<b>374,866</b>	<b>358,540</b>	<b>470,254</b>	<b>461,799</b>	<b>526,862</b>	<b>480,057</b>	<b>556,781</b>	<b>556,781</b>	<b>274,191</b>	<b>533,095.82</b>

**Revenue Ledger**

		FY2014-2015		FY2015-2016		FY2016-2017		FY2017-2018				
		Final FY14-15	Actual FY14-15	Final FY15-16	Actual FY15-16	Final FY16-17	Actual FY16-17	Adopted FY17-18	Amended FY17-18	Actuals As of 9-30-17 (22.8% of FY)	Projected FY17-18	
<b>Intergovernmental</b>										% of Budget		
<u>Account</u>	<u>Description</u>											
4710510	Agency Contributions	348,366	348,367	387,528	387,528	470,362	469,161	514,781	514,781	514,781	100.0%	514,781
		348,366	348,367	387,528	387,528	470,362	469,161	514,781	514,781	514,781	100.0%	514,781
<b>Service Charges</b>												
4640333	Application Fees	25,000	15,536	25,000	17,424	30,000	23,778	30,000	30,000	8,279	27.6%	30,000
4710631	Miscellaneous	-		226	365	-	-	-	-	-	-	-
		25,000	15,536	25,226	17,789	30,000	23,778	30,000	30,000	8,279	27.6%	30,000
<b>Investments</b>												
	Interest	1,500	700	1,500	769	1,500	1,417	2,000	2,000	544	27.2%	2,000
		1,500	700	1,500	769	1,500	1,417	2,000	2,000	-	0.0%	2,000
<b>REVENUE TOTALS</b>		374,866	364,603	414,254	406,086	501,862	494,356	545,781	546,781	523,603	95.8%	546,781
<b>OPERATING NET</b>		-	6,064	(56,000)	(55,713)	(25,000)	14,299	(10,000)	(10,000)			13,685.28
(negative amounts reflect draw down on reserves)												
<b>AUDITED FUND BALANCE</b>												
As of June 30th		\$	196,618.00	\$	177,137.00							



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 4 (Consent / Action)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Rachel Jones, Interim Executive Officer  
**SUBJECT:** **Progress Report on 2017-2018 Work Plan**

The Commission will receive a progress report on accomplishing specific projects established as part of the adopted work plan for 2017-2018. The report is being presented to the Commission to formally receive and file as well as provide direction to staff as needed.

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Local Agency Formation Commissions (LAFCOs) are responsible for regulating the formation and development of local government agencies and municipal service areas under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH). This includes timing the establishment, expansion and reorganization of local government and their public services to meet current and future community needs. LAFCOs inform their regulatory powers through various administrative and planning activities with an increasing emphasis on performance measurement.

### Background

Marin LAFCO's ("Commission") current fiscal year work plan was adopted at a noticed public hearing held on June 8, 2017. The work plan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high; moderate; or low. The underlying intent of the work plan is to serve as a management tool to allocate Commission resources in an accountable and transparent manner over the corresponding 12-month period. Further, while it is a stand-alone document, the work plan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly.

This item provides the Commission with a status update on the two-dozen plus targeted projects established for the fiscal year with a specific emphasis on the “top ten”: the projects that represent the highest priority to complete during the fiscal year as determined by the membership. This includes identifying the projects already completed, underway or pending in the accompanying attachment. The report and the referenced attachment is being presented for the Commission to formally receive and file while also providing additional direction to staff as appropriate.

## **Discussion**

The Commission has initiated work on seven of the two-dozen plus projects and has completed eight projects included in the adopted work plan. This includes the completion of four high priority projects and highlighted by establishing bookkeeping services, the appointment of Commission Counsel and the recruitment of a temporary hire to supplement the Commission Clerk position. With the departure of the Executive Officer, additional support is needed to prioritize resources in addressing LAFCO's duties and responsibilities. Other notable projects underway include the Commission's municipal service review on San Rafael and Lucas Valley, the sphere of influence updates on Central Marin wastewater agencies and the reorganization of Murray Park Sewer Maintenance District and San Quentin Village Sewer Maintenance District.

## **Alternatives for Action**

The following alternatives are available to the Commission:

### Alternative One (Recommended):

Accept and file the report as presented.

### Alternative Two:

Continue consideration of the report to a future meeting and provide direction to staff for more information 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.

Respectfully,



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Rachel Jones  
Interim Executive Officer

### Attachments:

- 1) 2017-2018 Work Plan with Notations



# Marin Local Agency Formation Commission

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

### 2017-2018 Work Plan

#### Introduction:

Local Agency Formation Commissions (LAFCOs) operate under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) and are delegated broad regulatory and planning responsibilities by the Legislature to oversee the formation and subsequent development of local government agencies and their municipal service areas. Common regulatory functions include approving boundary change and outside service requests. Common planning functions include preparing studies to independently evaluate the availability, performance, and need for urban services and establishing spheres of influence – which are the Legislature’s version of urban growth boundaries and gatekeepers to future boundary changes – for all cities and special districts. All regulatory and planning activities undertaken by LAFCOs may be conditioned and must be consistent with administrative policies and procedures.

#### Objective:

This document represents Marin LAFCO’s (“Commission”) formal 2017-2018 Work Plan. The Workplan draws on the Commission’s existing strategic plan and other germane and time-demanding projects identified by the Executive Officer and vetted with the Budget Committee (McEntee, Murray, and Rodoni) in the course of developing an operating budget for the fiscal year. The Workplan is divided into two distinct categories – statutory and administrative – with one of three priority rankings: high, moderate, or low. The underlying intent of the Workplan is to serve as a management tool to allocate Commission resources in an accountable and transparent manner over the 12 month period. Further, while it is a stand-alone document, the Workplan should be reviewed in relationship to the adopted operating budget given the planned goals and activities are facilitated and or limited accordingly.

#### Executive Summary:

The 2017-2018 Workplan continues to guide the Commission to prioritize resources in addressing statutory duties and responsibilities. Most notably this includes two comprehensive municipal service reviews involving the San Rafael/Lucas Valley and Novato regions. Commission initiated reorganizations involving Murray Park and San Quentin Village Sewer Maintenance Districts are also scheduled. Notable new administrative projects include filling staff positions, performing policy updates, and establishing long-term bookkeeping and payroll protocols instep with the Commission’s recent transition to a stand-alone accounting system. A limited number of projects have also been identified as low priorities with the policy intention therein for the Commission to address – such as updating the application packet and establishing social media polices and protocols – as resources allow.

Priority	Urgency	Type	Status	Project	Key Issues	Status
1	High	Statutory	New	Commission Counsel Appointment	Statutory Need for Commission to Appoint Counsel   RFP Process	C
2	High	Statutory	Rollover	New Website Design and Implementation	Required to Maintain Website; Serves as Main Communicative Tool   Focus on Branding	C
3	High	Administrative	New	Contract Bookkeeping Services	Need Long-Term Bookkeeping Solution in Step with New Finance System	C
4	High	Statutory	Rollover	General MSR on San Rafael/Lucas Valley Region	First MSR for Region since 2005   Community Outreach in Islands	U
5	High	Statutory	Rollover	General MSR on Novato Region	First MSR for Region since 2002   Community Outreach and UGB Compatibility	U
6	High	Statutory	New	Policy Review: Personnel Procedures	Existing Policies Tie LAFCO to County; Need to Scaledown	U
7	High	Administrative	New	MPSMD and SQVSMD Reorganization	Discretionary; Consistent with Recommendation of Central Marin Wastewater Study	U
8	High	Administrative	New	Recruit and Hire New Staff Member	Fill and/or Supplement Commission Clerk Position	C
9	High	Statutory	New	Sphere Updates for Central Marin WW Agencies	First SOI Updates for Most Agencies Since 2005   RVSD; CMSD; SRSD; and LGVSD	U
10	High	Administrative	New	Evaluate Pension Contract with CalPERS	Explore Cost-Savings Opportunity; Potential Synch with OPEB Relationship	P
11	Moderate	Administrative	New	Prepare Informational Report on JPAs	Post Enactment of SB 1266; Enhance Repository on Local Governmental Services	C
12	Moderate	Administrative	New	Policy Review: Dual Annexation Policy	Follows San Rafael and Novato Region MSRs; Define Substantially Surrounded	P
13	Moderate	Administrative	New	Establish Contract Payroll Services	County Desiring Separation with Outside Users; Address Benefits and Holdings	U
14	Moderate	Administrative	New	2016-2017 Audit	Best Practice   First Audit of QuickBooks System	U
15	Moderate	Administrative	New	E-Agenda Packets	Simplify Agenda Packet Production through E-Tablets   Purchase and Training	C
16	Moderate	Administrative	New	Host 2018 CALAFCO Staff Workshop	April 2018   Expected 120 Plus Attendees	C
17	Moderate	Administrative	New	Memorialize Employer Benefit Contracts	Potential MOU with County or Other to Memorialize Benefit Services	P
18	Moderate	Administrative	New	Evaluate Contract Human Resource Services	Reconcile Government Agency with Scale	P
19	Low	Statutory	Rollover	Mutual Water Companies	AB 54 Implementation; Onus on Mutual to Cooperate	P
20	Low	Statutory	Rollover	Disadvantaged Unincorporated Communities	SB 244 Implementation; Coordinate with CALAFCO	P
21	Low	Administrative	Rollover	Update Application Packet	Current Application Dated; Need to Address New Requirements; Make User Friendly	P
22	Low	Administrative	Rollover	Social Media Policies and Protocols	Expand Outreach to Capture Alternate Media Forums	C
23	Low	Administrative	Rollover	Local Agency Directory	Current Directory Out of Date and Limited to Browser   Opportunity to Show Value	P
24	Low	Administrative	New	Review GIS Needs and Options	Existing Benefit of MarinMap Relative to Cost Merits Review; Address Data Limitations	P
25	Low	Administrative	Rollover	Special District Selection Committee	Assist in Re-establishing Special Selection Committee in Marin County	P

**Status Notations:**

C: Completed

U: Underway

P: Pending



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 5 (Consent / Information)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Rachel Jones, 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. The report is being presented to the Commission for information only.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates Local Agency Formation Commissions (LAFCOs) with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving or disapproving boundary changes involving the formation, expansion, merger, and dissolution of cities, towns and special districts as well as sphere of influence amendments. It also includes overseeing outside service extensions. Proposals involving jurisdictional changes filed by landowners or registered voters must be put on the agenda as information items before any action may be considered by LAFCO at a subsequent meeting.

### Information / Discussion

#### Current Proposals | Approved and Awaiting Term Completions

The following proposals were previously approved by Marin LAFCO (“Commission”) but remains active given not all approval terms established by the membership have been met. CKH provides applicants one calendar year to complete approval terms or receive extension approvals before the proposals are automatically terminated.

- **Reorganization of Mesa Road | Bolinas Community Public Utility District (LAFCO File No. 1337)**

The Commission received a proposal by the affected 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.

- **Annexation of 1501 Lucas Valley Road | Marin Municipal Water District (LAFCO File No. 1324)**  
The Commission received a proposal by the affected 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.
  
- **Reorganization of 238 Summit Drive et al | Corte Madera Sanitary District and Ross Valley Sanitary District (LAFCO File No. 1336)**  
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. Terms remain outstanding as of date and therefore the proposal remains active.
  
- **Annexation of 700 and 726 Sequoia Valley Road | Homestead Valley Sanitary District (LAFCO File No. 1322)**  
This proposal was 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. Terms remain outstanding as of date and therefore the proposal remains active. The Commission separately approved a one-year extension to complete the terms in June 2017.

### **Current Proposals | Under Review and Awaiting Hearing**

There are currently three active proposals on file with the Commission that remain under administrative review and awaiting hearings as of the date of this report.

- **Annexation of 255 Margarita Drive | San Rafael Sanitation District (LAFCO File No. 1328)**  
The Commission has received a proposal by the affected 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.

- **Reorganization of 400 Upper Toyon Road |  
City of San Rafael and Town of Ross (LAFCO File No. 1335)**

The Commission has received a proposal from the affected 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.

- **Annexation of 610 Calle de La Mesa |  
County of Marin (LAFCO File No. 1338)**

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 annex 0.03 acres of land adjoining the affected territory from the City of Novato into the County of Marin for a lot line adjustment. The applicant believed that the proposed annexation territory was included in her lot line, but after seeking to install a fence along the property line, 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.

## Pending Proposals

There are three potential new proposals staff believes *may* be submitted to the Commission in the near future from local agencies based on ongoing discussions with proponents (emphasis added). These potential proposals are summarized below to aid the Commission in telegraphing the agency's impending workload.

- **Police Power Activation |  
Muir Beach Community Services District**

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.

▪ **Conditions, Covenants and Restrictions Service Power Activation |  
Bel Marin Community Services District**

The Bel Marin 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.

▪ **Boundary Adjustment |  
County Service Area No. 29 - Paradise Cay**

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.

### **Commission Review**

This item has been placed on the agenda as part of the consent calendar for information only as required under State law. 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.

Attachments: none



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 6 (Consent / Information)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Rachel Jones, Interim Executive Officer

**SUBJECT:** **CALAFCO White Paper | State of the Art on Agricultural Preservation**

The Commission will receive CALAFCO’s white paper published in February 2018 in collaboration with the American Farmland Trust on the importance of LAFCOs’ role in preserving agricultural lands and case studies on how individual LAFCOs have interpreted this responsibility locally through their own policies. The report is being presented for information only.

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California Association of Local Agency Formation Commissions (CALAFCO) was established in 1971 to assist members in fulfilling their prescribed regional growth management duties. Key services include facilitating information sharing among members by organizing annual conferences and workshops as well as providing technical assistance through training classes and e-mail list serves. CALAFCO’s adopted budget is currently \$0.443 million and primarily supported by annual membership dues and supplemented by revenues generated at trainings and conferences.

### Information

This item is for Marin LAFCO (“Commission”) to review the white paper prepared by CALAFCO and the American Farmland Trust (AFT). The white paper is intended as a guide for LAFCOs in this statutory role and provides guidelines on the development of agricultural preservation policies by LAFCOs. The white paper merits consideration in the future review of Marin LAFCO’s own policy on agricultural and open space preservation to help ensure the determinations that reflect current and best practices.

### Commission Review

This item has been placed on the agenda as part of the consent calendar for information only. The Commission is also invited to discuss the item and provide direction to staff on any related matter as needed.

#### Attachments:

- 1) CALAFCO White Paper: *State of the Art on Agricultural Preservation*
- 2) Marin LAFCO’s Policy on Agricultural Land Preservation

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#### Administrative Office

Rachel Jones, 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

Carla Condon, Vice Chair  
Town of Corte Madera

Sashi McEntee, Regular  
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Chris Skelton, Alternate  
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# State of the Art on Agricultural Preservation

February 2018



A collaboration of American Farmland Trust and the California Association of Local Agency Formation Commissions



A Research Report of the  
HELEN K. CAHILL CENTER FOR  
FARMLAND CONSERVATION POLICY INNOVATION

# CALAFCO WHITE PAPER

# State of the Art on Agricultural Preservation

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### Contact

California Association of Local Agency  
Formation Commissions  
1215 K Street, Suite 1650  
Sacramento, CA 95814  
916-442-6536  
info@calafco.org

American Farmland Trust  
2001 N Street Suite 110  
Sacramento, CA 95811  
(916) 448-1064  
www.farmland.org  
sunger@farmland.org

## Purpose and Objectives

The purpose of this white paper is to inform and inspire Local Agency Formation Commissions (LAFCo) that are seeking to establish or enhance policies that preserve agricultural land, while simultaneously promoting orderly growth and development. The California Association of Local Agency Formation Commissions (CALAFCO) invited American Farmland Trust (AFT) to work collaboratively on this white paper to exchange and share perspectives on their respective experiences in successful policy implementation and development. This paper explores the parameters of agricultural land preservation and provides guidance in the development of agricultural land preservation policies for individual LAFCos to consider.

This white paper discusses the importance of agriculture to our local communities and why the California Legislature has equipped LAFCos with the powers to curtail urban sprawl and discourage expansion onto the state's agricultural lands. The paper examines LAFCos' statutory role in preserving agricultural lands and presents opportunities for how LAFCos can incorporate the preservation of agricultural land into their local policies. Brief case studies are provided throughout to demonstrate how individual LAFCos have interpreted this responsibility locally through their own policies.

