



# 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, February 13, 2020**

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

**7:00 P.M.**

#### CALL TO ORDER BY CHAIR

#### ROLL CALL BY COMMISSION CLERK

#### AGENDA REVIEW

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

#### PUBLIC OPEN TIME

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

#### CONSENT CALENDAR ITEMS (discussion and possible action)

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

1. Approval of Minutes for December 12, 2019, Special Meeting and January 8, 2020, Strategic Planning Workshop
2. Commission Ratification of Payments from December 1, 2019, to January 31, 2020

#### PUBLIC HEARING

3. Approval for Reaffirming Spheres of Influence for San Rafael Area Jurisdictions
  - a) Resolution 20-01 Reaffirming the Sphere of Influence for the City of San Rafael
  - b) Resolution 20-02 Reaffirming the Sphere of Influence for Marinwood Community Services District
  - c) Resolution 20-03 Reaffirming the Sphere of Influence for County Service Area #6
  - d) Resolution 20-04 Reaffirming the Sphere of Influence for County Service Area #9
  - e) Resolution 20-05 Reaffirming the Sphere of Influence for County Service Area #13
  - f) Resolution 20-06 Reaffirming the Sphere of Influence for County Service Area #19
4. Final Draft – Novato Area Municipal Service Review
  - a) Approve Work Plan Resulting from Report
  - b) Adopt Resolution 20-07, Accepting Final Draft of the Novato Region Municipal Service Review
5. Eastern Peninsula Draft Municipal Service Review [Information Only]

6. Reorganization of 70 N Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to Alto Sanitary District (LAFCo file #1345)

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

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

7. Approval of Work Plan for Fiscal Year 2020-2021
8. Commendation for Commissioner Sloan Bailey

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

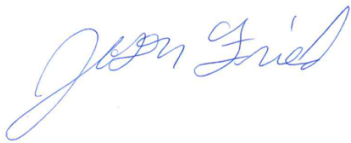
- a) Budget Update FY 2019-2020
- b) Current and Pending Proposals
- c) Update on MSR(s) [Verbal Report Only]
- d) Committee Assignments
- e) Possible Change to April Meeting [Verbal Report Only]

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

**ADJOURNMENT TO NEXT MEETING**

Thursday, April 9, 2020 | 7:00 P.M.

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



Attest:      Jason Fried  
                 Executive Officer

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

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

**Marin LAFCo**

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

T: 415-448-5877  
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

February 13, 2020

Item No. 1 (Consent Item)

**TO:** Local Agency Formation Commission

**FROM:** Candice Bozzard, Clerk to the Commission

**SUBJECT:** **Approval of Minutes for December 12, 2019 Special Meeting and Strategic Planning Workshop January 8, 2020**

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### Background

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

### Discussion

The action minutes for the December 13, 2019 and January 8, 2020 special meetings accurately reflect the Commission's actions as recorded by staff. A video recording of the December meeting is also available online for viewing at <http://marinlafco.org/AgendaCenter>

### Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the December 13, 2019 and January 8, 2020, meetings with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item to the next regular meeting and provide direction to staff, as needed.

### Procedures for Consideration

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

#### Attachment:

- 1) Draft Minutes for December 12, 2019
- 2) Draft Minutes for January 8, 2020

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

**Damon Connolly, Regular**  
County of Marin

**Judy Arnold, Regular**  
County of Marin

**Dennis Rodoni, Alternate**  
County of Marin

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

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

**Barbara Coler, Alternate**  
Town of San Anselmo

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

**Lew Kiouss, Regular**  
Almonte Sanitary District

**Tod Moody, Alternate**  
Sanitary District #5

**Larry Loder, Regular**  
Public Member

**Chris Skelton, Alternate**  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

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**DRAFT**

## NOTICE OF REGULAR MEETING MINUTES

### Marin Local Agency Formation Commission

**Thursday, December 12, 2019**

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

#### **CALL TO ORDER**

Chair McEntee called the meeting to order at 7:03 P.M.

#### **ROLL CALL BY COMMISSION CLERK**

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

Commissioners Present:                      Sashi McEntee, Chair  
    Craig K. Murray, Vice-Chair  
    Lew Kious  
    Barbara Coler  
    Dennis Rodoni

Alternate Commissioners Present:      Tod Moody

Marin LAFCo Staff Present:                Jason Fried, Executive Officer  
    Candice Bozzard, Commission Clerk  
    Jeren Seibel, Policy Analyst

Marin LAFCo Counsel Present:            Mala Subramanian

Members Absent:                                Sloan Bailey  
    Damon Connolly  
    Larry Loder

#### **AGENDA REVIEW**

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

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously.

## PUBLIC OPEN TIME

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

## CONSENT CALENDAR ITEMS

1. Approval of Minutes for October 10, 2019, Special Meeting Minutes
2. Commission Ratification of Payments from October 1, 2019, through November 30, 2019
3. Approval of Marin LAFCo Meeting Schedule for Calendar Year 2020

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

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously.

## PUBLIC HEARING ITEMS

4. Municipal Service Review – Second Draft of the Novato Region Municipal Service Review [Information only]

Executive Officer Fried summarized his written report regarding the Novato Region MSR; noting the public review comment period was extended to October 31, 2019, and staff addressed, as well as, clarified the language pertaining to unincorporated Marin “islands” annexing to the City of Novato.