### White Paper Objectives:

- 1) Provide an understanding of the economic, environmental, and cultural importance of agriculture to local communities and the state at large.
- 2) Explain the components of an effective and comprehensive LAFCo agricultural preservation policy, including the role of policies that encourage "Avoiding," "Minimizing," and "Mitigating" the loss of farmland.
- 3) Explain the role of the California Environmental Quality Act (CEQA)<sup>1</sup> in both annexation proposals that impact agriculture and in requirements for adopting agricultural preservation policies.
- 4) Explain the role of LAFCo in city and county planning processes and how to encourage continuous communication and collaborative planning and studies between public agencies.
- 5) Demonstrate the circumstances in which LAFCo may wish to consider an agricultural preservation policy.

### **A Unique Perspective from AFT**

AFT believes in the importance of protecting farmland while supporting sustainable community growth. AFT promotes LAFCoS as key players in conserving agricultural land since most productive farmland is located around cities. Having actively promoted farmland conservation in California for nearly two decades, AFT offers insight on why it is important to preserve farmland and presents best practices.

### **A Unique Perspective from CALAFCO**

The Legislature intends LAFCoS to be responsive to local challenges as well state priorities. An individual LAFCo's policies can lay out LAFCo's statutory mandate to balance the state interest in the preservation of open space and prime agricultural lands with the need for orderly development. LAFCoS have used their planning authority to anticipate and reduce or avoid the loss of agricultural land. Across the state, LAFCo experiences reflect the variance of practices on agricultural preservation between rural, suburban and urban counties.

## **Introduction**

The Legislature created a LAFCo in each county in 1963 with the intent that they fulfill state policy to encourage orderly growth and development. These objectives were deemed essential to the social, fiscal, and economic well-being of the state. The Legislature recognized that the logical formation and determination of local agency boundaries was an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services.

It was also the intent of the Legislature that each LAFCo “establish written policies and procedures and exercise its powers pursuant to statute [Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act)] in a manner consistent with those policies and procedures and in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns.” (Gov. Code §56300.) These written policies and procedures were required to be adopted by LAFCoS by January 1, 2002.

Since 1963, each LAFCo has overseen the growth of its cities and special districts through incorporations, annexations and, since 1973, the establishment of spheres of influence (which were only enforced beginning in 1985). At the time, converting lands once used for agricultural purposes to urban land uses was seen as a necessary part of accommodating the growth of California's cities. It was common for city and county leaders to see agricultural lands around cities as areas for future urbanization, with the assumption that this type of urban development would assure the economic health of the community and provide much needed housing.

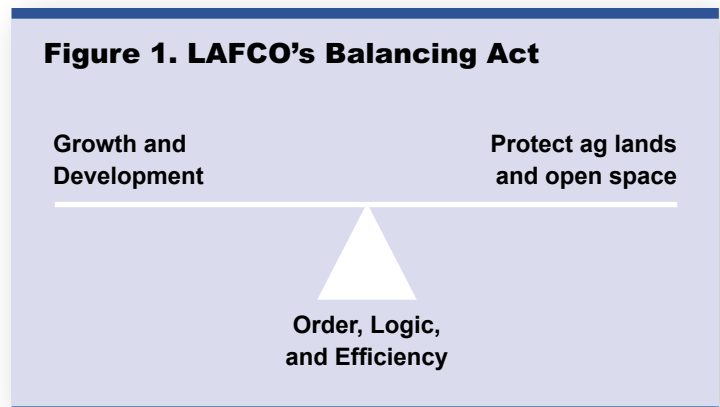
Two years after the creation of LAFCoS, the state enacted California Land Conservation Act of 1965 (commonly referred to as the Williamson Act) to address the growing concern that the growth of California cities was coming at the expense of losing agricultural lands. The original purpose of



the Williamson Act was to counteract tax laws that often encouraged the conversion of agricultural land to urban uses (i.e., if you were being taxed at urban rates you might as well sell to urban developers). This act enabled local governments to enter into contracts with private landowners for the purpose of creating agricultural preserves that restrict specific parcels of land to agricultural or related open-space use in exchange for reduced property taxes. Over time, this approach has had mixed success. In an earlier regulatory era, when the subdivision of land far from a city and formation of special districts to provide municipal services was a common practice, creating agricultural preserves under Williamson Act contract was deemed necessary to limit development of those parcels. The likelihood that agricultural land could be converted to urban or rural development was high enough to justify the reduction in property tax revenue in exchange for limiting the land’s development potential.

Today, much of the land under Williamson Act contract in many counties is far from a city’s sphere of influence, where conversion of the most productive farmland most frequently occurs. Yet, the agricultural lands that are under pressure of being converted to non-agricultural uses are most often located on the urban fringe. Due to development speculation of these lands, they are less likely to be protected under a Williamson Act contract, making the role of LAFCo ever more important.

LAFCos were created to implement the state’s growth management and preservation goals. To achieve these objectives, LAFCos were given the sole authority to regulate the boundaries and service areas of cities and most special districts. Though they do not have local land use authority, LAFCos exercise their authority by denying, approving, or conditionally approving expansion proposals by cities and special districts. With this broad authority, each LAFCo uses its own discretion to act in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. Figure 1 depicts the balance that LAFCos are expected to achieve through their actions.



## Varying Definitions of “Prime” Agricultural Lands

As discussed further below, preserving prime agricultural land is a key statutory mandate of LAFCo. To measure and understand the importance of California’s remaining prime agricultural land, this paper defines what constitutes prime agricultural land. This can be a challenge because federal, state, and local agencies, including LAFCos, all operate under different laws and requirements each setting out different definitions of prime farmland.

As defined by the United States Department of Agriculture, prime farmland is

Land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these uses. It has the

soil quality, growing season, and moisture supply needed to produce economically sustained high yields of crops when treated and managed according to acceptable farming methods, including water management. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding.”<sup>2</sup>

AFT relies on the California Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP) definition of prime farmland, which originated from the USDA definition. The FMMP was established by the State of California in 1982 to produce agricultural resource maps, based on soil quality and land use. The FMMP maps are updated every two years using aerial photographs, a computer-based mapping system, public review, and field reconnaissance. The FMMP definition of Prime Farmland is “land which has the best combination of physical and chemical characteristics for the production of crops. It has the soil quality, growing season, and moisture supply needed to produce sustained high yields of crops when treated and managed, including water management, according to current farming methods. Prime Farmland must have been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date. It does not include publicly owned lands for which there is an adopted policy preventing agricultural use.”<sup>3</sup> FMMP also maps farmland that is classified as less than prime, such as Unique Farmland, Farmland of Statewide Importance, Farmland of Local Importance (which is defined by local jurisdictions and accepted by FMMP), Urban and Built-up Land, and Other Land.

LAFcos operate according to their own definition,<sup>4</sup> which identifies prime agricultural land as:

an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications:

- (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible.
- (b) Land that qualifies for rating 80 through 100 Storie Index Rating.
- (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Range and Pasture Handbook, Revision 1, December 2003.
- (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars (\$400) per acre.
- (e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars (\$400) per acre for three of the previous five calendar years.

Land that would not qualify as Prime under USDA or FMMP definitions of Prime, may qualify as Prime under the LAFco definition; for example, Unique Farmland, and Farmland of Statewide

Importance, and grazing land can still meet the LAFCo definition of prime agricultural land. Although LAFCos monitor the conversion of Prime Farmland within their own jurisdictions, CALAFCO does not monitor that conversion statewide. Therefore, the following section utilizes the FMMP definition of Prime Farmland to illustrate the trends affecting farmland in California, which, from AFT's perspective, demonstrate the urgency of protecting what remains.

## **An AFT View: Why It Is Important to Preserve What We Have Left—What's at Risk?**

California boasts some of the most productive farmland on the planet, as measured in terms of the ratio of agricultural inputs to outputs. This productivity is largely possible because of California's Mediterranean climate and fertile soils, which require fewer inputs and are less subject to unfavorable climate conditions and pest pressures. This is important for many reasons, including state and national food security, California's prospects for economic growth and competitiveness on the agricultural market, and the efficient utilization of scarce resources such as water.

For nearly four decades, AFT has monitored the conversion of agricultural lands to development, and estimates that nationally, we lose approximately an acre every minute. In California, where the state has been monitoring the conversion of farmland to urban development since the early 1980s, the average rate of loss is 40,000 acres per year. At this rate, California will lose an additional two million acres by 2050, most of which will be prime farmland.

### **Current Trends**

Of California's approximately 100 million acres of land, 31 million acres or one-third, are used for agriculture. Of this agricultural land, 19 million acres are used for grazing land and 12 million acres are used to grow crops. That figure may seem significant, but only about 9 million acres of this cropland are considered to be prime, unique or of statewide importance (as defined by the California Department of Conservation's FMMP).<sup>5</sup> This resource is diminishing and is likely to continue to do so, mostly due to conversion to urban development, but also from other causes. Considering that not all remaining farmland is ideal for agriculture due to current and future water stress, climate and temperature changes, and other constraints such as strong soil salinity, protecting what is left is paramount.

In the last 30 years, California has lost more than one million acres of farming and grazing land, and about half of that loss was prime farmland. Figure 2 below provides a snapshot from the California Department of Conservation of what has happened to farmland over that period.

### **Economic and Cultural Benefits**

California is the leading agricultural producer in the United States. Its agricultural abundance includes more than 400 commodities. Over a third of the nation's vegetables and two-thirds of the nation's fruits and nuts are grown in California.<sup>6</sup> California is the sole producer of an array of commodities consumed by people all over the world. Nearly all of the domestically grown grapes, pomegranates, olives, artichokes, and almonds are grown in California, and over three-quarters

of the nation's strawberries and lettuce come from the golden state.<sup>7</sup> Ensuring the protection of the state's agricultural lands is essential to protecting California's agricultural economy, and supports numerous other social and environmental benefits to our communities.

Agriculture plays a significant role in many of the state's regions, fueling local economies, providing employment, and maintaining over a century of cultural heritage. In 2014, the farm gate value of the state's 76,400 farms and ranches was a record \$54 billion, double the size of any other state's agriculture industry. Of the \$54 billion, over \$21 billion was attributed to California's agricultural exports.<sup>8</sup> Not only is California the country's largest agricultural producer, it is the largest exporter of agricultural products. Agricultural products are one of California's top five exports.<sup>9</sup>

Agriculture creates significant ripple effects (i.e. multipliers) throughout California's economy. Each dollar earned within agriculture fuels a more vigorous economy by stimulating additional activity in the form of jobs, labor income and value-added processes. Farm production is closely linked to many other industries: the production of farm inputs, the processing of food and beverages, the textile industry, transportation and financial services. According to the University of California Agricultural Issues Center, which is located at UC Davis and studies the multiplier effects of California farm industry and closely related processing industries, the combined sectors generated 6.7 percent of the state's private sector labor force (including part-time workers), 1.3 percent of the Gross State Product (GSP) and 6.1 percent of the state labor income in 2009. The Center calculated that during that year, a \$1 billion increase of the value added from agricultural production and processing results in a total of \$2.63 billion of GSP.<sup>10</sup>

Including multiplier effects, each job in agricultural production and processing in 2009 accounted for 2.2 jobs in the California economy as a whole, and each farming job generated 2.2 total jobs. Agricultural production and processing are especially significant to the economy of California's Central Valley where, including ripple effects, they generated 22 percent of the private sector employment and 20.1 percent of the private sector labor income in 2009. Excluding ripple effects, agriculture directly accounted for 10.2 percent of jobs and 9.2 percent of labor income that year.<sup>11</sup>

When California loses productive agricultural lands, it loses the income and jobs associated with those lands. Despite the economic contribution to the state, agricultural lands are under pressure from a variety of forces that have the potential to significantly affect the food production capacity that contributes to the food security of the state, nation and world. Preserving farmland means preserving not only our food security but regional economic productivity, income levels, and jobs throughout the farming and food sectors.

### Figure 2. Quick Facts on California Farmland, 1984–2012

Did you know, over the course of 30 years...

- Over 1.4 million acres of agricultural land in California were removed from farming uses (a rate of nearly one square mile every four days)
- Of converted land, 49 percent was prime farmland
- For every 5 acres leaving agricultural use, 4 acres converted to urban land

Source California Department of Conservation, Farmland Mapping and Monitoring Program Farmland Mapping and Monitoring Program, *California Farmland Conversion Summary 1984–2014 and California Farmland Conversion Report, 2015*

In California, agriculture is an important cultural identity to many communities, ranging from large-scale farming operations to small-scale family farms and geographically spanning many regions throughout the state, from coastal metropolitan regions to the heart of the San Joaquin Valley. The expanse of agricultural products that California farmers offer adds to the uniquely California cultural scenery, abundance of fresh food, and greatly contributes to quality of life.

## Environmental Benefits

Although agricultural practices may sometimes have environmental downsides, agricultural use of land also contributes numerous benefits to the environment and communities. Agriculture is both vulnerable to climate change, and can help mitigate the impacts of climate change. Protecting agricultural lands will help communities reduce vehicle miles traveled (VMT) and greenhouse gas emission associated with vehicle travel by avoiding sprawl. Agricultural lands also have huge potential to sequester carbon. These two benefits make the preservation of these lands important strategies in meeting the long-term climate change goals under *California's 2017 Climate Change Scoping Plan*.<sup>12</sup> Additionally, their preservation is vital to maintaining groundwater recharge. The areas where our highest quality farmland is located are the areas that provide for the greatest groundwater recharge. Protecting agriculture keeps land porous and helps rebuild aquifers. One of the most important actions leaders and communities can take to address future water stresses is protecting the prime farmland that is best suited to replenishing groundwater supplies.

### Accounting for Natural Resources Using a Multiple Benefit Approach

The Bay Area Greenprint is a new online mapping tool that reveals the multiple benefits of natural and agricultural lands across the region. It was designed to help integrate natural resource and agricultural lands data into policies and planning decisions that will influence the future of San Francisco Bay Area's vibrant environment, economy and regional character.

Intact ecosystems can provide important benefits for the human population in the Bay Area and throughout the state. The Bay Area Greenprint is an opportunity to aid planners from cities, counties, and LAFcos in understanding and conveying that protecting agricultural land, as a part of intact ecosystems, can provide important benefits for residents in the Bay Area. By conducting multi-benefit assessments (agricultural + habitat + biodiversity + recreation + groundwater + carbon sequestration), the Greenprint provides a more complete understanding of the costs and tradeoffs of developing the region's natural and working lands. It will also assist stakeholders in understanding and communicating both climate change threats and opportunities as well as the multiple values of the Bay Area landscape.

For more information, please visit the tool at [www.bayareagreenprint.org](http://www.bayareagreenprint.org)

## LAFCos' Mandate to Preserve Agricultural Lands

### **Cortese-Knox-Hertzberg Local Government Reorganization Act 2000 (CKH Act)**

*Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, encouraging the efficient provision of government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances. (Gov. Code §56301, emphasis added.)*

Preserving prime agricultural lands and open space is a key statutory mandate of LAFCos and the CKH Act provides direction to LAFCos on certain policies, priorities, and information that LAFCos should, and/or must consider when analyzing boundary change proposals that could potentially impact agricultural lands. The CKH Act includes policies specific to agricultural preservation, including:

- Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing non-prime agricultural lands, unless the action would not promote the planned, orderly, efficient development of an area. (Gov. Code §56377(a).)
- Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (Gov. Code §56377(b).)
- Factors to be considered [by the Commission] in the review of a proposal shall include the effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. (Gov. Code § 56668(e).)

## **Approaches to LAFCo Agricultural Preservation Policies**

Though the CKH Act provides some policies specific to agricultural preservation, these are baseline parameters and guidelines from which individual LAFCos can carry out their mandate. Ultimately, a LAFCo's broad powers will guide and influence annexation decisions and how a LAFCo will respond to the need to balance urban growth and preserving agriculture and open space.

To equip individual LAFCos with the ability to respond to local conditions and circumstances, the CKH Act calls for a LAFCo to:

... establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. (Gov. Code §56300(a).)

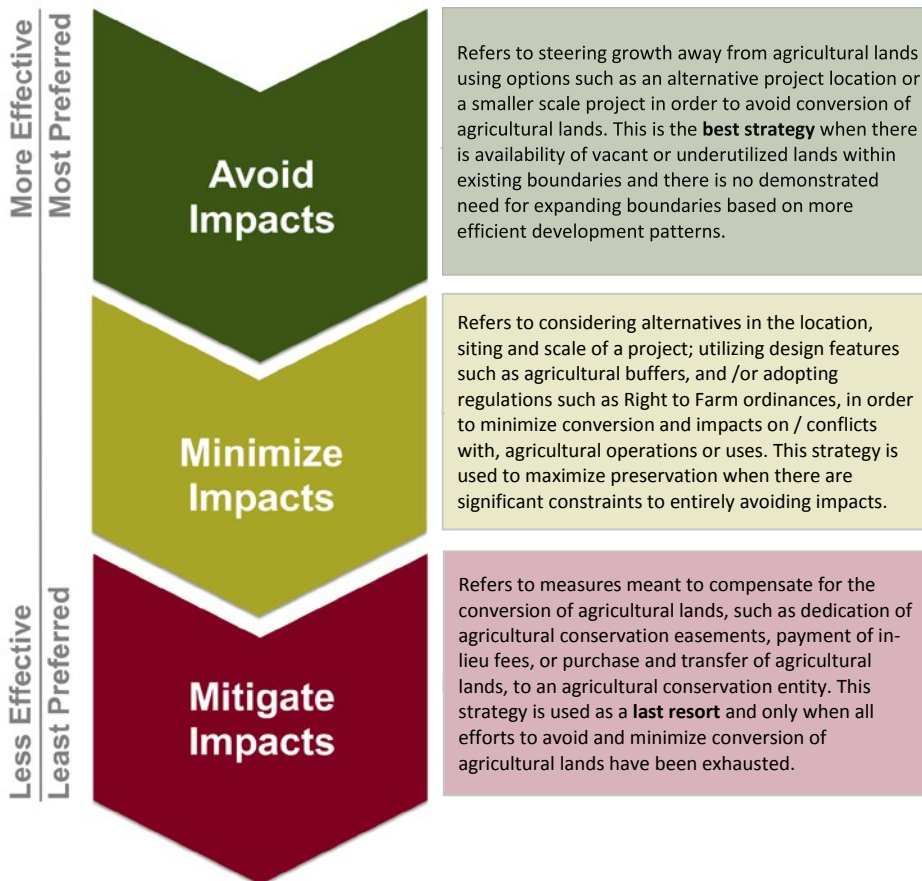
Over the years, LAFcos, on an individual basis, have adopted various local policies and procedures to assist them in their effort to preserve agricultural lands. These policies generally call for the avoidance, minimization, and mitigation of adverse impacts to agricultural lands.

**Avoidance** consists of anticipating and taking measures to avoid creating adverse impacts to agricultural lands from the outset, such as steering development away from agricultural lands to avoid their conversion to other uses. This most efficiently occurs at the time a city or county is updating its general plan and the issue can be viewed at a regional level and not based on an individual proposal.

**Minimization** consists of measures to reduce the duration, intensity, and significance of the conversion and/or the extent of adverse impacts to agricultural lands (including direct, indirect and cumulative impacts as appropriate) that cannot be completely avoided.

**Mitigation** consists of measurable preservation outcomes, resulting from actions applied to geographic areas typically not impacted by the proposed project, that compensate for a project’s significant adverse impacts to agricultural lands that cannot be avoided and/or minimized.

**Figure 3. Hierarchy for Agricultural Land Preservation Strategies**



LAFCo’s unique mandates to preserve prime agricultural lands and discourage urban sprawl, and the fact that agricultural lands are a finite and irreplaceable resource, make it essential to avoid adversely impacting agricultural lands in the first place.

## Applying These Approaches

These three approaches form an agricultural preservation hierarchy that should, if followed sequentially—avoid, minimize, and then mitigate adverse impacts. These approaches and the recommended applications below may serve as a guide for LAFCos to adopt an agricultural preservation policy, including criteria to guide LAFCo’s review of boundary change proposals, thereby possibly streamlining the evaluation of proposals. It may also serve as a guide for proactive participation and collaborative discussion during a city’s general plan update. Collaborative planning may help jurisdictions better understand and prepare for the requirements of LAFCo early in the planning process.

**Avoidance** is preferable because it is the best way to ensure that agricultural lands are not adversely impacted, whereas minimization and mitigation actions include, by definition, some level of residual impact to agricultural lands. Avoidance can also help LAFCos address other important mandates, such as curbing urban sprawl and encouraging the efficient delivery of services by encouraging vacant and underutilized lands within urban areas to be developed before prime agricultural and agricultural land is annexed for non-agricultural purposes. Avoidance is also consistent with the growing recognition at the state level that future development should, when and where possible, be directed into infill areas located within existing urban footprints to limit the amount of transportation related greenhouse gases generated. LAFCos can adopt specific policies and procedures that encourage cities to first utilize their existing vacant and underutilized lands within urban areas for development. What LAFCos can do to **AVOID** conversion of agricultural lands:

- Consider removal of excessive amounts of land from city spheres of influence, (i.e. where SOI is much larger than what is needed over a long-range development horizon).
- Adopt policies that encourage cities to implement more efficient development patterns, adopt stable growth boundaries that exclude agricultural lands, promote infill first, and consider alternative locations within city limits in order to remove development pressure on agricultural lands.
- Encourage continuous communication and collaborative planning and studies between public agencies to ensure that consideration of avoidance begins as early as possible in a jurisdiction’s planning process.
- Participate in city general plan update processes to discourage the premature conversion of agricultural lands and to limit development pressure on agricultural lands.

### Case Study: Reducing the Spheres of Influence

In 2007, the Kings County LAFCo reduced its spheres of influence through its Comprehensive City and Community District Municipal Service Review (MSR) and SOI Update. The LAFCo utilized the MSR requirement from the Cortese-Knox Hertzberg Local Government Reorganization Act of 2000 to coordinate future urban growth considerations in a more streamlined and accountable manner. In developing the MSRs, Kings LAFCo rewarded the good planning efforts of its four cities by reaffirming well planned areas with planned services, while areas within existing spheres of influence not currently planned for urban growth would require more extensive MSR updates. This approach allowed Kings LAFCo an opportunity to successfully remove almost 11,000 acres from future growth consideration where urban services were not planned and agriculture was the established use.



- Discourage extension of urban services outside city boundaries for new development.
- Request that the Lead Agency CEQA assessment includes analysis of alternatives that do not result in conversion of agricultural lands as defined in the CKH Act.
- Require that the jurisdiction demonstrate that infill or more efficient use of land is not possible *prior* to considering SOI expansion and/or annexation into agricultural lands.

**Minimizing** adverse impacts to agricultural lands should be considered and applied to the maximum extent practicable if all project alternatives have been considered and avoidance is truly not feasible. Minimization, by definition, means reducing the significance of the conversion and/or reducing the adverse impacts by making changes to a project. In other words, some impacts will be incurred, however, they will be less severe than if changes had not been implemented. Minimization measures must be carefully planned, implemented and monitored to assess and to ensure their long-term effectiveness.

What LAFcos can do to **MINIMIZE** conversion of agricultural lands:

- Encourage continuous communication and collaborative planning and studies between public agencies and LAFCo.
- During a city's general plan update process, encourage jurisdictions to adopt a long-term growth management strategy that provides for more efficient development.
- Encourage jurisdictions to adopt a "Plan for Agricultural Preservation."
- Encourage more efficient use of land to limit development of surrounding farmland. Require that the jurisdiction demonstrate that infill or more efficient use of land is not feasible *prior* to considering SOI expansion and/or annexation into agricultural lands.
- Encourage proposals to show that urban development will be contiguous with existing or proposed development; that a planned, orderly, and compact urban development pattern will result; and that leapfrog, non-contiguous urban development patterns will not occur.
- During a CEQA process, request that jurisdictions demonstrate how a proposal will affect the physical and economic integrity of impacted and surrounding agricultural lands.
- As part of a city's general plan process, encourage jurisdictions to map, analyze, and describe all agricultural lands within or adjacent to land proposed for annexation, including analysis of any multiple land-based values such as

### Case Study: Greenbelts and Agreements

Ventura County has established greenbelts around its urban areas. Greenbelts are created through voluntary agreements between the Board of Supervisors and one or more City Councils regarding development of agricultural and/or open space areas beyond city limits. They protect open space and agricultural lands and reassure property owners located within these areas that lands will not be prematurely converted to uses that are incompatible with agriculture.

Cities commit to not annex any property within a greenbelt while the Board agrees to restrict development to uses consistent with existing zoning.

Ventura County LAFCo will not approve a sphere update if the territory is within one of the greenbelt areas unless all parties to the greenbelt agreement are willing to accept an amendment to the agreement.

The Ventura policies generally follow Gov. Code §56377.

agricultural, biodiversity, recreation, groundwater, and carbon sequestration, to identify areas of high natural resource value where development is best avoided.

- Encourage agreements among jurisdictions that outline conditions for expanding boundaries. Agreements can be recognized by LAFCo.
- Recommend project requirements to protect agricultural lands adjoining land covered in applications to LAFCo, both to prevent their premature conversion to non-agricultural uses and to minimize potential conflicts between proposed urban development and adjacent agricultural uses, such as:
  - Agricultural buffers. A buffer is typically an on-site strip of land along the perimeter of a development proposal. These provide a way to minimize conflict by creating spatial separation and other barriers such as walls and landscaping between agricultural operations and urban residents. Buffers may be established through city-county agreements and encouraged under locally adopted LAFCo policies.
  - Encourage the adoption of right-to-farm ordinances. These ordinances are developed to offset the perception that typical farming practices are a “nuisance” by 1) providing dispute resolution mechanisms for neighbors as an alternative to filing nuisance-type lawsuits against farming operations; and 2) notifying prospective buyers about the realities of living near farms before they purchase property.
  - Development of educational and informational programs to promote the continued viability of surrounding agricultural land.
  - Encourage the development of a real estate disclosure ordinance to fully inform all directly affected prospective property owners about the importance of maintaining productive agriculture in the area.

**Mitigation** of impacts to agricultural lands should be considered and applied to the maximum extent practicable if all project alternatives have been considered and avoidance is truly not feasible and if minimization measures have been applied, but adverse impacts remain significant. Mitigation measures must be carefully planned, implemented and monitored to assess and to ensure their long-term effectiveness. Regardless of the type of mitigation measures pursued, this path will inevitably lead to a net loss of agricultural land if it is converted. Some key agricultural mitigation principles to consider include:

- Is the proposed mitigation a fair exchange for the loss of the agricultural resource?
- Is the proposed mitigation designed, implemented and monitored to achieve

**Case Study:  
Mitigation through Memorandums of  
Understanding/Agreement**

Some LAFCos, including San Luis Obispo and Monterey, have entered into MOUs or MOAs with local land use jurisdictions. Such agreements enable the local jurisdictions to express their intent to jointly pursue orderly city-centered growth and agricultural preservation. In San Luis Obispo, the agreement is with San Luis Obispo County. In Monterey, LAFCo has developed agreements with the County and four of the five cities within the agriculturally rich Salinas Valley (Salinas, Soledad, Greenfield and Gonzales) to encourage development of MOAs and MOUs. Though on one occasion, Monterey LAFCo was a third party to the MOA (with Greenfield), the regular practice has been to encourage each city and the County to enter into the MOA/MOU.

clear, stated and measurable outcomes for agricultural preservation?

- Will the proposed mitigation result in a genuine positive change on the ground, which would not have occurred anyway?
- Will the proposed mitigation result in permanent protection of agricultural land, given that the loss of agricultural land is generally irreversible?

Examples of typical measures include:

- The acquisition and transfer of *ownership* of agricultural land to an agricultural conservation entity for permanent protection of the land.
- The acquisition and transfer of *agricultural conservation* easements to an agricultural conservation entity for permanent protection of the land.
- The payment of in-lieu fees to an agricultural conservation entity that are sufficient to fully fund the cost of acquisition and administration/management of agricultural lands or agricultural conservation easements for permanent protection.

### Case Study: A Mitigation Menu

Contra Costa LAFCo recently adopted a policy that allows the applicant to choose from a menu of mitigation measures. Those measures can include a 1:1 policy whereby each acre lost is mitigated by an acre preserved for agricultural use. Other options can include fees in lieu of land, conservation easements, agricultural buffers, compliance with an approved habitat conservation plan, and participation in other development programs such as transfer or purchase of development credits. Under this policy, Contra Costa LAFCo will consider any reasonable proposal. If the applicant does not suggest a measure, the Commission has the option to impose one or deny the project.

## CEQA and Agricultural Preservation

Working proactively with local agencies to avoid or minimize impacts to agricultural land in the first place is preferable to mitigation. Agricultural mitigation requirements (for example, protecting other off-site lands at a certain ratio) are beneficial, but do not prevent agricultural land from being converted.

However, as a last resort, CEQA can be a tool to help LAFCos leverage agricultural preservation in furtherance of LAFCos' state-mandated purpose. Even in the absence of locally adopted agricultural preservation policies, agencies are required to consider project impacts on agricultural resources. Therefore, LAFCos can still promote agricultural preservation even when the local political climate may not allow for strong local policies. CEQA does not require LAFCos to adopt local agricultural conservation or mitigation policies, but some LAFCos may find it useful to adopt clear and transparent expectations via a local policy.

Public Resources Code, Section 21002 states (emphasis added):

*The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are **feasible alternatives or feasible mitigation measures available which would***

### Note

LAFCo can suggest, request, or require feasible mitigation measures, even in the absence of local agricultural preservation policies.

*substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.*

Pursuant to CEQA, public agencies shall not approve projects as proposed if there are feasible alternatives or feasible mitigation measures that would substantially lessen the significant environmental effects of the project.

### **LAFCo as a Responsible Agency**

Typically, a LAFCo will review a CEQA document, such as an Environmental Impact Report (EIR) or Negative Declaration as a “responsible agency”. Under CEQA, the “lead agency” means the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment.<sup>13</sup> A responsible agency is any public agency, other than the lead agency, which has the responsibility for carrying out or approving the project.<sup>14</sup> Normally, the lead agency is the agency with general governmental powers such as a city or a county. Agencies with limited powers such as LAFCos, or agencies providing a public service or utility service, tend to be a responsible agency. However, LAFCos may be the lead agency and typically serve in this role for certain projects such as approvals of sphere of influences or out-of-agency municipal service extensions.

In the role of responsible agency, LAFCos can apply some leverage because LAFCo approval is necessary to implement the project. As a responsible agency, LAFCo has an obligation to address environmental impacts within its jurisdiction. If a LAFCo has adopted local agricultural preservation policies such as required conservation ratios, buffering setbacks, etc., LAFCo can comfortably assert recommendations on a project while the lead agency is still processing the CEQA document because: (1) the lead agency, in desiring LAFCo approval, likely will be amendable to compliance with LAFCo requirements and policies; and (2) the project proponent presumably would prefer to make any project changes and/or revisions to the CEQA document in compliance with LAFCo policy up front rather than waiting until the matter is before the LAFCo, thereby optimizing the time spent securing approvals. However, a LAFCo does *not* have to have formally adopted local policies in order for LAFCo to recommend that the lead agency require a given mitigation measure such as a conservation easement to mitigate for conversion of agricultural lands. CEQA's mandate requires the lead agency to implement feasible alternatives and mitigation measures whether or not a LAFCo has a locally adopted policy. Further, even if a lead agency or project proponent is not amenable to complying with LAFCo recommendations, if LAFCo believes that a project would have a significant impact to agricultural lands that the lead agency has not identified, the LAFCo, as a responsible agency, could require subsequent environmental review. In the context of that subsequent environmental review, a LAFCo could impose its own mitigation measures to protect agricultural lands if necessary to protect against a true threat to its resource.

## **Notice of Preparation (For EIRs only, not Negative Declarations)**

If a LAFCo is a responsible agency on a project, it should respond in writing to the Notice of Preparation. The response should identify the significant environmental issues and reasonable alternatives and mitigation measures that the responsible agency will need to have explored in the draft EIR.<sup>15</sup> This is LAFCo's opportunity to notify the lead agency of any relevant policies and potential concerns with a project that should be included in the EIR analysis. The LAFCo should be clear and forthright about project issues and LAFCo policies and requirements at the outset in the interest of providing the earliest possible notice to the interested parties. This will enhance the LAFCo's long-term credibility in the community and help keep political and other relationships in a positive state.

The intent is to avoid, minimize, and mitigate project impacts to agricultural land. Questions to consider during the NOP process include: Do options exist to minimize or avoid impacts to agricultural land? Should project alternatives be considered? What mitigation measures should be included?

Here are a few code sections to keep on hand. The following statutes can be cited to provide support when promoting LAFCo agricultural preservation goals:

- CKH Act, California Government Code, Section 56377: In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider . . . (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
- CEQA Guidelines, Title 14, California Code Regulations, Section 15041: The responsible agency may require changes in a project to lessen or avoid only the effects, either direct or indirect, of that part of the project which the agency will be called on to carry out or approve.
- CEQA Guidelines, Title 14, California Code Regulations, Section 15096(g)(2): When an EIR has been prepared for a project, the Responsible Agency shall not approve the project as proposed if the agency finds any feasible alternative or feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment. With respect to a project which includes housing development, the Responsible Agency shall not reduce the proposed number of housing units as a mitigation measure if it determines that there is another feasible specific mitigation measure available that will provide a comparable level of mitigation.