Chair McEntee opened the public hearing.

- Susannah Mahoney, President of Black Point Improvement Club – Ms. Mahoney stated the Association’s concerns with the Black and Green Point area being annexed to the City of Novato.

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

Chair McEntee inquired about the difference between the “planning area” and the “sphere of influence.” Staff responded the planning area referenced the possible land use outside Novato City limits that may potentially have an impact on the City.

5. Adoption of Resolution 19-08 Reorganization of Murray Park Sewer Maintenance District to Ross Valley Sanitary District (File #1344) Pursuant to CEQA Exemption

The Executive Officer communicated the history and current situation surrounding the reorganization of Murray Park Sewer Maintenance District to Ross Valley Sanitary District.

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

Approved: M/S by Commissioners Kious and Murray to approve Resolution 19-08, approving the annexation of the Murray Park Sewer Maintenance District to Ross Valley Sanitary District (File #1344).

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously.

6. A. Adoption of Resolution 19-07 Reorganization of 4576 Paradise Drive to Town of Tiburon and Corte Madera Sanitary District #2 (File #1342) Pursuant to CEQA Exemption; or  
B. Adoption of Resolution 19-XX Approving Annexation of 4576 Paradise Drive to the Corte Madera Sanitary District #2 (File #1342) Pursuant to CEQA Exemption; and/or  
C. Adoption of Resolution 19-XX Approving Annexation of 4576 to the Town of Tiburon (File #1342) Pursuant to CEQA Exemption

The Executive Officer recommended the Commission split the original application, which would allow the applicant to annex to the sanitary district at this time and pursue annexation to the Town of Tiburon once the pre-zoning requirements are met.

Commissioners requested some clarification on a few aspects of the application.

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

Approved: M/S by Commissioners Rodoni and Kious to adopt Resolution 19-07, approving annexation of 4576 Paradise Drive to Corte Madera Sanitary District #2 (LAFCo File #1342) and Resolution 19-09, approving annexation of 4576 Paradise Drive to the Town of Tiburon (LAFCo File #TBD).

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously

## **BUSINESS ITEMS**

7. Approval of Contract with Alyssa Schiffman for Bookkeeping Services

Commission discussed the fee increase versus paying the liability coverage.

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

Approved: M/S by Commissioners Murray and Kious to authorize Executive Director Fried, to enter in the contract with Ms. Schiffman for bookkeeping services with the exception to reimburse costs of liability insurance in lieu of a rate increase.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously.

8. CALAFCO Requests Affirmation for State Government Code Section 56375.2

The Commissioners discussed the implications for removing the special provision, which allows Marin LAFCo to force reorganization of the southern Marin sewer agencies.

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

Approved: M/S by Commissioners Kious and Rodoni to support removal of Section 56375.2 of the State Government Code.

Ayes: Commissioners McEntee, Murray, Kious, Coler, Kious, and Rodoni

Nays: None

Abstain: None

Absent: Commissioners Connolly and Loder

Motion approved unanimously

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

a) Budget Update FY 2019-2020

Staff stated the budget was on track.

b) Current and Pending Proposals

A few applications have been considered closed.

c) Update on MSR(s) [Verbal Report Only]

East Peninsula will be presented to the Commission at the February 2020 meeting.

d) Strategic Planning Workshop [Verbal Report Only]

Scheduled for January 8, 2020, from 9:00 A.M. to 1:00 P.M. at the MCE building, facilitated by Bill Chiat.

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

Commissioner Murray asked Chair McEntee on the outcome of the vote at the CALAFCO conference. Chair noted she voted as directed by the Commission.



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

Chair McEntee adjourned the meeting at 8:05 P.M. in memory of Mrs. Loder.

**ADJOURNMENT TO NEXT MEETING**

Thursday, January 8, 2019 | 9:00 A.M.

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

Attest: Candice Bozzard  
Commission Clerk

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# Marin Local Agency Formation Commission

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

**DRAFT**

### NOTICE OF SPECIAL MEETING MINUTES

## Marin Local Agency Formation Commission

**Wednesday, January 8, 2020**

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

### CALL TO ORDER

Chair McEntee called the meeting to order at 9:10 A.M.

### ROLL CALL BY COMMISSION CLERK

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

Commissioners Present: Sashi McEntee, Chair  
Craig K. Murray, Vice-Chair  
Sloan Bailey  
Dennis Rodoni (arrived at 9:50 A.M.)  
Lew Kious  
Damon Connolly (arrived at 9:10 A.M.)  
Larry Loder

Alternate Commissioners Present: Tod Moody  
Judy Arnold (left at 11:00)  
Chris Skelton  
Barbara Coler

Marin LAFCo Staff Present: Jason Fried, Executive Officer  
Candice Bozzard, Commission Clerk  
Jeren Seibel, Policy Analyst

Members Absent: None

### PUBLIC OPEN TIME

Chair McEntee opened public comment for items not on the agenda.

- Judy Schriebman of the Sierra Club - Ms. Schriebman advocated for the Commission to vote against ballot Measure D in March.

Hearing no additional comments, Chair closed public open time.

### BUSINESS ITEMS

1. Authorization for Executive Officer Jason Fried to Enter into an Agreement on Behalf of Marin LAFCo with ADP for Payroll Services Beginning January 10, 2020.

The Executive Officer reported that going forward Marin LAFCo would be processing payroll through ADP. Staff requested authorization to sign the agreement with ADP for payroll services.