### **Draft EIR or Negative Declaration**

At the draft EIR or Negative Declaration stage of the process, a LAFCo may comment on the adequacy of the draft environmental document's analysis, mitigation measures and conclusions. The

### **A Note About Ag Mitigation Ratios**

Conservation easements are effective and commonly used mitigation strategies. However, they do not make up for the loss of agricultural land and may not necessarily reduce the impact of agricultural land loss to a less than significant level.

lead agency is required to consult with LAFCo if it is a responsible agency. Among questions to think about during either draft EIR or Negative Declaration review: Are the analysis and stated impacts to agricultural land sound, reasonable and acceptable to LAFCo? Have all feasible project alternatives and mitigation measures been considered and required?

A LAFCo should ordinarily only make substantive comments regarding those activities involved in the project that are within LAFCo's scope of authority under

the CKH Act, or aspects of the project required to be approved by LAFCo, and should be supported by specific documentation when possible. In a CEQA responsible agency role, LAFCos are required to advise the lead agency on environmental effects, and shall either submit to the lead agency complete and detailed performance objectives for mitigation measures addressing those effects or refer the lead agency to appropriate, readily available guidelines or reference documents concerning mitigation measures. If the responsible agency is not aware of mitigation measures that address identified effects, the responsible agency must so state.<sup>16</sup>

Examples of potential project alternatives to reduce impacts to agricultural lands include, among others: reduced footprint, clustered density, setbacks and buffers. Examples of feasible mitigation measures include: right to farm deed restrictions, setbacks and buffers, and conservation easements on a 1:1, 2:1 or 3:1 ratio.

### **Evaluation of and Response to Comments/Final EIR (For EIRs only, not Negative Declarations)**

After the public comment period closes, the lead agency then evaluates and provides a written response to comments received. The written response by the lead agency must describe the disposition of the issues raised, detailing why any specific comments or suggestions were not accepted. There must be a good faith, reasoned analysis in the response. Unsupported conclusory statements will not suffice. The lead agency cannot simply make generalizations stating that requiring conservation easements is not economically feasible, for example. As a responsible agency, LAFCo should review the written response provided and determine if it adequately resolves the issues raised in its Draft EIR comment letter. If not, LAFCo should reiterate its remaining concerns via letter and/or orally at the public hearing to certify the EIR.

### **Approval of a Negative Declaration or EIR**

When approving a project, the lead agency must find that either (1) the project as approved will not have a significant effect on the environment; or (2) the agency has eliminated or substantially lessened all significant effects where feasible, and determined that any remaining significant effects are found to be unavoidable. Therefore, even if the lead agency is adopting a Statement of Overriding Considerations, it does *not* relieve the agency from the requirement to adopt all feasible mitigation measures. In other words, an EIR Statement of Overriding Considerations is not a "free pass" to avoid mitigation. As a responsible agency, LAFCos should be involved in the CEQA process to ensure, as much as possible, the lead agency has implemented all feasible mitigation measures.

## **Mitigation Monitoring and Reporting Program**

Although mitigation monitoring is the lead agency's responsibility (and LAFCo should ensure mitigation language is written to ensure the responsibility for monitoring and tracking clearly lies with the lead agency and the timing mechanism is clear), as a responsible agency it is good practice to keep tabs on local development timing to follow up and ensure any required mitigation actually occurs.

## **LAFCo as a Lead Agency**

At times, LAFCos may act as the lead agency on a CEQA document. Examples include adoption of SOIs or approval of service extensions. However, often times LAFCos choose to not serve as the lead agency on a project where significant impacts may occur. For example, a LAFCo may choose not to enlarge a city's SOI until a development project has been proposed (and the land use authority as lead agency has conducted CEQA review instead) so that the LAFCo can process the SOI update concurrent with annexation. However, if a LAFCo finds itself as the lead agency on a project, the discussion above regarding lead agency requirements now would apply to LAFCo.

## **Caution Regarding Reliance on Habitat Conservation Plans as Agricultural Mitigation**

Habitat Conservation Plans (HCPs) often permit developers to pay an in-lieu fee for the purchase of comparable habitat to mitigate for a development's impact to sensitive species. Generally, the priority under HCPs is to mitigate for special status species, not necessarily agricultural land. An HCP would not necessarily address loss of agricultural land as an agricultural resource itself, but would rather address the loss of agricultural land in terms of the associated impacts to special-status species and sensitive habitats. This is a generalization as there is no "one size fits all" answer whether an HCP can or should be used as a mitigation strategy to mitigate for project impacts to agricultural land. Thus, LAFCos cannot automatically assume that HCPs will provide adequate mitigation for the loss of agricultural lands and fact-specific analysis would be required.

If use of an HCP for mitigation is proposed by the lead agency, that HCP needs to be reviewed to determine how the fees will be used and if comparable, compensatory mitigation will be provided. In other words, question how the HCP will use the fee. Does the fee get used just to place the land into a conservation easement that prohibits future development or will it be used for habitat restoration that will eliminate agricultural uses (such as mitigation for wetland or vernal pool mitigation)? The second key question is how the fee relates to the impact. Does it result in an appropriate ratio that compensates for the lands to be developed or is the proposed conservation easement "stacked" with other easements? Many conservation easements used for raptor habitat, for example, will prohibit vineyards and orchards, thereby limiting a raptor's ability to hunt, thus placing constraints on agricultural productivity. If the lead agency cannot demonstrate that the HCP fee would fully mitigate for the loss of agricultural land, other mitigation options should be explored outside of the HCP.

## Working with Cities and Counties

City and county planning processes directly influence whether local agriculture is sustainable and viable. LAFCos can play an important role early on in a jurisdiction's planning processes and can encourage continuous communication and collaborative planning between agencies.

In addition to adopting their own local LAFCo policies, LAFCos can help cities and counties adopt meaningful agricultural preservation policies in their general plans. By taking the initiative to engage and build relationships with cities and counties, LAFCo can influence local agencies in their planning processes and advocate for the protection of farmland and the farming economy. The Governor's Office of Planning and Research considers early consultation and collaboration between local agencies and LAFCo on annexations to be a best practice. This includes coordinating on CEQA review, general process and procedures, and fiscal issues.

By providing feedback throughout the general plan adoption process, LAFCos are able to coordinate with and encourage local agencies to adopt strong farmland protection policies in their general plans, specific plans, plans for development in unincorporated areas, and even within city limits. By engaging in a dialogue over plan development with cities and counties long before those agencies submit formal applications, LAFCo can help ensure that applications will be successful.

LAFCos can formalize this kind of proactive participation in local planning processes by tracking city and county agendas and planning cycles, anticipating when such jurisdictions will pursue plan updates or make amendments, and including general plan participation in LAFCo annual work plans. Formalizing this participation through the LAFCo annual work plan provides structure for ongoing engagement, and over time, normalizes the interaction so that cities and counties will come to expect LAFCo to be actively engaged.

Not only can LAFCos engage in early, informal discussions about what kinds of policies would be useful and compatible with LAFCo policies and mandates, but they can also submit formal comments as part of the public planning process. The executive officer can submit these formal comments on behalf of the commission.

To help local agencies assess the impacts of their plans on agricultural resources, LAFCos can draw information from many sources. The California Department of Conservation's Farmland Mapping and Monitoring Program can provide information about valuable farmland, including statistical trend data that can be used for analyzing impacts on agricultural resources. Storie index maps can help LAFCos understand the location of the best soils, so that urban growth can be directed away from those areas. LAFCos should also track the location of agricultural conservation easements, and properties under Williamson Act contracts. The county agricultural commissioner's office can help other local agencies understand local agriculture and how planning decisions will have an effect.

LAFCos can help cities make good decisions with regard to annexations, following the avoid-minimize-mitigate protocol mentioned earlier in this white paper. LAFCos have the power to review and approve annexations with or without amendment, wholly, partially, or conditionally, or disapprove proposed annexations, reorganizations, and incorporations, consistent with written policies, procedures, and guidelines adopted by the commission. By working with a city early on in



the process, LAFCo can provide ongoing guidance in the development of an annexation proposal, encouraging attributes that will lead to its success.

LAFCo can also influence county planning processes via the formation or expansion of special districts.

## Best Practices for LAFCos

When considering an agricultural preservation policy, the following actions provide background operational context:

1. *An appropriately-scaled policy framework is necessary.*

A policy framework implements a goal, which ideally describes the end-state desired by a LAFCo. Each policy implemented over time, and as applicable, incrementally fulfills a LAFCo's goal. The end-state should reflect the LAFCo's values and by extension the values of the greater community of local agencies that it serves.

A policy adopted without a corresponding over-arching goal is less effective.

2. *The agricultural preservation policy must be consistent with the authority and limitations of a LAFCo.*

LAFCos have broad statutory authority to approve, approve with conditions, or deny proposals for a change of organization or reorganization initiated by a petition or by resolution of application.<sup>17</sup> However, LAFCos shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.<sup>18</sup>

3. *LAFCos should have commitment from the local agencies involved in the implementation of the policy.*

LAFCo policies should be developed in consultation with the affected local agencies and stakeholders in the county. Also, policies should be developed so that they work in coordination with the local agencies' approval process. Preferably, LAFCo policies are consistent and complementary with cities' general plans and the master plans of special districts under LAFCo's jurisdiction.

4. *The policy should be simple, uncomplicated, and easy for the local agency staff to administer and the public to understand.*

Over 78 percent of LAFCos are staffed with four or fewer employees.<sup>19</sup> This means that most LAFCos have very limited resources with which to implement and monitor complicated policies, implementation or mitigation measures.

5. *The policy should include a programmatic incentive for proposal applicants to either agree with the effect of the policy or not protest implementation.*

Once adopted, the policy should influence how local agencies implement their growth plans.

6. Importantly, local agencies, stakeholders and the public must know about and understand the agricultural preservation policy and its potential use. In other words, a public education program is essential.

Community involvement in the development of the goal and its supporting policy is critical. Such input should be requested, synthesized, and reflected in the goal to represent the community's interest. LAFCo interests are best served when the community's understanding is clear about how that goal is achieved, how long it should take to reach, and how one or more policies is used to reach it.

7. There should be flexibility in the specific details of how a given proposal can implement overarching policy goals.

Individual LAFCo policies can lay out a LAFCo's statutory mandate to balance the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. A policy can state that a proposal provide for planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space and agricultural lands within those patterns. But the policy does not have to prescribe a specific course of action that an applicant should take in order to be considered satisfactory in addressing this overarching policy goal. The policy places the onus on the applicant to explain or justify how the proposal balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development. The policy can be explicit in asserting a LAFCo's authority to deem incomplete and/or deny proposals that do not adequately put forth a rationale for a LAFCo to weigh against the policy goals.

## Endnotes

1. California Public Resources Code, Section 21000 et seq.
2. SSM, USDA Handbook No. 18, October 1993. United States Department of Agriculture. Accessed on August 9, 2017: [https://www.nrcs.usda.gov/wps/portal/nrcs/detail/null/?cid=nrcs143\\_014052](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/null/?cid=nrcs143_014052).
3. California Department of Conservation Farmland Mapping and Monitoring Protection Program. Accessed January 15, 2018: [http://www.conservation.ca.gov/dlrp/fmmp/Documents/soil\\_criteria.pdf](http://www.conservation.ca.gov/dlrp/fmmp/Documents/soil_criteria.pdf).
4. California Government Code Section 56064.
5. California Department of Conservation, Farmland Mapping and Monitoring program (FMMP).
6. California Department of Food and Agriculture, 2015.
7. U.S. Census of Agriculture, [National Agricultural Statistics Service](#), 2015.
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9. U.S. Census Bureau, 2016.
10. *The Measure of California Agriculture*, 2012 update. University of California Agricultural Issues Center. Accessed on December 13, 2017: <http://aic.ucdavis.edu/publications/moca/MOCABrochure2013.pdf>.
11. Ibid.
12. California Air Resources Board. *California's 2017 Climate Change Scoping Plan*. Accessed on December 15, 2017: <https://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>.
13. California Public Resources Code, Section 21067.
14. California Public Resources Code, Section 21069.
15. CEQA Guidelines Section 15082 (b).
16. CEQA Guidelines Section 15086 (c) and (d).
17. California Government Code Section 56375 (a)(1): The commission shall have the powers and duties to review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission.  
California Government Code Section 56021: "Change of organization" means any of the following:
  - (a) A city incorporation.
  - (b) A district formation.
  - (c) An annexation to a city.
  - (d) An annexation to a district.
  - (e) A detachment from a city.
  - (f) A detachment from a district.
  - (g) A disincorporation of a city.
  - (h) A district dissolution.
  - (i) A consolidation of cities.
  - (j) A consolidation of special districts.
  - (k) A merger of a city and a district.
  - (l) Establishment of a subsidiary district.
  - (m) The exercise of new or different functions or classes of services, or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district.
18. California Government Code Section 56375 (a)(6).
19. CALAFCO survey, CaLAFCO.org, 2015.

## G. Establishment of New Local Agencies Policy

Marin LAFCO discourages the proliferation of local governmental agencies and the existence of overlapping public service responsibilities. Marin LAFCO discourages the formation of new special districts where service can be efficiently provided by existing local government agencies.

## H. Agricultural Lands Policies

The following policy statements apply.

1. Marin LAFCO discourages the annexation of lands currently engaged in the substantial production of food, fiber, or livestock, or qualify as agricultural land to a city or a special district for the purpose of promoting urban development.
2. Development of existing vacant or non-prime agricultural lands for urban uses within a city's and/or special district's jurisdiction or sphere of influence should be encouraged before any proposal is approved which would lead to the urban development of existing agricultural or open-space lands which are outside of the city's and/or special district's jurisdiction or outside of a city's and/or special district's sphere of influence.

## I. Rezoning Policy

As required by State law, applicants whose proposals include annexation to a city shall obtain rezoning approval from the city or present evidence the existing development entitlements on the territory are vested or already at build-out relative to the city's general plan. The city shall generally serve as lead agency for environmental review in such cases, and proof of environmental documentation and certification shall accompany the application. (Government Code §56375(a)(7))

## J. County Service Area Policy

A County Service Area (CSA) special district may be formed when unincorporated areas that are located outside municipal sphere of influence boundaries desire extended urban-type services including police and fire protection from the County of Marin. Nonetheless, unincorporated lands located within a municipal sphere-of-influence boundary should not be eligible to receive extended urban-type services from the County in the form of a CSA except when (a) evaluation on a case-by-case basis justifies creation and (b) the affected city or special district, by letter, expresses approval of such action. (Originally Adopted: July 13, 1977; Revised: January 13, 1983)



# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 7 (Consent / Information)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Rachel Jones, Interim Executive Officer  
**SUBJECT:** **Update on New Payroll Accounting System**

The Commission will receive an update on its approval of a new payroll accounting system marked by the transitioning away from the County of Marin to an independent process directly managed by Marin LAFCO through ADP Payroll Solutions. This report is being provided for information only.

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Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) to establish written policies and procedures in providing regional growth management services in all 58 counties in California. LAFCOs are also authorized to make their own provisions – including entering into contracts and agreements and without going through the Department of General Services – for all necessary staffing and service needs therein.

### Background

It has been the long-standing practice of Marin LAFCO (“Commission”) to use the County of Marin and the services of the Finance Department to account for payroll and human resource services. Effective by the end of the first quarter of this calendar year, the County of Marin stated that it will discontinue all payroll and human resource support services to all outside users given the County’s resources and challenges in cost-recovery. At its February 8, 2018 meeting, the Commission authorized the Interim Executive Officer to proceed with the County’s recommendation and enter into a contract with ADP for payroll services.

The County of Marin is currently meeting with ADP to receive the implementation plan and logistics for Marin LAFCO’s new accounting system. At this time, the transition deadline has been postponed to July 13, 2018. In the interim, the County will work with staff to provide requisite training materials and demonstrations of the product service prior to the launch. Once the County of Marin’s implementation plan is finalized, County staff will contact Marin LAFCO to discuss next steps in moving forward through the transition process. The County of Marin will continue to administer LAFCO’s payroll during this interim period.

## **Commission Review**

This item has been placed on the agenda as part of the consent calendar for information only as required under State law. 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.

Attachments: none



**Marin Local Agency Formation Commission**  
 Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**

April 12, 2018

Item No. 8 (Consent / Information)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Amanda DeFoe, Administrative Associate  
**SUBJECT:** **Joint Powers of Authority | Informational Report**

The Commission will receive an update on its report identifying Joint Powers Authorities (JPAs) within Marin County that provide a municipal service as part of the requirements imposed by Senate Bill 1266. Staff has identified through the State Controller’s Office all of the JPAs within the County that provide a local municipal service consistent with Government Code Section 56047.7. The report is being presented to the Commission for information only.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) delegates Local Agency Formation Commissions (LAFCOs) with regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving or disapproving boundary changes involving the formation, expansion, merger, and dissolution of cities, towns and special districts as well as sphere of influence amendments. It also includes overseeing outside service extensions. Proposals involving jurisdictional changes filed by landowners or registered voters must be put on the agenda as information items before any action may be considered by LAFCO at a subsequent meeting.

**Information / Discussion**

Effective January 1, 2017 Senate Bill No. 1266 amended the current Joint Exercise Powers Act by requiring Joint Powers Authorities (JPAs) to file a copy of the full text of its agreement, and any amendments made to the agreement with the local LAFCO in which the JPA is providing its services. JPAs that fail to submit their agreements will be prohibited from issuing bonds or incurring indebtedness of any kind. The new requirement set by SB 1266 apply to JPAs that;

1. Provide municipal services as defined in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
2. The JPA includes a city, county, and or district. CKH defines a JPA as “an agency or entity formed pursuant to the Joint Exercise of Powers Act that is formed for the local performance of

governmental functions that includes the provisions of municipal services.” G.C. Section (56047.7)

As referenced, not all JPAs are subject to SB 1266. The legislation is purposefully limited to those JPAs with a county, city, town, or special district member in which the entity provides a local municipal service consistent with Government Code Section 56047.7. Towards this end, and for purposes of limiting the scope of potential reporting entities, Marin LAFCO internally defines the provision of “municipal services” to include any service or related function listed under Government Code Section 61100.

This report provides the Commission with information regarding the JPAs that fall within Marin LAFCO’s purview. A list of these authorities and a brief description of their responsibilities follows:

**Animal Control Services (Humane Society Animal Services):** In 1979, Marin’s eleven cities and towns and the County entered into a JPA to offer coordinated animal services to Marin residents. The County contracts with the Marin Humane Society for animal services. These services include licensing and pet identification, responding to calls regarding wildlife and stray animals, rescuing animals in distress, and any other animal related emergency 24-hours a day. Humane Society Animal Services funding is sourced from member cities and towns.

**Belvedere-Tiburon Joint Recreation Committee District (The Ranch):** Belvedere Tiburon Joint Recreation Committee District, known since 2013 as The Ranch, was established in June 1975 between the City of Belvedere and the Town of Tiburon. The goal of the partnership was to create a recreation committee dedicated to administering and operating recreation programs for residents of Belvedere and Tiburon. The purpose of creating a separate recreation public entity was to ensure that recreation services for Tiburon Peninsula residents would be supported by participant fees rather than subsidized by tax dollars. The Ranch now offers over 500 class and serves nearly 5,000 participants annually.

**Belvedere-Tiburon Library Agency:** The Belvedere-Tiburon Library Agency was formed in April 1995 to establish an agency to construct, operate, and maintain a new public library convenient for the residents of Tiburon and Belvedere. The agency is governed by a volunteer seven-member Library Board of Trustees. The Belvedere Tiburon Library opened in 1997 and currently serves Belvedere, Tiburon, and parts of Strawberry. The library provides basic library services to support a literate community. BTLA’s mission is to provide free and equal access to knowledge, information, and ideas through the Library’s resources and programs in a setting conducive to learning.

**Central Marin Police Authority:** The Central Marin Police Authority was established in January 2013 through a JPA binding the City of Larkspur, and Towns of Corte Madera and San Anselmo. CMPA was a consolidation between the Twin Cities Police Authority and San Anselmo Police Department to increase available resources while reducing redundancies. The Authority provides polices services to about 35,000 residents in the communities of Corte Madera, Larkspur, San Anselmo, and portions of Greenbrae.



**Central Marin Sanitation Agency:** Central Marin Sanitation Agency is the product of consolidation between San Rafael Sanitation District, City of Larkspur, and Sanitary Districts #1/#2 of Marin County in October 1979. CMSA is responsible for treating and disposing of wastewater and bio solids from Central Marin County. CMSA also regulates the commercial, industrial and institutional discharges into the sewage collection system of member districts.

**Fire House Community Park Agency:** In January 1985, the Bolinas-Stinson Union School District and Bolinas Community Public Utility District entered into an agreement to form the Fire House Community Park Agency. The Agency's purpose is to raise funds for the construction, operation, and maintenance of recreation facilities for residents and students in the Bolinas Area. The Agency maintains two parks in Bolinas; Downtown and Mesa Park.

**Marin County Hazardous and Solid Waste (Zero Waste Marin):** Zero Waste Marin is the formal name for the Marin Hazardous and Solid Waste Joint Powers Authority (JPA), which is comprised of representatives from Marin County; Cities of Belvedere, Larkspur, Mill Valley, Novato, San Rafael and San Anselmo; and Towns of Corte Madera, Fairfax, Ross, San Anselmo, and Tiburon. ZWM was established in 1996 with the mission is to help Marin County residents and businesses meet the county's Zero Waste goal by 2025. The Agency is responsible for reducing and recycling residents solid waste and safely disposing of hazardous materials. ZWM provides information on household hazardous waste collection, recycling, composting and waste disposal.

**Marin County Major Crimes Task Force:** In 1979, a JPA was formed between the County, and towns and cities of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, and San Anselmo at the recommendation of the Marin County Police Chiefs' Association. Marin County Major Crimes Task Force is managed by the Sheriff's Office with their main focus being narcotic related investigations. MCTF also serves as a countywide investigations resource and supplements the efforts of the existing local law enforcement agencies to better deal with major cases or criminal activity that no single jurisdiction can effectively deal with alone. MCTF is governed by a 9-member Oversight Committee which include city and county officials, chief law enforcement officials and members of the public.

**Marin County Stormwater Pollution Prevention Program (MCSTOPPP):** In 1993 Marin's eleven cities and towns, the County of Marin, and the Marin County Flood Control and Water Conservation District collaborated and created the Marin County Stormwater Pollution Prevention Program. MCSTOPPP's goals include preventing stormwater pollution, protecting and enhancing water quality in creeks and wetlands, preserving beneficial uses of local waterways, and complying with state and federal regulations. Each member agency implements local prevention programs and helps fund MCSTOPPP. MCSTOPPP is staffed by Marin County Department of Public Works employees and Marin General Services Authority provides budgetary and programmatic oversight. MCSTOPPP works closely with the Citizen's Advisory Committee to receive public feedback and advice.

**Marin Emergency Radio Authority (MERA):** Marin Emergency Radio Authority was created in February 1998 through a JPA with the County, Cities and Towns of Belvedere, Larkspur, Mill Valley, Novato, San Rafael, Sausalito, Corte Madera, Fairfax, Ross, San Anselmo, Tiburon, and Special Districts Tiburon Fire Protection District, Bolinas Fire, Inverness PUD, Kentfield FD, Marin Community College Dist., Marin Transit, MMWD, Marinwood CSD, Novato Fire, Ross Valley Fire, Southern Marin Fire, Stinson Beach Fire, and Central Marin Police Authority. MERA's purpose is to plan, finance, implement, manage, own, and operate a multijurisdictional and countywide public safety, public service, and emergency radio system. MERA provides a communication delivery system that is interoperable between public agencies in order to efficiently and effectively facilitate emergency communications.

**Marin General Services Authority:** The Marin General Services Authority (MGSA) formed in 2005 by the Cities, Towns, two Special Districts and the County of Marin to offer various public services effectively and efficiently throughout the county in a uniform manner with minimal overhead expense. These members include: City of Belvedere, Town of Corte Madera, Town of Fairfax, City of Larkspur, City of Mill Valley, City of Novato, Town of Ross, Town of San Anselmo, City of San Rafael, City of Sausalito, Town of Tiburon, County of Marin, Bel Marin Keys Community Services District and Marinwood Community Services District. The purpose of this Authority is to finance, implement and manage the various municipal services assigned to it. These services now include Street Light Maintenance, funding of Abandoned Vehicle Abatement by local police, and Taxicab Regulation.

**Marin Public Financing Authority:** The Marin Public Financing Authority was formed in January 2017 between Las Gallinas Sanitary District and Sausalito-Marin City Sanitary District. MPFA is an agency authorized and empowered to issue or purchase bonds and make loans to LGVSD or SMCSO for financing public capital improvements, working capital, liability needs, or any other projects that are significant to public benefits as determined by the two sanitary districts. MPFA is administered by a Board which consists of two representatives from each member agency.

**Marin Telecommunications Agency:** The Marin Telecommunications Agency was formed in 1998 to negotiate and administer cable television franchises for its member agencies. Members include the County, and Cities and Towns of Belvedere, Corte Madera, Fairfax, Mill Valley, Ross, San Anselmo, San Rafael, Sausalito and Tiburon. MTA is a joint powers authority that administers the Comcast, AT&T and Horizon State cable franchises on behalf of its members and developing policies related to telecommunications services in Marin County.

**Marinet Consortium:** Referred to most commonly as MARINet, the Marinnet Consortium is a group of publicly funded Marin libraries that enable its members to share resources and use information technology to fulfill their missions of serving the public. Founded in June 1991, MARINet is comprised of seven public library members and two academic library members. Public library members include Belvedere-Tiburon Library, Larkspur Public Library, Marin County Free Library, Mill Valley Public Library, San Anselmo Public Library, San Rafael

Public Library, and Sausalito Public Library. College of Marin and Dominican University are the two academic members of MARINet. These members pay a small fee to enjoy the services provided by MARINet.

**Richardson Bay Regional Agency:** Richardson’s Bay Regional Agency (RBRA) is a local government agency serving Belvedere, Mill Valley, Tiburon, and unincorporated County of Marin which was established in October 2000. RBRA is dedicated to maintaining and improving the navigational waterways, open waters, and shoreline of Richardson’s Bay. The Agency’s responsibilities include mooring, dredging and navigating channel implementation including but not limited to the establishment and enforcement of permitted anchorage zones, navigational channels and fairways plans and similar activities.

**Ross Valley Fire Department:** The Ross Valley Fire Service (Department) was established July 1, 1982 when the Towns of Fairfax and San Anselmo decided to enter into a JPA with the Sleepy Hollow Fire Protection District to provide general fire protection and emergency services to the Ross Valley area. RVFD responds to all requests, emergency or not, within their jurisdiction and neighboring areas of Marin. The departments primary goal is the safety and well-being of their citizens, community and environment. In addition to fire services, RVFD provides community education through training courses and residential and commercial fire safety inspections.

**Ross Valley Paramedic Authority:** Ross Valley Paramedic Authority was created in December 1982 to provide emergency services to member service areas. These members include the Cities and Towns of Corte Madera, Fairfax, Ross, San Anselmo, and Larkspur, Kentfield and Sleepy Hollow Fire Protection Districts, and the County of Marin (with respect to certain unincorporated “pockets” in the Ross Valley). The Authority provides emergency medical services, advanced and basic life support care, and integrated emergency pre-hospital care. Today, services are provided by RVPA through Corte Madera Fire Department, Kentfield Fire Protection District, Larkspur Fire Department, Marin County Fire Department, and Ross Valley Fire Department.

**Sewerage Agency of Southern Marin:** The Sewerage Agency of Southern Marin (SASM) is a Joint Powers Agency formed in 1979 to consolidate the wastewater collection and treatment, water reclamation and disposal needs of about 29,500 residents in Southern Marin County. Members of the agreement include Almonte Sanitary District, Alto Sanitary Districts, City of Mill Valley, Richardson Bay Sanitary District, and Tamalpais Valley Community Services District. The Agency is responsible for the construction and installation of wastewater collection, treatment, reclamation, and disposal facilities to serve the Southern Marin area. SASM must also maintain these facilities and their standards.

**Southern Marin Emergency Medical Paramedic System:** Southern Marin Emergency Medical Paramedic System (SMEMPS) was established in October 1980 to better serve the emergency medical service needs of residents and visitors in southern Marin County. Member agencies include the cities and towns of Tiburon, Belvedere, Mill Valley, Sausalito, County of

Marin, Tiburon Fire Protection District, Southern Marin Fire Protection District, and the Marin County Fire Department. The Board of Directors oversees operations and services with members from Mill Valley, Tiburon, Belvedere, Sausalito, Southern Marin Fire, and the County. SMEMPS serves approximately 2,700 patients each year.

As stated earlier in this report, not all JPA's are subject to SB 1266 consistent with Government Code Section 56047.7. The following joint power agreements are not within Marin LAFCO's purview:

- Fairfax Financing Authority
- Gateway Improvement Authority
- Gateway Refinancing Authority
- Larkspur Marin Financing Authority
- Marin Cities Liability Management Authority
- Marin Clean Energy
- Marin County Capital Improvements Financing Authority
- Marin County Open Space Financing Authority
- Marin County Risk Management Authority
- Marin Municipal Water District Financing Authority
- Marin Schools Insurance Authority
- Marin Street Light Acquisition Authority
- Mill Valley Financing Authority
- Novato Financing Authority
- Ross Valley Public Financing Authority
- San Rafael Joint Powers Financing Authority
- Tiburon/Belvedere Wastewater Financing Authority

### **Commission Review**

This item has been placed on the agenda as part of the consent calendar for information only as required under State law. The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and or action.

On behalf of staff,



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Rachel Jones  
Interim Executive Officer

Attachments: none

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# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 12, 2018

Item No. 9 (Consent / Information)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Rachel Jones, Interim Executive Officer

**SUBJECT:** **Postponement of Agency Profiles: San Rafael / Lucas Valley Regional Study**

The Commission will receive notice that the agency profiles will be included for review in the draft report of the municipal service review for the San Rafael / Lucas Valley Regional Study to be presented at the Commission's June 7, 2018 meeting. The notice is being presented for information only and in anticipation of bringing forward a draft report at the next regular meeting.

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The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 directs Local Agency Formation Commissions (LAFCOs) to regularly prepare municipal service reviews in conjunction with updating each local agency's sphere of influence. The legislative intent of the municipal service review and its five-year cycle requirement is to proactively inform LAFCOs and the general public therein with regard to the availability and sufficiency of governmental services relative to need. Municipal service reviews may also lead LAFCOs to take other actions under their authority, such as forming, consolidating, or dissolving one or more local government agencies.

### Background

Marin LAFCO's ("Commission") current study schedule was adopted in August 2017 and calendars municipal service reviews and sphere of influence updates through 2021-2022. This includes the calendaring of a regional municipal service review on public services provided within the San Rafael / Lucas Valley area. The Commission reaffirmed the need and intent to proceed with the study as part of the current work plan with the stated expectation that the document independently evaluates the availability, adequacy, and performance of municipal services in the region relative to the Commission's regional growth management duties.

### Discussion

With the advent of hosting the CALAFCO Staff Workshop in Marin, staff is still currently meeting with all of the affected agencies for technical edits and feedback on the agency profiles. Once all meetings have been conducted, the Interim Executive Officer will post the draft profiles on the Marin LAFCO website for review with a complete draft report with written determinations to be

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#### Administrative Office

Rachel Jones, Interim Executive Officer  
1401 Los Gatos 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

**Carla Condon, Vice Chair**  
Town of Corte Madera

**Sashi McEntee, Regular**  
City of Mill Valley

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

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

**Craig K. Murray, Regular**  
Las Gallinas Valley Sanitary

**Lew Kious, Alternate**  
Almonte Sanitary District

**Jeffrey Blanchfield, Chair**  
Public Member

**Chris Skelton, Alternate**  
Public Member

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presented at the June 7, 2018 meeting. The agency profiles formally outline service information of each agency to be included in the study. These agencies are listed below.

**City of San Rafael**

**Marinwood Community Services District**

**CSA No. 6 (Gallinas Creek)**

**CSA No. 9 (Northbridge)**

**CSA No. 13 (Lucas Valley)**

**CSA No. 18 (Las Gallinas)**

**CSA No. 19 (San Rafael)**

**CSA No. 23 (Terra Linda)**

### **Information**

This item is for the Commission to receive a brief update from staff on the work to date as well as pending next steps of the regional San Rafael / Lucas Valley study. The update is being presented for information only and in anticipation of bringing forward a complete draft report at the next regular meeting.