Commissioner Kious recommended looking into PayStart as an option in the future.

Approved: M/S by Commissioners Bailey and Arnold to authorize the Executive Officer to enter into the agreement with ADP for payroll services.

Ayes: Commissioners McEntee, Murray, Bailey, Kious, Arnold, and Loder

Nays: None

Abstain: None

Absent: Commissioner Rodoni

Motion approved unanimously.

## **PUBLIC HEARING ITEMS**

### 2. Strategic Planning Workshop

#### A. Progress and Accomplishments of Marin LAFCo

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

Marin LAFCo Commission accomplishments included: staffing stabilized; updated Policy Handbook; Murray Park Sewer Maintenance District consolidation with Ross Valley Sanitary District; MSRs done in house with the addition of the Policy Analyst; continued state level involvement; special districts representation; proactive community outreach; Commissioners more engaged in LAFCo work.

#### B. Progress on Meeting Desired Public Value for Marin LAFCo

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

- Feedback on Municipal Service Reviews; potential improvements
- Value of MSRs in Sphere of Influence updates
- Review of SOI policy and implications of a Sphere
- Potential LAFCo issues on the horizon

Marin LAFCo Commission's future outlook: Possible review of fire services due to new fire JPA on the March 2020 ballot; remain active in conversation regarding quality of living in Marin; perhaps be resource or mediator regarding shared services and reorganizations; continue to recognize different opinions and outlooks; align with Grand Jury; look into mutual water companies; research/study tax exchange agreements.

Feedback and potential improvements to MSR reports: Important for public outreach for participation (build database of stakeholder groups for input); area maps showing spheres of influence are very useful; MSRs need to maintain its value until the next study; more detailed outline of conclusions/action items and incorporate County and LAFCo policies; include standardized information on OPEB and unfunded liabilities of the agencies.

#### C. Commission Goals and Priorities: Two Years

Discuss specific goals and priorities in the next 24 months with a focus on desired outcomes for the Commission.

- Working group(s) on upcoming specific issues

Goals and priorities going forward: Possibly add a municipal service review focused on police and fire districts throughout Marin County concerning shared (or feasibly shared) services.

D. Work Plan

Discuss specific goals and priorities in the next 12 months with a focus on desired outcomes for the Commission.

The desired work plan includes: Fire study; tighter policy on sphere of influence policy; create an up-to-date personnel/human resources/accounting policy; review/study the alternate taxing for special district when new parcels are annexed in; include OPEB and unfunded liabilities in MSRs; continue support for a Marin special districts association.

E. Concluding Thoughts

Reflections on the day.

Overall, the Commission had a positive outlook on the current and future direction staff and the Commissioners are undertaking.

**ADJOURNMENT**

Chair McEntee adjourned the meeting.

**ADJOURNMENT TO NEXT MEETING**

Thursday, February 13, 2020 | 7:00 pm

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



Attest: Jason Fried  
Executive Officer

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# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
February 13, 2020  
Item No. 2 (Consent Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Commission Ratification of Payments from December 1, 2019 to January 31, 2020

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## Background

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

This following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between December 1, 2019, and January 31, 2020, totaling \$92,787.40. The payments are detailed in the attachment.

## Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between December 1, 2019, and January 31, 2020, as shown in attachment.
2. Alternate Option - Continue consideration of the item to the next regular meeting and provide direction to staff as needed.

## Procedures for Consideration

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

### Attachment:

- 1) Payments from December 1, 2019, to January 31, 2020

#### Administrative Office

Jason Fried, Executive Officer  
1401 Los Gatos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: [staff@marinlafco.org](mailto:staff@marinlafco.org)  
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Damon Connolly, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Dennis Rodoni, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Sloan Bailey, Regular  
Town of Corte Madera

Barbara Coler, Alternate  
Town of Fairfax

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kious, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
 December 2019 through January 2020