# Marin Local Agency Formation Commission

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

**AGENDA REPORT**  
 April 12, 2018  
 Item No. 10 (Public Hearing)

April 4, 2018

**TO:** Marin Commissioners

**FROM:** Budget Committee (McEntee, Murray, and Rodoni)  
 Rachel Jones, Interim Executive Officer

**SUBJECT: Adoption of Proposed Operating Budget for 2018-2019**

The Commission will consider adopting a proposed budget for 2018-2019 in anticipation of taking final actions in June. Proposed budget expenses total \$601,875 and represents an increase of \$45,094 or 8.1% with change entirely attributed to funding projected payroll costs and marked by enhancing legal services. Proposed budget revenues total \$591,875 with the remaining shortfall – (\$10,000) – to be covered by reserves.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) to adopt a proposed budget by May 1<sup>st</sup> and a final budget by June 15<sup>th</sup>. A mandatory review by local funding agencies is required between the two adoption periods. The legislation also specifies for the previous fiscal year unless LAFCO finds any reduced costs will nonetheless allow the agency to meet its regulatory and planning duties.

### Background

Marin LAFCO’s (“Commission”) annual operating expenses are primarily funded by proceeds collected from 42 local public agencies operating within Marin County. State law specifies the Commission’s operating expenses shall be divided in one-third increments between the (a) County of Marin, (b) 11 cities and towns, and (c) 30 independent special districts with the latter two categories apportioned based on total revenues as provided in the most recent annual report published by the State Controller’s Officer. A relatively small portion, typically representing less than one-tenth of total revenues, is also funded from application fees and interest earnings.

The Commission’s adopted final budget for 2017-2018 totals \$556,781. This amount represents the total approved operating expenditures for the fiscal year comprised of three active expense units: salaries and benefits; general administrative; and services and supplies. A purposeful operating deficit of (\$25,000) or (5%) was budgeted with setting annual revenues at \$546,781 as part of a multi-year process to phase corresponding contribution increases among the funding agencies and in step with raising resources beginning in 2016-2017, highlighted by increasing legal services. The Commission’s available fund balance less other post-employment benefit commitments as of the start of 2017-2018 was \$142,813.

Budgeted 17-18 Expenses	Budgeted 17-18 Revenues	Budgeted 17-18 Year End Balance	Budgeted 17-18 Fund Balance
\$556,781	\$546,781	(\$25,000)	\$142,813

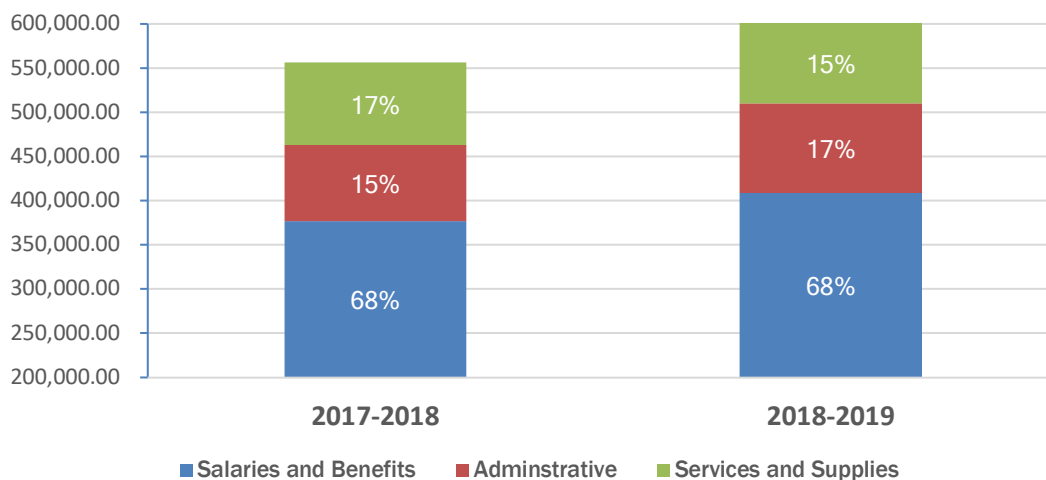
**Discussion**

This item is for the Commission to consider recommendations by the Budget Committee (McEntee, Murray, and Rodoni) in adopting a proposed operating budget for the upcoming fiscal year. Adoption would immediately precede a formal public review and comment period, including providing copies of the proposed budget to the 42 local funding agencies, with final actions scheduled for the Commission’s June 8<sup>th</sup> meeting. A summary of the proposed operating budget for the 2018-2019 fiscal year is prepared below.

**Proposed Operating Budget in 2018-2019**

The proposed operating budget developed by the Budget Committee sets operating expenses at \$601,875; a net increase of \$45,094 or 8.1% increase over the current fiscal year. The operating expenses total is divided between labor and non-labor costs at an approximate 68% to 32% split. Proposed operating revenues are set at \$591,875 with the remaining shortfall – (\$10,000) – covered by drawing down on reserves and consistent with the practice to help offset and phase sizable increases to agency contributions starting in 2015-2016. The net effect would be an increase in contributions of \$45,094 or 8.8% from \$514,781 to \$559,875.

FY Operating Expense Comparison



A detailed listing of the notable changes included in the proposed operating budget by category and unit follows.

## Operating Expenses

It is proposed the **Salaries and Benefits Unit** will increase by \$32,283 or 8.6% over the current fiscal year from \$376,804 to \$409,087. The unit covers labor costs tied to staffing three fulltime employees: Executive Officer; Policy Analyst; and Commission Clerk. Notable adjustments proposed may be reviewed below.

- Assumes a 2.0% cost-of-living adjustment in regular salaries consistent with the County of Marin's contract with unrepresented employees for 2018-2019 with discretion on the part of the Commission's choosing to match.
- Assumes successful step increases for the Policy Analyst consistent with the adopted pay scale raising the annual salary from \$83,061 to \$87,110.<sup>1</sup>
- Establishes a \$40,000 contingency to absorb any additional salary adjustments approved by the Commission during the fiscal year as well as any changes in hires during the fiscal year.
- Assumes the Commission Clerk at an annual salary of \$58,848 with a 35 per hour week schedule.
- Assumes lower contribution rates including the California's Employees' Pension Reform Act or PEPRA with a total of \$23,901.

It is proposed the **Administrative Services Unit** will increase by \$15,208 or 17.7% over the current fiscal year from \$86,114 to \$101,332. This unit provides funding for *direct* support services necessary to operate Marin LAFCO (emphasis). Notable adjustments proposed within this unit include the following.

- Adds \$4,620 in the legal services account to raise the total line item from \$35,880 to \$40,500; a difference of 12.9% over the current fiscal year. The increase responds to recent demands and is calculated to assume most billed hours will be generated from outside counsel along with the projection of additional hours for the recent appointment of Commission Counsel.
- Adds \$4,500 in the professional services account to raise the total line item from \$26,180 to \$30,680; a difference of 17.2% over the current fiscal year. The increase is largely tied to slight increases to adjust for inflation based on actuals from the current fiscal year.

It is proposed the **Services and Supplies Unit** will decrease by (\$2,396) or (2.6%) over the current fiscal year from \$93,863 to \$91,467. This unit provides funding for *indirect* support services necessary to operate Marin LAFCO (emphasis). Notable adjustments proposed within this unit include the following.

- Adds \$3,399 in the office lease account to raise the line item from \$31,253 to \$34,652; a difference of 10.1% of the current fiscal year. The increase is attributed to an annual rate increase for the Commission's lease of office space at 1401 Los Gamos Drive in San Rafael.

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<sup>1</sup> The referenced annual pay amount for the Policy Analyst also assumes a 2.0% cost-of-living adjustment.

- Subtracts (\$6,780) in the office and equipment account to lower the line item from \$11,400 to \$4,620; a difference of (59.5%). The decrease is tied to the need of last year's funding of eight electronic tablets for Commissioners as part of the planned transition to paperless agenda packets.

### Operating Revenues

- It is proposed the **Intergovernmental Unit** will increase by \$45,094 or 8.8% over the current fiscal year from \$514,781 to \$559,875. The unit payments received from the 42 local government agencies responsible under State law for funding Marin LAFCO with apportions divided in three equal shares among the County of Marin, 11 cities and towns, and 30 independent special districts. Actual invoice amounts for the cities / towns and special districts would be determined by the County Auditor's Office consistent with the allocation formula outlined under Government Code Section 56383 and based on local revenue tallies.
- It is proposed the **Service Charge Unit** remain as is at \$30,000. This unit covers payments received from outside applicants to process change of organizations (annexations, detachments, formations, etc.), outside service extensions, and sphere of influence amendments.
- It is proposed the **Interest Earnings Unit** remain set at \$2,000. This reflects the lack of anticipated changes in interest earnings consistent with recent quarters.

The proposed operating budget affirmatively responds to the feedback provided by the Commission along with the functional needs in meeting the agency's existing and expanding duties under State law. This includes advancing the Commission's organizational capacity through targeted policy updates and administrative duties which includes the appointment of a new Commission Counsel along with the expansion of funding for outside legal counsel and a new accounting payroll system. The principal increase in the proposed budget is largely tied to the adjustments made in salaries and benefits to account for the appointment of the Executive Officer and the modified annual salary range, the Commission Clerk position, and a \$40,000 contingency to absorb any staffing changes or hires for the next fiscal year.

The following comments provide additional context in the Commission's consideration of the proposed budget.

- The proposed budget brings Marin LAFCO under the current fiscal year average budgeted operating costs of \$700,219 among the seven-other active Bay Area LAFCOs. This referenced distinction exists despite Marin LAFCO having more local agencies under its oversight at 65 than the others with the exception of Contra Costa at 67.
- The proposed budgeted shortfall of (\$10,000) has been targeted to allow for the Commission to continue to spread the costs among funding agencies similar to actions taken over the past three fiscal years. It is therefore projected the Commission would end 2018-2019 with an approximate fund balance of \$132,813 and along the Commission's policy goal of maintaining a fund balance of no less than 20% of operating expense.

### **Alternatives for Action**

The following alternatives are available to the Commission:

#### Alternative One (Recommended):

- (a) Adopt the attached resolution approving the proposed budget for 2018-2019 with any desired changes.
- (b) Direct the Interim Executive Officer to circulate the adopted budget for 2018-2019 for review and comment by the funding agencies and the general public; and
- (c) Direct the Committee to return with a final budget for 2018-2019 for adoption as part of a noticed hearing on June 7, 2018.

#### Alternative Two:

Continue consideration of the item to a special meeting scheduled no later than the legislative deadline of May 1, 2018 and provide direction to the Committee with respect to any additional information requests.

### **Recommendation**

It is recommended the Commission proceed with the actions outlined in the preceding section as Alternative One. These actions would satisfy the Commission's statutory obligation to adopt a proposed budget by May 1<sup>st</sup> and facilitate the public review of the proposed budget in anticipation of final actions in June.

### **Procedures for Consideration**

This item has been placed on the agenda for action as part of a noticed public hearing. The following procedures are recommended in the Commission's consideration.

- 1) Receive a verbal report from the Committee;
- 2) Open the public hearing and invite comments from interested audience members (mandatory);  
and
- 3) Close the public hearing, discuss item, and consider recommendation.

Respectfully on behalf of the Budget Committee,



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Rachel Jones  
Interim Executive Officer

#### Attachments:

- 1) Draft Resolution Adopting Proposed Budget
- 2) Proposed Operating Budget for FY 2018-2019

**RESOLUTION OF THE  
MARIN LOCAL AGENCY FORMATION COMMISSION  
ADOPTING A PROPOSED BUDGET FOR FISCAL YEAR 2018-2019**

**WHEREAS**, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires the Marin Local Agency Formation Commission (“Commission”) to perform certain regulatory and planning duties for purposes of facilitating efficient and accountable local government; and

**WHEREAS**, the Commission is required to adopt proposed and final budgets each year by May 1<sup>st</sup> and June 15<sup>th</sup>, respectively; and

**WHEREAS**, the Commission’s Executive Officer prepared a written report outlining the recommendations of the Budget Committee with respect to budgetary needs in 2018-2019; and

**WHEREAS**, the Executive Officer’s written report on a proposed budget for 2018-2019 have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission has heard and fully considered all the evidence on a proposed budget for 2018-2019 presented at a public hearing held on April 12, 2018;

**WHEREAS**, the adoption of a budget is not a project under the California Environmental Quality Act.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. The proposed operating budget for 2018-2019 shown as Exhibit A is APPROVED.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on April 12, 2018, by the following vote:

Yes: \_\_\_\_\_

No: \_\_\_\_\_

Abstain: \_\_\_\_\_

Approved: \_\_\_\_\_  
Jeffry Blanchfield  
Commission Chair

Attest: \_\_\_\_\_  
Rachel Jones  
Interim Executive Officer



**MARIN LOCAL AGENCY FORMATION COMMISSION**

Regional Service Planning | State of California

**Expense Ledger**

		FY2014-2015		FY2015-2016		FY2016-2017			FY2017-2018			FY2018-2019		
		Adopted	Actuals	Adopted	Actuals	Adopted	Amended	Estimated	Adopted	Amended	Estimated	Draft	Difference	
		FY14-15	FY14-15	FY15-16	FY15-16	FY16-17	FY16-17	FY16-17	FY17-18	FY17-18	FY17-18	FY18-19		
<b>Salary and Benefit Costs</b>														
<u>Account</u>	<u>Description</u>													
5110110	Staff Salaries	189,884	179,672	246,688	241,699	281,111	258,111	218,345	282,079	265,913	212,731	328,449	46,370	16.4%
5130510	Employee Retirement (MCERA)	51,793	45,258	61,990	59,730	63,852	57,852	45,560	37,561	37,561	30,048	23,901	(13,660)	-36.4%
5140125	Employee Benefits (County of Marin)	16,888	15,486	25,443	25,980	26,867	26,867	22,210	32,313	32,313	25,850	32,313	(0)	0.0%
5140141	Payroll Tax	2,518	2,704	3,693	4,270	4,020	4,020	5,153	3,887	3,887	3,887	3,131	(756)	-19.4%
5140115	Workers Compensation	736	792	742	1,064	960	960	1,731	1,744	1,744	1,643	1,965	221	12.7%
5140145	Unemployment Insurance	868	1,215	868	2,234	6,290	6,290	3,500	3,605	3,605	3,605	3,713	108	3.0%
5130525	Post Employment Benefits (CalPERS)	16,798	24,898	14,880	13,481	15,615	15,615	15,615	15,615	15,615	15,615	15,615	-	0.0%
		279,486	270,024	354,304	348,459	398,716	369,716	312,113	376,804	360,639	293,379	409,087	32,283	8.6%
<b>General Administrative Costs</b>														
<u>Account</u>	<u>Description</u>													
5210110	Professional Services	5,800	17,183	15,255	15,793	15,020	15,020	19,431	26,180	30,680	70,680	30,680	4,500	17.2%
5210131	Legal Services	14,196	2,477	10,075	10,045	10,579	39,579	51,214	35,880	35,880	35,880	40,500	4,620	12.9%
5210230	Accounting and Payroll	8,000	-	4,925	1,200	6,125	6,125	9,125	5,550	5,550	5,550	6,438	888	16.0%
5211325	Work Conferences	4,000	2,614	2,975	3,495	2,450	2,450	1,912	2,965	2,965	2,965	2,965	-	0.0%
5211440	Mileage and Travel	3,000	3,523	3,037	3,851	4,118	4,118	5,000	4,539	4,539	4,539	7,239	2,700	59.5%
5211533	Commissioner Per Diems	7,100	4,600	7,100	5,500	10,875	10,875	10,375	11,000	11,000	13,000	13,500	2,500	22.7%
		42,096	30,397	43,367	39,884	49,166	78,166	97,057	86,114	90,614	132,614	101,322	15,208	17.7%
<b>Service and Supply Costs</b>														
<u>Account</u>	<u>Description</u>													
5211270	Office Space Leases/Rents	16,770	16,770	17,370	19,774	24,938	24,938	23,079	31,253	31,253	31,403	34,652	3,399	10.9%
5211330	Membership and Dues	13,340	13,896	14,092	14,017	14,369	14,369	14,369	14,556	14,556	14,556	14,734	178	1.2%
5210525	General Insurance	3,000	2,771	2,677	2,677	2,677	2,677	2,564	3,993	3,993	3,993	3,993	0	0.0%
5210715	Communication Services	5,875	5,416	6,054	7,497	6,568	6,568	8,795	8,236	8,236	8,236	8,608	372	4.5%
5211516	Reprographic/Map Services	-	-	-	-	-	-	180	-	-	-	-	-	-
5220110	General Office Supplies	2,000	5,831	23,400	19,795	2,590	2,590	7,766	4,200	4,200	4,200	4,300	100	2.4%
5210935	Office Equipment and Replacement	6,000	8,672	2,907	4,706	5,137	5,137	6,931	11,400	23,066	25,000	4,620	(6,780)	-59.5%
5211340	Ongoing Education and Training	1,500	327	1,095	820	1,800	1,800	1,000	1,250	1,250	3,000	1,500	250	20.0%
5211520	Public Notices and Publications	2,000	1,121	2,095	3,804	5,000	5,000	5,432	5,000	5,000	3,500	5,000	-	0.0%
5210129	Website and Graphic Design	2,000	3,000	2,000	-	15,500	15,500	13,295	11,613	11,613	11,613	11,613	-	0.0%
TBD	Miscellaneous / Petty Cash	-	-	-	-	-	-	-	1,961	1,961	1,200	2,045	84	4.3%
5211215	Records Storage	800	315	800	366	401	401	401	401	401	401	401	-	0.0%
		53,285	58,119	72,584	73,456	78,980	78,980	83,812	93,863	105,529	107,102	91,467	(2,396)	-2.6%
<b>Contingencies</b>														
<u>Account</u>	<u>Description</u>													
	Operating Reserve	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
<b>EXPENSE TOTALS</b>		<b>374,866</b>	<b>358,540</b>	<b>470,254</b>	<b>461,799</b>	<b>526,862</b>	<b>526,862</b>	<b>492,982</b>	<b>556,781</b>	<b>556,782</b>	<b>533,095</b>	<b>601,875</b>	<b>45,094</b>	<b>8.1%</b>
<i>Prior Year Difference</i>		3.2%	11,566	25.4%	95,388	12.0%	56,608		5.7%	29,919		8.1%	45,094	