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>A and P Moving, Inc.</b>								
Check	12/03/2019	20294	Invoice # 500...	5211215 · Rent - St...		1111300 · 403...	80.00	80.00
Check	12/18/2019	20306	Invoice # 405...	5211215 · Rent - St...		1111300 · 403...	40.00	120.00
Check	01/17/2020	20317	Invoice # 405...	5211215 · Rent - St...		1111300 · 403...	40.00	160.00
Total A and P Moving, Inc.							160.00	160.00
<b>ALHAMBRA &amp; SIERRA SPRINGS</b>								
Check	12/03/2019	20293	Invoice # 159...	5220110 · Office Su...		1111300 · 403...	58.21	58.21
Check	01/02/2020	20311	Invoice # 159...	5220110 · Office Su...		1111300 · 403...	49.97	108.18
Check	01/29/2020	20321	Invoice # 159...	5220110 · Office Su...		1111300 · 403...	49.97	158.15
Total ALHAMBRA & SIERRA SPRINGS							158.15	158.15
<b>ALTA MESA GROUP LLC</b>								
Check	01/17/2020	20315	Invoice # AM...	5210110 · Professio...		1111300 · 403...	2,000.00	2,000.00
Total ALTA MESA GROUP LLC							2,000.00	2,000.00
<b>BARBIER SECURITY GROUP</b>								
Check	01/17/2020	20319	Invoice #17690	5210110 · Professio...		1111300 · 403...	160.00	160.00
Total BARBIER SECURITY GROUP							160.00	160.00
<b>BEST BEST &amp; KRIEGER LLP</b>								
Check	12/03/2019	20297	Invoice # 864...	5210131 · Legal Ser...		1111300 · 403...	1,563.80	1,563.80
Check	01/17/2020	10024	Invoice # 867...	5210131 · Legal Ser...		1111200 · 401...	6,750.60	8,314.40
Total BEST BEST & KRIEGER LLP							8,314.40	8,314.40
<b>CALAFCO</b>								
Check	01/29/2020	20325	one person C...	5211325 · Conferen...		1111300 · 403...	725.00	725.00
Total CALAFCO							725.00	725.00
<b>Coler, Barbara</b>								
Check	12/18/2019	20302	Dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total Coler, Barbara							125.00	125.00
<b>COMCAST</b>								
Check	01/02/2020	20312	Bill Date Dec ...	5210710 · Communi...		1111300 · 403...	192.58	192.58
Check	01/29/2020	20323	Bill Date Jan 12	5210710 · Communi...		1111300 · 403...	192.16	384.74
Total COMCAST							384.74	384.74
<b>FP MAILING SOLUTIONS</b>								
Check	12/18/2019	20303	Invoice # RI 1...	5220110 · Office Su...		1111300 · 403...	149.60	149.60
Total FP MAILING SOLUTIONS							149.60	149.60
<b>Fried, Jason</b>								
Check	12/03/2019	20295	Oct and Nov ...	5211440 · Travel - ...		1111300 · 403...	92.84	92.84
Total Fried, Jason							92.84	92.84
<b>Indoff Incorporated</b>								
Check	01/17/2020	20314	Invoice #3332...	5220110 · Office Su...		1111300 · 403...	142.56	142.56
Total Indoff Incorporated							142.56	142.56
<b>KIOUS, LEWIS</b>								
Check	12/18/2019	20298	Dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total KIOUS, LEWIS							125.00	125.00
<b>LIEBERT CASSIDY WHITMORE</b>								
Check	01/29/2020	20322	Invoice #1491...	5210131 · Legal Ser...		1111300 · 403...	567.00	567.00
Total LIEBERT CASSIDY WHITMORE							567.00	567.00
<b>Marin CLEAN ENERGY</b>								
Check	01/02/2020	20310	Invoice - LAF...	5211510 · Misc Serv...		1111300 · 403...	155.75	155.75
Total Marin CLEAN ENERGY							155.75	155.75
<b>MARIN INDEPENDENT JOURNAL</b>								
Check	12/18/2019	20305	Invoice # 000...	5211520 · Publicatio...		1111300 · 403...	77.88	77.88
Check	01/17/2020	20318	Invoice # 000...	5211520 · Publicatio...		1111300 · 403...	54.10	131.98
Total MARIN INDEPENDENT JOURNAL							131.98	131.98