**Revenue Ledger**

		FY2014-2015		FY2015-2016		FY2016-2017			FY2017-2018			FY2018-2019		
		Adopted	Actual	Adopted	Actual	Adopted	Amended	Estimated	Adopted	Amended	Estimated	Draft	Difference	
		FY14-15	FY14-15	FY15-16	FY15-16	FY16-17	FY16-17	FY16-17	FY17-18	FY17-18	FY17-18	FY18-19		
<b>Intergovernmental</b>														
<u>Account</u>	<u>Description</u>													
4710510	Agency Contributions	348,366	348,367	387,528	387,528	470,362	470,362	469,161	514,781	514,781	514,781	559,875	45,094	8.8%
	County of Marin	116,122	116,122	129,176	129,176	156,787	156,787	156,387	171,159	171,159	171,159	186,625	15,466	9.0%

Cities and Towns (11)	116,122	116,122	129,176	129,176	156,787	156,787	156,387	171,159	171,159	171,159	186,625	15,466	9.0%
Independent Special Districts (30)	116,122	116,122	129,176	129,176	156,787	156,787	156,387	171,159	171,159	171,159	186,625	15,466	9.0%
	348,366	348,367	387,528	387,528	470,362	470,362	469,161	514,781	514,781	514,781	559,875	45,094	8.8%
<b>Service Charges</b>													
4640333 Application Fees	25,000	15,536	25,000	17,424	30,000	30,000	23,778	30,000	30,000	30,000	30,000	-	0.0%
4710631 Miscellaneous	-	-	226	365	-	-	-	-	-	-	-	-	0.0%
	25,000	15,536	25,226	17,789	30,000	30,000	23,778	30,000	30,000	30,000	30,000	-	0.0%
<b>Investments</b>													
Interest	1,500	700	1,500	769	1,500	1,500	1,951	2,000	2,000	2,000	2,000	-	0.0%
	1,500	700	1,500	769	1,500	1,500	1,951	1,500	2,000	2,000	2,000	-	0.0%
<b>REVENUE TOTALS</b>	<b>374,866</b>	<b>364,603</b>	<b>414,254</b>	<b>406,086</b>	<b>501,862</b>	<b>501,862</b>	<b>494,890</b>	<b>546,781</b>	<b>546,781</b>	<b>546,781</b>	<b>591,875</b>	<b>45,094</b>	<b>8.2%</b>
<b>OPERATING NET</b> (negative amounts reflect draw down on reserves)	-	6,064	(56,000)	(55,713)	(25,000)	(25,000)	1,908	(25,000)	(25,000)	13,686	(10,000)		
<b>UNRESERVED/UNRESTRICTED FUND BALANCE</b>													
As of June 30th	\$ 196,618.00		140,905		142,813			156,499			132,813		



## Salaries and Benefits | Assumptions

### Regular Salaries

#### Analyst Position | Assumes 2.0% COLA

\$	60,307.20	Salary   40 Hours Per Week @ Step V	41.88
\$	26,803.20	Salary   40 Hours Per Week @ Step V	41.88
\$	<b>87,110.40</b>		

#### Executive Officer Position | Assumes 2.0% COLA

\$	69,992.00	Salary   40 Hours Per Week	67.30
\$	<u>72,498.40</u>	Salary   40 Hours Per Week	69.71
\$	<b>142,490.40</b>		

#### Commission Clerk Position | Assumes 2.0% COLA

\$	29,423.94	Salary   35 Hours Per Week	32.3340
\$	29,423.94	Salary   35 Hours Per Week	32.3340
\$	<b>58,847.88</b>		

#### Contingency | Cover Potential Mid-Year Adjustments

\$ **40,000.00**

**328,448.68**

### TOTAL

**409,086.53**

### MCERA Pension Costs

Position	Current Rate	Projected Rate	Projected Salary	Charge
Analyst (PEPRA)	8.49%	7.59%	\$ 87,110.40	\$ 6,611.68
EO	19.22%	18.32%	\$ 69,992.00	\$ 12,822.53
Clerk (PEPRA)	8.49%	7.59%	\$ 58,847.88	\$ 4,466.55
<b>\$</b>	<b>23,900.77</b>			* Based on MCERA Estimate

### Other Post Employment Benefits

#### 2018-2019 Rate

\$ 15,615.00

**\$ 15,615.00**

\* Actuarial estimate

### Payroll Tax

Rate	2018-19 Salaries
1.45%	\$ 215,950.28

**\$ 3,131.28**

### Workers Compensation

Current Charge	Projected Charge
\$ 1,770.00	\$ 1,965.00

**\$1,965**

\* Estimate from SDRMA

### Unemployment Insurance

Current Charge	Projected Charge
\$ 3,605.00	\$ 3,713.15

**\$ 3,713.15**

\* Assumes 3% increase

### Insurance Benefits

Position	Health	Dental	Life	Vision	Fringe
Analyst	8,488.22	627.38	35.88	66.3	-
EO	12,039.82	1858.74	258.7	211.9	-
Clerk	8,488.22	627.38	35.88	66.3	-
	29,016.26	3,113.50	330.46	344.50	-

**\$ 32,312.65**

32,804.72

## Administrative Costs | Assumptions

### Professional Services

Service	Vendor	Charge
Workshop Facilitator	Bill Chiat	1,600.00
Workshop Catering	Forks and Fingers	650.00
Annual Audit	Riccardi	7,670.00
Security Services	Barbier	1,120.00
MSR Support   Statistics	Consultants	5,000.00
HR Services		7,500.00
IT Services	Marin Mac	7,140.00
		<u>30,680.00</u>

### Legal Services

Service	Hours	Rate	Charge
General Counsel	30	250.00	7,500.00
Outside Counsel	120	275.00	33,000.00
			<u>40,500.00</u>

### Accounting | Payroll

Service	Hours	Rate	Charge
Bookkeeping	36	130.00	4,680.00
Payroll	-	-	1,758.00
			<u>6,438.00</u>

### Conferences

Event	Participants	Cost	Charge
CALAFCO Annual	3	490.00	1,470.00
CALAFCO Workshop	3	315.00	945.00
CALAFCO U	2	50.00	100.00
APA	1	450.00	450.00
			<u>2,965.00</u>

### TOTAL

\$ 101,321.50

### Travel and Mileage

Position	Miles	Rate	Charge
EO	750	0.55	412.50
Analyst	300	0.55	165.00
Clerk	20	0.55	11.00
			<u>588.50</u>

### Annual Conference | Yosemite

	Registration	Hotel/Food	Transport
EO	-	900.00	250.00
Analyst	-	-	-
Commissioner	-	900.00	250.00
Commissioner	-	900.00	250.00
	-	2,700.00	750.00
			<u>3,450.00</u>

### Annual Workshop |

	Registration	Hotel/Food	Transport
EO	-	900.00	250.00
Analyst	-	900.00	250.00
Clerk	-	900.00	250.00
	-	2,700.00	750.00

### Leg Meetings

500.00

7,238.50

### Per Diems

Type:	Rate	Number	Attendance	Charge
Regular Meetings	125.00	6.00	10.00	7,500.00
Special Meetings	125.00	3.00	10.00	3,750.00
Committee Meetings	125.00	6.00	3.00	2,250.00
				<u>13,500.00</u>

## Service and Supply Costs | Assumptions

### Rent | Leases

Type	Place	Charge	
Office Space	Los Gamos	31,592.27	
Meeting Place	MCE	<u>3,060.00</u>	<u><u>34,652.27</u></u>

Type	Charge	
MarinMap	10,000.00	
CALAFCO	2,805.00	
CSDA	1,299.00	
MarinTV	150.00	
APA	<u>480.00</u>	<u><u>14,734.00</u></u>

### General Insurance

Vendor	Charge	
CSDA	<u>3,993.00</u>	<u><u>3,993.39</u></u>

### Website

Vendor	Charge	
Hosting	396.00	
CivicPlus	<u>11,217.00</u>	<u><u>11,613.00</u></u>

### Publications

Vendor	Charge	
Legal Notices	1,000.00	
Outside Printing	<u>4,000.00</u>	<u><u>5,000.00</u></u>

**Total**  
**91,065.66**

### Training

Type	Charge	
Outside Conferences	1,000.00	
Miscellaneous	<u>500.00</u>	<u><u>1,500.00</u></u>

### Equipment

Type	Charge	
Computer Replacement	2,500.00	
FP Mailing Box Rental	120.00	
Software	800.00	
Ricon Maintenance Agreement	<u>1,200.00</u>	<u><u>4,620.00</u></u>

### General Office

Type	Charge	
Office Supplies	2,800.00	
Copies	<u>1,500.00</u>	<u><u>4,300.00</u></u>

### Communications

Type	Charge	
EO Phone	1,776.00	
MarinTV	2,700.00	* assumes 6 recordings
Comcast	2,700.00	
Email Hosting	300.00	
DropBox	132.00	
Postage	<u>1,000.00</u>	<u><u>8,608.00</u></u>

### Special Departmental Expense

Type	Charge	
Water Service	300.00	
Meeting Catering	480.00	
Chair-EO Breakfasts	315.00	
Clerk Recruitment	450.00	
Special Events   MCCMC, Etc.	<u>500.00</u>	<u><u>2,045.00</u></u>

## Bay Area LAFCO Budget Comparisons

County	2015-2016	2016-2017	2017-2018	1 Yr Change	Full Time Employees	Consultant Staff	Cities & Towns	Special Districts	Total Agencies
Alameda	636,337.00	665,037.00	768,345.00	15.5%	2.5	yes	14	35	49
Contra Costa	813,750.00	893,733.00	945,210.00	5.8%	2.0	yes	19	48	67
Marin	470,254.42	526,862.28	556,781.00	5.7%	2.8	no	11	54	65
Napa	525,684.00	534,328.00	525,524.00	-1.6%	2.0	yes	5	18	23
San Francisco	297,342.00	297,342.00	-	-	1.0	no	1	0	1
San Mateo	476,248.00	450,230.00	492,571.00	9.4%	1.8	no	9	56	65
Santa Clara	819,843.00	881,227.00	1,084,733.00	23.1%	3.0	no	15	29	44
Solano	394,235.00	419,514.00	459,319.00	9.5%	1.0	yes	7	44	51
Sonoma	596,975.00	626,055.00	625,830.00	-0.04%	3.0	no	9	54	63

Outside Average:      \$ 609,010.29      \$ 638,589.14      \$ 700,218.86      9.7%  
excludes SF      excludes SF      excludes SF      excludes SF



**Marin Local Agency Formation Commission**  
**Regional Service Planning | Subdivision of the State of California**

**AGENDA REPORT**

April 12, 2018

Item No. 11 (Business / Action)

April 4, 2018

**TO:** Marin Commissioners  
**FROM:** Rachel Jones, Interim Executive Officer  
**SUBJECT:** **Legislative Report**

The Commission will receive an update from the CALAFCO Legislative Committee provided at its March meeting as it relates to proposals impacting Local Agency Formation Commissions. The report is being presented to the Commission for discussion only.

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Local Agency Formation Commissions (LAFCOs) are political subdivisions of the State of California tasked with providing regional growth management services in all 58 counties. LAFCO’s duties and powers have increasingly expanded since their creation in 1963 as more than 200 bills have been subsequently enacted with the majority addressing changes in boundary management and service provision. The substantive result of these amendments is the delineation of two distinct LAFCO responsibilities: regulating the physical development of cities and special districts and their service areas and informing such decisions through various planning activities.

**Information**

This item is for Marin LAFCO (“Commission”) to consider bill proposals as part of the first year of the Legislature’s 2018-2019 session that directly or indirectly impact LAFCOs’ duties and or interests as identified by CALAFCO. This includes considering CALAFCO’s recommendations. The Commission is also invited to provide related direction on other legislative matters.

The following are the status on bills that may be of interest to the Commission and other bills affecting local public agencies.

**AB 2238 (Aguiar-Curry) | Local Government Reorganization**

Makes changes to LAFCO statues which govern changes of organization and reorganization, including additional consideration of any relevant hazard mitigation plan or safety element of a general plan in the review of a proposal.

*Approved Position: Watch; Status: Committee*

### **AB 2050 (Caballero) | Municipal Services, Water**

Establishes the Small Water System Authority Act of 2018 to permit the creation of small system water authorities that will have powers to absorb, improve and operate noncompliant public water systems.  
*Approved Position: Watch; Status: Committee*

### **AB 2600 (Flora) | Regional Park and Open Space Districts**

Adds the option for local governments to adopt a resolution in lieu of the 5,000-signature petition to initiate the formation of a Regional Park Open Space District. CALAFCO recommends the Commission approve a support position and authorize the Executive Officer to issue a letter therein to Assembly Member Flora.  
*Approved Position: Support; Status: Committee*

### **AB 2258 (Caballero) | LAFCO Funding**

Establishes a grant funding program, administered by the Strategic Growth Council to provide LAFCOs with funding to initiate and complete dissolution of inactive special districts, prepare special studies and potentially initiate actions based on determinations in municipal services reviews. The grant program includes specific eligible activities and a requirement to report to the Strategic Growth Council as to the use of grant funds. CALAFCO recommends the Commission approve a support position and authorize the Executive Officer to issue a letter therein to Assembly Member Caballero.  
*Approved Position: Support; Status: Committee*

### **AB 2491 (Cooley) | Local Government Finance**

Seeks to reinstate Vehicle License Fee (VLF) adjustments for future city incorporations from the Educational Revenue Augmentation Fund (ERAF) which will be backfilled by the general fund. CALAFCO recommends the Commission approve a support position and authorize the Executive Officer to issue a letter therein to Assembly Member Cooley.  
*Approved Position: Support; Status: Committee*

### **SB 778 (Hertzberg) | Municipal Services**

Requires the State Water Resources Control Board (SWRCB) to track and publish an analysis of all consolidations of water systems that have occurred after July 1, 2014, including whether a consolidation succeeded or failed to provide adequate and safe drinking water to affected communities.  
*Approved Position: Watch; Status: Committee on Appropriations*

### **AB 1215 (Hertzberg) | Disadvantaged Unincorporated Communities**

Authorizes the State Water Resources Control Board (SWRCB) to mandate consolidation or extension of services by wastewater systems. The proposal is similar to SB 88, prior legislation that is now law, which empowers SWRCB to consolidate water systems.  
*Approved Position: Watch; Status: Approved in Senate on February 16, 2018*

Staff is represented on the CALAFCO Legislative Committee as an advisory member and will continue to monitor and track legislation that impact LAFCO or other related government agencies in coordination with CALAFCO and provide periodic updates to the Commission as the Legislature reconvenes in 2018.

### **Alternatives for Action**

The following alternative actions are available to the Commission.

#### Alternative Action One

Approve a support position for AB 2600 (Flora), AB 2258 (Caballero) and AB 2491 (Cooley) and authorize the Interim Executive Officer to issue a letter therein to the authors.

#### Alternative Action Two

Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.

#### Alternative Action Three

Take no action.

### **Recommendation**

Staff recommends the Commission proceed with Alternative Action One as outlined in the preceding section.

### **Procedures for Consideration**

This item has been placed on the agenda for action as part of the regular business calendar. The following procedures, accordingly, are recommended in the consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from any interested audience members (voluntarily); and
- 3) Discuss item and consider action on recommendation.