Marin Local Agency Formation Commission

Expenses by Vendor Detail

December 2019 through January 2020

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
<b>MARIN MAC TECH</b>								
Check	12/18/2019	20304	Invoice # 1738	5210710 · Communi...		1111300 · 403...	632.50	632.50
Check	01/02/2020	20313	Invoice # 1786	5210710 · Communi...		1111300 · 403...	153.36	785.86
Check	01/17/2020	20316	Invoice # 1850	5210710 · Communi...		1111300 · 403...	632.50	1,418.36
Check	01/29/2020	20324	Invoice # 1887	5210710 · Communi...		1111300 · 403...	153.76	1,572.12
Total MARIN MAC TECH							1,572.12	1,572.12
<b>McENTEE, SASHI</b>								
Check	12/18/2019	20300	dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total McENTEE, SASHI							125.00	125.00
<b>MOODY, TOD</b>								
Check	12/18/2019	20307	Dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total MOODY, TOD							125.00	125.00
<b>MURRAY, CRAIG K</b>								
Check	12/18/2019	20301	Dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total MURRAY, CRAIG K							125.00	125.00
<b>PAYROLL</b>								
Check	12/13/2019	1383		5110110 · Sal - Reg...		1110110 · Equi...	6,987.97	6,987.97
Check	12/13/2019	1383		5110323 · Sick Leave		1110110 · Equi...	68.94	7,056.91
Check	12/13/2019	1383		5110324 · Vacation ...		1110110 · Equi...	482.55	7,539.46
Check	12/13/2019	1383		5110313 · Holiday P...		1110110 · Equi...	2,633.69	10,173.15
Check	12/13/2019	1383		5110328 · Personal ...		1110110 · Equi...	1,494.96	11,668.11
Check	12/13/2019	1383		511350 · Manageme...		1110110 · Equi...	0.00	11,668.11
Check	12/13/2019	1383		5110335 · Vacation...		1110110 · Equi...	0.00	11,668.11
Check	12/13/2019	1383		5130520 · Co Ret C...		1110110 · Equi...	641.50	12,309.61
Check	12/13/2019	1383		5130521 · Co Ret C...		1110110 · Equi...	1,532.82	13,842.43
Check	12/13/2019	1383		5130110 · Ben-Med-...		1110110 · Equi...	74.26	13,916.69
Check	12/13/2019	1383		5130120 · County of...		1110110 · Equi...	708.66	14,625.35
Check	12/13/2019	1383		5130210 · Dental In...		1110110 · Equi...	117.17	14,742.52
Check	12/13/2019	1383		5130310 · Vision Se...		1110110 · Equi...	12.16	14,754.68
Check	12/13/2019	1383		5130410 · Benefits -...		1110110 · Equi...	10.16	14,764.84
Check	12/13/2019	1383		5140140 · Payroll Tax		1110110 · Equi...	171.15	14,935.99
Check	12/13/2019	1383		5130524 · Benefits -...		1110110 · Equi...	203.16	15,139.15
Check	12/13/2019	1383		5130640 · Unused F...		1110110 · Equi...	110.09	15,249.24
Check	12/27/2019	?	estimated	5110110 · Sal - Reg...		1110110 · Equi...	11,668.10	26,917.34
Check	12/27/2019	?	estimated	5110323 · Sick Leave		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	5110324 · Vacation ...		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	5110313 · Holiday P...		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	5110328 · Personal ...		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	511350 · Manageme...		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	5110335 · Vacation...		1110110 · Equi...	0.00	26,917.34
Check	12/27/2019	?	estimated	5130520 · Co Ret C...		1110110 · Equi...	641.50	27,558.84
Check	12/27/2019	?	estimated	5130521 · Co Ret C...		1110110 · Equi...	1,532.82	29,091.66
Check	12/27/2019	?	estimated	5130110 · Ben-Med-...		1110110 · Equi...	74.26	29,165.92
Check	12/27/2019	?	estimated	5130120 · County of...		1110110 · Equi...	708.66	29,874.58
Check	12/27/2019	?	estimated	5130210 · Dental In...		1110110 · Equi...	117.17	29,991.76
Check	12/27/2019	?	estimated	5130310 · Vision Se...		1110110 · Equi...	12.16	30,003.92
Check	12/27/2019	?	estimated	5130410 · Benefits -...		1110110 · Equi...	10.16	30,014.08
Check	12/27/2019	?	estimated	5140140 · Payroll Tax		1110110 · Equi...	171.15	30,185.23
Check	12/27/2019	?	estimated	5130524 · Benefits -...		1110110 · Equi...	203.16	30,388.39
Check	12/27/2019	?	estimated	5130640 · Unused F...		1110110 · Equi...	110.09	30,498.48
Check	01/10/2020	?	estimated	5110110 · Sal - Reg...		1110110 · Equi...	11,668.10	42,166.58
Check	01/10/2020	?	estimated	5110323 · Sick Leave		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	5110324 · Vacation ...		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	5110313 · Holiday P...		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	5110328 · Personal ...		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	511350 · Manageme...		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	5110335 · Vacation...		1110110 · Equi...	0.00	42,166.58
Check	01/10/2020	?	estimated	5130520 · Co Ret C...		1110110 · Equi...	641.50	42,808.08
Check	01/10/2020	?	estimated	5130521 · Co Ret C...		1110110 · Equi...	1,532.82	44,340.90
Check	01/10/2020	?	estimated	5130110 · Ben-Med-...		1110110 · Equi...	74.26	44,415.16
Check	01/10/2020	?	estimated	5130120 · County of...		1110110 · Equi...	708.66	45,123.82
Check	01/10/2020	?	estimated	5130210 · Dental In...		1110110 · Equi...	117.18	45,241.00
Check	01/10/2020	?	estimated	5130310 · Vision Se...		1110110 · Equi...	12.16	45,253.16
Check	01/10/2020	?	estimated	5130410 · Benefits -...		1110110 · Equi...	10.16	45,263.32
Check	01/10/2020	?	estimated	5140140 · Payroll Tax		1110110 · Equi...	171.15	45,434.47
Check	01/10/2020	?	estimated	5130524 · Benefits -...		1110110 · Equi...	203.16	45,637.63
Check	01/10/2020	?	estimated	5130640 · Unused F...		1110110 · Equi...	110.09	45,747.72
Check	01/24/2020	?	estimated	5110110 · Sal - Reg...		1110110 · Equi...	11,668.10	57,415.82
Check	01/24/2020	?	estimated	5110323 · Sick Leave		1110110 · Equi...	0.00	57,415.82
Check	01/24/2020	?	estimated	5110324 · Vacation ...		1110110 · Equi...	0.00	57,415.82
Check	01/24/2020	?	estimated	5110313 · Holiday P...		1110110 · Equi...	0.00	57,415.82
Check	01/24/2020	?	estimated	5110328 · Personal ...		1110110 · Equi...	0.00	57,415.82