Respectfully,



Rachel Jones  
Interim Executive Officer

#### Attachments:

- 1) CALAFCO Tracking Report

## CALAFCO Daily Legislative Report as of Monday, March 12, 2018

1

**[AB 2050](#) (Caballero D) Small System Water Authority Act of 2018.**

**Current Text:** Introduced: 2/6/2018 [html](#) [pdf](#)

**Introduced:** 2/6/2018

**Status:** 2/7/2018-From printer. May be heard in committee March 9.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would create the Small System Water Authority Act of 2018 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill would define various terms and require a change in organization to be carried out as set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**Position:** Watch

**Subject:** LAFCo Administration, Municipal Services, Water

**CALAFCO Comments:** This bill is sponsored by Eastern Municipal Water District and the CA Municipal Utilities Assoc. The intent is to give the State Water Resources Control Board (SWRCB) authority to mandate the dissolution of existing drinking water systems (public, mutual and private) and authorize the formation of a new public water system. The focus is on non contiguous systems. The SWRCB already has the authority to mandate consolidation of these systems, this will add the authority to mandate dissolution and formation of new public agencies.

CALAFCO met with the sponsors several times and they indicate a desire to work with LAFCOs on creating a process that works. However, it is our understanding that LAFCo will lack any discretion in the dissolution of any public water agency mandated by the SWRCB and the formation of a new entity as mandated by the SWRCB. CALAFCO will continue to work with the sponsors and author.

**[AB 2238](#) (Aguiar-Curry D) Change of organization or reorganization: local agency formation commission review: hazard mitigation plan: safety element.**

**Current Text:** Introduced: 2/13/2018 [html](#) [pdf](#)

**Introduced:** 2/13/2018

**Status:** 3/1/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the factors that a local agency formation commission is required to consider in the review of a proposal for a change of organization or reorganization, including, among other things, the proposal's consistency with city or county general and specific plans. This bill would additionally require the commission to consider any relevant hazard mitigation plan or safety element of a general plan, and the extent to which the proposal will affect any land identified as a very high fire hazard severity zone or land determined to be in a state responsibility area, as provided.

**Position:** Watch

**Subject:** Climate Change, Growth Management

**CALAFCO Comments:** This bill seeks to add another factor for LAFCo consideration in the review of a proposal. That factor is any relevant hazard mitigation plan or safety element of a general plan, and the extent to which the proposal will affect any land identified as a very high fire hazard severity zone (pursuant to Gov. Code Sc. 51178) or land determined to be in a state responsibility area (pursuant to PRC Sec. 4102).

This bill is in response to the rash of wildfires throughout the state over the past several years and the ongoing threat of same as a result of climate change.

**[AB 2258](#) (Caballero D) Local government.**



**Current Text:** Introduced: 2/13/2018 [html](#) [pdf](#)

**Introduced:** 2/13/2018

**Status:** 2/14/2018-From printer. May be heard in committee March 16.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law requires a local agency formation commission in each county to encourage the orderly formation and development of local agencies based upon local conditions and circumstances, among other things. Current law requires the county auditor to apportion, as specified, the net operating expenses of the local agency formation commission among the county, cities, and special districts within the commission’s jurisdiction. This bill would make a nonsubstantive change to that provision.

**Position:** Sponsor

**Subject:** Other

**CALAFCO Comments:** As introduced this is a spot bill. This is a CALAFCO sponsored bill following up on the recommendation of the Little Hoover Commission report of 2017 for the Legislature to provide LAFcos one-time grant funding for in-depth studies of potential reorganization of local service providers. CALAFCO is working with the Strategic Growth Council in preparing a process and actual language will be coming soon.

**[AB 2320](#) (Brough R) Local agency formation: spheres of influence: municipal service review.**

**Current Text:** Introduced: 2/13/2018 [html](#) [pdf](#)

**Introduced:** 2/13/2018

**Status:** 2/14/2018-From printer. May be heard in committee March 16.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission to develop and determine the sphere of influence of each city and each special district within the county and enact policies designed to promote the logical and orderly development of areas within each sphere. Current law requires the commission, in order to prepare and update spheres of influence in accordance with this requirement, to conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission, as specified. This bill would make a nonsubstantive change to this provision.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill. CALAFCO is waiting to hear back from the author on the intent.

**[AB 2600](#) (Flora R) Regional park and open space districts.**

**Current Text:** Introduced: 2/15/2018 [html](#) [pdf](#)

**Introduced:** 2/15/2018

**Status:** 3/8/2018- Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize the formation of a district by the adoption of a resolution of application by the legislative body of any county or city that contains the territory proposed to be included in the district. The bill would require the resolution to contain certain information, including the methods by which the district would be financed. The bill would require a public hearing before the adoption of the resolution, as provided.

**Position:** Watch

**CALAFCO Comments:** This bill would expand the process of initiating the formation of a regional park and open space district by adding that a local governing body may adopt a resolution proposing to form a new district. This would be in lieu of having a 5,000 signature petition. The LAFco process remains intact.

The intent of this bill is to create an easier way to proposed the formation of these types of districts, thereby removing the need for special legislation to do so. The bill is author-sponsored.

**[SB 1215](#) (Hertzberg D) Drinking water systems and sewer systems: consolidation and extension of**

service.

**Current Text:** Introduced: 2/15/2018 [html](#) [pdf](#)

**Introduced:** 2/15/2018

**Status:** 3/1/2018-Referred to Coms. on EQ. and GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would also authorize the state board to set timeline and performance measures to facilitate completion of extension of service of drinking water. This bill contains other related provisions and other current laws.

**Position:** Watch

**Subject:** Disadvantaged Communities, Water

**CALAFCO Comments:** This bill would authorize the State Water Resources Control Board (SWRCB) to mandate extension of service or consolidation of wastewater systems - both public and private, under certain circumstances. The process mirrors the process set forth in SB 88 giving the SWRCB authority to mandate the same for drinking water systems.

**[SB 1496](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 3/1/2018 [html](#) [pdf](#)

**Introduced:** 3/1/2018

**Status:** 3/2/2018-From printer. May be acted upon on or after April 1.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Second Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

**Position:** Watch

**[SB 1497](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 3/1/2018 [html](#) [pdf](#)

**Introduced:** 3/1/2018

**Status:** 3/2/2018-From printer. May be acted upon on or after April 1.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the First Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill would declare that it is to take effect immediately as an urgency statute.

**Position:** Watch

**Subject:** LAFCo Administration

**[SB 1499](#) (Committee on Governance and Finance) Validations.**

**Current Text:** Introduced: 3/1/2018 [html](#) [pdf](#)

**Introduced:** 3/1/2018

**Status:** 3/2/2018-From printer. May be acted upon on or after April 1.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would enact the Third Validating Act of 2018, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

**Position:** Watch

**Subject:** LAFCo Administration

**AB 2268 (Reyes D) Local government finance: property tax revenue allocations: vehicle license fee adjustments.**

**Current Text:** Introduced: 2/13/2018 [html](#) [pdf](#)

**Introduced:** 2/13/2018

**Status:** 3/1/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would, for the 2018–19 fiscal year, instead require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount in the 2004–05 fiscal year, if a specified provision did not apply, and the product of the amount as so described and the percentage change in gross taxable assessed valuation within the jurisdiction of that entity between the 2004–05 fiscal year to the 2018–19 fiscal year. This bill, for the 2019–20 fiscal year, and for each fiscal year thereafter, would require the vehicle license fee adjustment amount to be the sum of the vehicle license fee adjustment amount for the prior fiscal year and the product of the amount as so described and the percentage change from the prior fiscal year in gross taxable assessed valuation within the jurisdiction of the entity.

**Position:** Watch

**Subject:** Tax Allocation

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for inhabited annexations.

**AB 2491 (Cooley D) Local government finance: vehicle license fee adjustment amounts.**

**Current Text:** Introduced: 2/14/2018 [html](#) [pdf](#)

**Introduced:** 2/14/2018

**Status:** 3/5/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would establish a separate vehicle license fee adjustment amount for a city incorporating after January 1, 2012, and for a qualified city, as defined, incorporating after January 1, 2012, would establish an additional separate vehicle license fee adjustment amount. This bill contains other related provisions and other existing laws.

**Position:** Watch

**Subject:** Tax Allocation

**CALAFCO Comments:** Sponsored by the League, this bill will reinstate ERAF funding for incorporations.

**AB 2501 (Chu D) Drinking water: consolidation and extension of service.**

**Current Text:** Introduced: 2/14/2018 [html](#) [pdf](#)

**Introduced:** 2/14/2018

**Status:** 3/8/2018-Referred to Com. on E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The California Safe Drinking Water Act authorizes the State Water Resources Control Board to order extension of service to an area within a disadvantaged community that does not have access to an adequate supply of safe drinking water so long as the extension of service is an interim extension of service in preparation of consolidation. The act defines “disadvantaged community” for these purposes to mean a disadvantaged community that is in an unincorporated area, is in a mobilehome park, or is served by a mutual water company or small public water system. This bill would redefine “small public water system” for these purposes as a system with 200 connections of less.

**Position:** Watch

**Subject:** Disadvantaged Communities, Water

**[AB 1889](#) (Caballero D) Santa Clara Valley Water District.**

**Current Text:** Introduced: 1/18/2018 [html](#) [pdf](#)

**Introduced:** 1/18/2018

**Status:** 2/5/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Santa Clara Valley Water District Act authorizes the district to impose special taxes at minimum rates according to land use category and size. The district act authorizes the district to provide an exemption from these taxes for residential parcels owned and occupied by one or more taxpayers who are at least 65 years of age, or who qualify as totally disabled, if the household income is less than an amount approved by the voters of the district. This bill would authorize the district to require a taxpayer seeking an exemption from these special taxes to verify his or her age, disability status, or household income, as prescribed. The bill would authorize the board of directors of the district to provide the exemption.

**Position:** Watch

**[AB 2019](#) (Aguilar-Curry D) Health care districts.**

**Current Text:** Introduced: 2/5/2018 [html](#) [pdf](#)

**Introduced:** 2/5/2018

**Status:** 2/6/2018-From printer. May be heard in committee March 8.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law authorizes local health care districts to exercise specified powers, including purchasing and using property for the benefit of the district and exercising the power of eminent domain to acquire real or personal property necessary to the exercise of the district's powers. Current law authorizes a district to include incorporated or unincorporated territory, or both, or territory in one or more counties, subject to specified limitations. This bill would make technical, nonsubstantive changes to a provision of the Local Health Care District Law.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill.

**[AB 2179](#) (Gipson D) Municipal corporations: public utility service: water and sewer service.**

**Current Text:** Introduced: 2/12/2018 [html](#) [pdf](#)

**Introduced:** 2/12/2018

**Status:** 3/1/2018-Referred to Com. on L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would authorize a municipal corporation to utilize the alternative procedures to lease, sell, or transfer that portion of a municipal utility used for furnishing sewer service outside the boundaries of the municipal corporation.

**Position:** Watch

**Subject:** Municipal Services

**[AB 2339](#) (Gipson D) Water utility service: sale of water utility property by a city.**

**Current Text:** Introduced: 2/13/2018 [html](#) [pdf](#)

**Introduced:** 2/13/2018

**Status:** 3/1/2018-Referred to Coms. on W.,P., & W. and L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:**

3/20/2018 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

**Summary:**

Would permit a city that owns and operates a public utility for furnishing water service to sell the public utility for the purpose of consolidating its public water system with another public water system pursuant to the procedures that are generally applicable to the sale of real property by a

city, only if the potentially subsumed water system is wholly within the boundaries of the city, if the city determines that it is uneconomical and not in the public interest to own and operate the public utility and if certain requirements are met. The bill would prohibit the city from selling the public utility for one year if 50% of interested persons, as defined, protest the sale.

**Position:** Watch  
**Subject:** Water

**SB 522 (Glazer D) West Contra Costa Healthcare District.**

**Current Text:** Amended: 1/3/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2017

**Last Amended:** 1/3/2018

**Status:** 1/30/2018-In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law provides for the formation of local health care districts and specifies district powers. Under existing law, the elective officers of a local health care district consist of a board of hospital directors consisting of 5 members, each of whom is required to be a registered voter residing in the district and whose term shall be 4 years, except as specified. This bill would dissolve the existing elected board of directors of the West Contra Costa Healthcare District, effective January 1, 2019, and would require the Board of Supervisors of the County of Contra Costa, at its election, to either serve as the district board or appoint a district board, as specified.

**Position:** Watch  
**Subject:** Special Districts Governance

**SB 561 (Gaines R) Fallen Leaf Lake Community Services District: elections.**

**Current Text:** Amended: 1/23/2018 [html](#) [pdf](#)

**Introduced:** 2/17/2017

**Last Amended:** 1/23/2018

**Status:** 1/30/2018-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Under current law, the Fallen Leaf Lake Community Services District is a resident voting district. This bill, notwithstanding existing law, would provide that voters who are residents of the district, and voters who are not residents but either own a real property interest in the district or have been designated by the owner of a real property interest to cast the vote for that property, may vote in a district election in the Fallen Leaf Lake Community Services District.

**Position:** Watch  
**Subject:** Special Districts Governance

**SB 623 (Monning D) Water quality: Safe and Affordable Drinking Water Fund.**

**Current Text:** Amended: 8/21/2017 [html](#) [pdf](#)

**Introduced:** 2/17/2017

**Last Amended:** 8/21/2017

**Status:** 9/1/2017-From committee: Without recommendation. (Ayes 11. Noes 0.) (September 1) Re-referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the state board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, bequests, and settlements from parties responsible for contamination of drinking water supplies.

**Position:** Watch

**Subject:** Water

**[SB 778](#) (Hertzberg D) Water systems: consolidations: administrative and managerial services.**

**Current Text:** Amended: 7/13/2017 [html](#) [pdf](#)

**Introduced:** 2/17/2017

**Last Amended:** 7/13/2017

**Status:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was APPR. on 8/23/2017)(May be acted upon Jan 2018)

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Would require, on or before March 1, 2018, and regularly thereafter, as specified, the State Water Resources Control Board to track and publish on its Internet Web site an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after July 1, 2014. The bill would require the published information to include the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

**Position:** Watch

**Subject:** Municipal Services

**[SB 929](#) (McGuire D) Special districts: Internet Web sites.**

**Current Text:** Amended: 3/6/2018 [html](#) [pdf](#)

**Introduced:** 1/25/2018

**Last Amended:** 3/6/2018

**Status:** 3/6/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its Internet Web site and directing a member of the public to the Web site, as specified. This bill would, beginning on January 1, 2020, require every independent special district to maintain an Internet Web site that clearly lists contact information for the special district, except as provided. Because this bill would require local agencies to provide a new service, the bill would impose a state-mandated local program.

**Position:** Watch

**[SB 1084](#) (Berryhill R) Counties: boundaries.**

**Current Text:** Introduced: 2/12/2018 [html](#) [pdf](#)

**Introduced:** 2/12/2018

**Status:** 2/22/2018-Referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law provides that proceedings for the alteration of current county boundaries are not subject to the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. This bill would make a nonsubstantive change to this provision.

**Position:** Watch

**CALAFCO Comments:** This is a spot bill.

**[SB 1459](#) (Cannella R) Local government organization: disincorporated cities.**

**Current Text:** Introduced: 2/16/2018 [html](#) [pdf](#)

**Introduced:** 2/16/2018

**Status:** 3/8/2018-Referred to Com. on RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the authority and procedures for the initiation, conduct, and completion of changes of organization and

reorganization of cities and districts by local agency formation commissions. Under that act, upon disincorporation of a city, on and after the effective date of that disincorporation, the territory of the disincorporated city, all inhabitants within the territory, and all persons formerly entitled to vote by reason of residing within that territory, are no longer subject to the jurisdiction of the disincorporated city. This bill would make a nonsubstantive change to this provision.

**Position:** Watch

**Subject:** Disincorporation/dissolution

**CALAFCO Comments:** This is a spot bill.

**SB 1498 (Committee on Governance and Finance) Local Government Omnibus Act of 2018.**

**Current Text:** Introduced: 3/1/2018 [html](#) [pdf](#)

**Introduced:** 3/1/2018

**Status:** 3/2/2018-From printer. May be acted upon on or after April 1.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:**

Current law sets forth various provisions governing cities that reference various officers and employees. This bill would make these references gender neutral.

**Position:** Watch

**CALAFCO Comments:** This is the annual Senate Governance & Finance Committee Omnibus bill.

Total Measures: 24

Total Tracking Forms: 24

3/12/2018 1:05:48 PM