**Marin Local Agency Formation Commission  
Expenses by Vendor Detail  
December 2019 through January 2020**

Type	Date	Num	Memo	Account	Clr	Split	Amount	Balance
Check	01/24/2020	?	estimated	511350 · Manageme...		1110110 · Equi...	0.00	57,415.82
Check	01/24/2020	?	estimated	5110335 · Vacation...		1110110 · Equi...	0.00	57,415.82
Check	01/24/2020	?	estimated	5130520 · Co Ret C...		1110110 · Equi...	641.50	58,057.32
Check	01/24/2020	?	estimated	5130521 · Co Ret C...		1110110 · Equi...	1,532.82	59,590.14
Check	01/24/2020	?	estimated	5130110 · Ben-Med-...		1110110 · Equi...	74.26	59,664.40
Check	01/24/2020	?	estimated	5130120 · County of...		1110110 · Equi...	708.66	60,373.06
Check	01/24/2020	?	estimated	5130210 · Dental In...		1110110 · Equi...	117.18	60,490.24
Check	01/24/2020	?	estimated	5130310 · Vision Se...		1110110 · Equi...	12.16	60,502.40
Check	01/24/2020	?	estimated	5130410 · Benefits -...		1110110 · Equi...	10.16	60,512.56
Check	01/24/2020	?	estimated	5140140 · Payroll Tax		1110110 · Equi...	171.15	60,683.71
Check	01/24/2020	?	estimated	5130524 · Benefits -...		1110110 · Equi...	203.16	60,886.87
Check	01/24/2020	?	estimated	5130640 · Unused F...		1110110 · Equi...	110.09	60,996.96
Total PAYROLL							60,996.96	60,996.96
<b>Planwest Partners, Inc.</b>								
Check	12/18/2019	10023	Invoice #19-2...	5210110 · Professio...		1111200 · 401...	9,992.10	9,992.10
Total Planwest Partners, Inc.							9,992.10	9,992.10
<b>RODONI, DENNIS JAMES</b>								
Check	12/18/2019	20299	Dec 2019 Co...	5211533 · Commissi...		1111300 · 403...	125.00	125.00
Total RODONI, DENNIS JAMES							125.00	125.00
<b>SCHIFFMANN, ALYSSA</b>								
Check	12/03/2019	20291	Invoice # 88	5210110 · Professio...		1111300 · 403...	650.00	650.00
Total SCHIFFMANN, ALYSSA							650.00	650.00
<b>SECURITY MORTGAGE GROUP 2</b>								
Check	12/03/2019	20292	Dec 2019 Rent	5211270 · Office Le...		1111300 · 403...	2,714.60	2,714.60
Check	01/02/2020	20309	Jan 2020 Rent	5211270 · Office Le...		1111300 · 403...	2,714.60	5,429.20
Total SECURITY MORTGAGE GROUP 2							5,429.20	5,429.20
<b>Streamline</b>								
Check	12/03/2019	20296	Invoice #1025...	5210710 · Communi...		1111300 · 403...	100.00	100.00
Check	01/02/2020	20308	Invoice #1029...	5210710 · Communi...		1111300 · 403...	100.00	200.00
Total Streamline							200.00	200.00
<b>Town of Ross</b>								
Check	01/17/2020	20320	MCCMC Dinn...	5211510 · Misc Serv...		1111300 · 403...	55.00	55.00
Total Town of Ross							55.00	55.00
<b>TOTAL</b>							<b>92,787.40</b>	<b>92,787.40</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
February 13, 2020  
Item No. 3 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Approval for Reaffirming of Sphere of Influence for San Rafael Area Jurisdictions

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## Background

At the October 12<sup>th</sup> LAFCo meeting, the commission approved the San Rafael Area Municipal Service Review (MSR). One of the items that the MSR process looks at is whether the current Sphere of Influence for each Jurisdiction is correct or do they need adjustment. Upon review, no changes to the SOI for City of San Rafael, Marinwood Community Services District, County Service Area #6, County Service Area #9, County Service Area #13, and County Service Area #19 are needed.

Not included in this is the reaffirming of SOI for County Service Area #18 (CSA #18) and County Service Area #23 (CSA #23).

As stated in the San Rafael area MSR, CSA #18 is the district that had two different functions. One function was to help pay off a bond to procure land in the Las Gallinas area which has now been paid off. The second function was a smaller area within CSA #18 that covered a zone of benefit for the maintenance of park space. LAFCo staff is working with CSA #18 staff and the CAC for the district to reconfigure both the district boundaries and the SOI. The CSA will then present to LAFCo an application for change of boundaries, at which time we will also change the SOI for the CSA.

CSA #23 had only one responsibility, to pay off a bond for land in the Terra Linda area. This bond has been paid off so the CSA has no other reason to operate. The State Controller's office in 2018 created a process to dissolve districts that no longer meet. LAFCo staff is waiting for a letter informing us that we can use this process to dissolve CSA #23 since it is a quicker and more cost-effective way to proceed with this process than the other ways under CKH. While LAFCo can issue a zero area SOI to indicate we plan to dissolve the area, it is staff's suggestion to wait for the letter from the State Controller's office and handle everything in one process.

## Staff Recommendation for Action

1. Staff Recommendation – Approve all attached resolutions authorizing the reaffirmation of the SOI for City of San Rafael, Marinwood Community Services District, County Service Area #6, County Service Area #9, County Service Area #13, and County Service Area #19.

### Administrative Office

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San Rafael, California 94903  
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www.marinlafco.org

Damon Connolly, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Dennis Rodoni, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Sloan Bailey, Regular  
Town of Corte Madera

Barbara Coler, Alternate  
Town of Fairfax

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kiouss, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

2. Alternate Option - Do not approve the attached resolutions and give staff instruction on what the Commission would like to do.

Attachments:

1. Resolution 20-01 Reaffirming the Sphere of Influence of City of San Rafael
2. Resolution 20-02 Reaffirming the Sphere of Influence of Marinwood Community Services District
3. Resolution 20-03 Reaffirming the Sphere of Influence of County Service Area #6
4. Resolution 20-04 Reaffirming the Sphere of Influence of County Service Area #9
5. Resolution 20-05 Reaffirming the Sphere of Influence of County Service Area #13
6. Resolution 20-06 Reaffirming the Sphere of Influence of County Service Area #19

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-01

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
THE CITY OF SAN RAFAEL**

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

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

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

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

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

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

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, , by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-01

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

## EXHIBIT B

## CITY OF SAN RAFAEL SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of San Rafael and the Marin Countywide Plan. Recent amendments to the general plan of the City of San Rafael and other policy documents state the City's unwillingness to annex or extend services to the St. Vincent's/Silveira unincorporated area. This area is currently in institutional and agricultural use. The general plan of the County of Marin provides for urban development of a portion of St. Vincent's/Silveira west of the Northwest Pacific rail line and for continued urban, suburban and open space land uses in Lucas Valley and Marinwood areas and will remain the controlling land use regulation for the area. Amendments to the sphere of influence of the City of San Rafael adopted in this resolution affect the Lucas Valley, Marinwood and St. Vincent's/Silveira areas.
- 2) The present and probable need for public facilities and services in the area.
  - The territories within the City boundaries are at or nearing build-out with little land available for further development. The present need for public services and facilities within the sphere of influence as amended is primarily for existing population, land uses and infill development. The probable demand for public services and facilities as determined by the Association of Bay Area Government estimates by year 2040 population growth will increase to a 68,700 people, up from the current population of 60,651.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The operating departments and public facilities of the City of San Rafael are adequate to provide service to the City's currently incorporated area and areas within its sphere of influence as amended. Unincorporated areas included in the sphere of influence are located closely to City facilities and may already be deemed to benefit from City services and facilities. The City of San Rafael would provide services and facilities at service levels that are the same as or higher than currently provided by the County in the currently unincorporated area of the sphere of influence. The removal of the unincorporated areas of Lucas Valley, Marinwood and St.

Vincent's/Silveira from the sphere of influence of the City of San Rafael is based on isolation of these areas from the City's existing public safety facilities and limited street access between these areas and the existing incorporated area of the City of San Rafael and on the continuing availability of municipal services from the County of Marin, County Service Areas #13, #19 and #31, Marinwood Community Services District, Marin Municipal Water District and the Las Gallinas Valley Sanitary District.

- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
  - Each of the unincorporated areas in the designated sphere is served by the same school districts and other community organizations that serve the incorporated area. Recreational and cultural programs offered by the City of San Rafael are open to, and are patronized by, unincorporated area residents. Recreational and cultural programs offered by Marinwood Community Services District and St. Vincent's School are also attended by residents of the City of San Rafael and other cities and unincorporated area residents.
  
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-02

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
MARINWOOD COMMUNITY SERVICES DISTRICT**

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

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

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

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

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

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

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-02

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

## EXHIBIT B

## MARINWOOD COMMUNITY SERVICES DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

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

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-03

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
COUNTY SERVICE AREA #6**

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

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

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

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

Section 1. The sphere of influence of the County Service Area #6 is hereby reaffirmed without change as shown on Exhibit A attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit B attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the County Service Area #6 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-03

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

## EXHIBIT B

## COUNTY SERVICE AREA #6 SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the area served by County Service Area #6 include low and medium density residential, conservation and marine-oriented land uses.
- 2) The present and probable need for public facilities and services in the area.
  - Areas included in the County Service Area #6 service area will continue to require the services provided by County Service Area #6. Those services may be provided by the City of San Rafael upon eventual annexation of the area to that City.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The facilities and services provided by County Service Area #6 are sufficient to provide service to the area currently being served by County Service Area #6. Additional funding sources may be required to fund increasing channel maintenance costs.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of County Service Area #6 and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-04

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
COUNTY SERVICE AREA #9**

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

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

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

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

Section 1. The sphere of influence of the County Service Area #9 is hereby reaffirmed without change as shown on Exhibit A attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit B attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the County Service Area #9 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-04

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



## EXHIBIT B

## COUNTY SERVICE AREA #9 SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the area served by County Service Area #9 include low density residential land uses.
- 2) The present and probable need for public facilities and services in the area.
  - Areas included in the County Service Area #9 service area now require and will continue to require the services provided by County Service Area #9. Those services may be provided by the City of San Rafael upon eventual annexation of the area to that City.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The facilities and services provided by County Service Area #9 are sufficient to provide service to the area currently being served by County Service Area #9. Additional funding sources may be required to fund increasing landscape maintenance costs in order to preserve current service levels.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of County Service Area #9 and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-05

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
COUNTY SERVICE AREA #13**

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

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

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

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

Section 1. The sphere of influence of the County Service Area #13 is hereby reaffirmed without change as shown on Exhibit A attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit B attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the County Service Area #13 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-05

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

## EXHIBIT B

## COUNTY SERVICE AREA #13 SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the area served by County Service Area #13 include low density residential and open space land uses.
- 2) The present and probable need for public facilities and services in the area.
  - Areas included in the County Service Area #13 service area now require and will continue to require the services provided by County Service Area #13.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The facilities and services provided by County Service Area #13 are sufficient to provide service to the area currently being served by County Service Area #13. Additional funding sources may be required to fund increasing fire protection costs in order to preserve current service levels.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of County Service Area #13 and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-06

**RESOLUTION REAFFIRMING THE SPHERE OF INFLUENCE OF  
COUNTY SERVICE AREA #19**

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

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

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

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

Section 1. The sphere of influence of the County Service Area #19 is hereby reaffirmed without change as shown on Exhibit A attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit B attached hereto and incorporated herein by reference.

Section 2. Pursuant to Section 15061(b)(3) of the State CEQA Guidelines, the Commission finds that this review and reaffirmation of the sphere of influence of the County Service Area #19 is exempt from the provisions of the California Environmental Quality Act because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-06

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

## EXHIBIT B

## COUNTY SERVICE AREA #19 SPHERE OF INFLUENCE DETERMINATIONS

## GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - Present and planned land uses in the area served by County Service Area #19 include low density residential and open space land uses.
- 2) The present and probable need for public facilities and services in the area.
  - Areas included in the County Service Area #19 service area now require and will continue to require the services provided by County Service Area #19.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - The facilities and services provided by County Service Area #19 are sufficient to provide service to the area currently being served by County Service Area #19. Additional funding sources may be required to fund increasing fire protection costs in order to preserve current service levels.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the city.
  - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of County Service Area #19 and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2019

Item No. 4 (Public Hearing)

**TO:** Local Agency Formation Commission  
**FROM:** Jason Fried, Executive Officer  
**SUBJECT:** Municipal Service Review – Final Draft of the Novato Region Municipal Service Review

### Background

At the December 2019 LAFCo meeting, staff presented the revised draft of the Novato area MSR. Public comment ended on January 25, 2020, and we received 4 comment letters (attachment 3). Staff and Planwest reviewed comments and made changes to the document. Only four pages had changes from the revised draft to the final draft. Attachment 1 is a redline of the four pages that had changes done to them so you can quickly review the changes. Attachment 2 is the full final draft version for those that wish to review the full document.

Of the four comments, one was from the Novato Fire Protection District wanting to add in a few final technical corrections which have all been accepted. A second email was sent on January 7, 2020, by Mr. Jeret from the Black Point area who raised a few questions and made a comment about an issue for islands that are 150 acres in size. Staff replied to this email on January 8, 2020, answering all his questions and sending along requested information. As of the writing of this memo staff has not heard back from Mr. Jeret, so hopefully staff has addressed his concerns. Black Point Improvement Club (BPIC) also submitted a letter thanking us for all the changes with two main areas of concern still left. One was a repeat of the 150-acre rule that was mentioned in Mr. Jeret's email. The second item was around Novato Planning Area and the use of the word "should" in section 3.0 and "could" in section 5.3. Language in section 3.0 was changed as requested. The fourth comment came from the Indian Valley Association (IVA). IVA does not agree with being designated as an island and that they are 70% surrounded. Staff has requested they provide maps and calculations to show they are not 70% surrounded since our number comes from work done by Planwest using information in Marin Maps. Staff also has provided them with more information and background to help clarify some information they presented in their letter.

Attachment 4 is the checklist of items for LAFCo to work on coming out of this MSR.

### Staff Recommendation for Action

1. Staff Recommendation – Approve the attached resolution approving the final version of the Novato Area MSR with any amendments the Commission wishes to make and add items in attachment 4 to LAFCo work plan.
2. Alternate Option - Do not approve the attached resolutions and give staff instruction on what the Commission would like to do.

### Attachment:

1. Pages with edits in Final Draft of Novato MSR
2. Final Draft Novato Area Municipal Service Review
3. Comment received for revised draft
4. Work plan from Novato MSR
5. Resolution approving Novato MSR

#### Administrative Office

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

Damon Connolly, Regular  
County of Marin

Judy Arnoldi, Regular  
County of Marin

Dennis Rodoni, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Sloan Bailey, Regular  
Town of Corte Madera

Barbara Coler, Alternate  
Town of Fairfax

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kious, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member



Bel Marin Keys CSD has been able to secure funding for regular maintenance of their North Lagoon through passing of Measure D. However, Novato Creek remains largely unfunded. The last dredging that took place in 2005 and was funded by the passing of Measure F. Ideally the creek is dredged on a 20-year cycle to maintain the navigation channel. When the next major dredging of the creek is scheduled the CSD will need to consider additional funding options such as another bond measure or potential cost-sharing opportunities.

## 7) Regional Considerations for Planning

The City of Novato is the major jurisdiction within the document's study area. While the largest in the area, water and sewer service are provided by other agencies. The provision of these services, along with land use authority, are some of the major factors determining development and growth. This means that growth on the unincorporated edges of the city is not generally at the discretion of the city, making it challenging for them to plan and provide for growth on their boundaries.

While Novato cannot have direct control over the unincorporated lands surrounding the City, there are tools available to them to further establish their region of interest. The Governor's Office of Planning and Research (OPR) recommends that cities establish a planning area as a part of their general plan development. The planning area may include regions that are outside of the City's SOI but that may impact the City if development occurs..

The City of Novato may be impacted by development in unincorporated areas due to increased population around the City and use of City amenities. As such, it would be advantageous to define a Planning Area in which the City is included in the development process through either notification, comment, or other agreed upon process. This type of planning area does not give the City of Novato the authority to approve or disapprove of any proposals but simply the chance to know about local projects. The City of Novato should consider working together with the County and surrounding communities to delineate a Novato Planning Area and ~~consider~~ establishing formal agreements for processing development proposals in this area.

<b>Command Vehicles</b>	5	-
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### Other Service Providers

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

The NFPD jointly operates the EOC with the City of Novato at the NFPD administrative office. During a major emergency or disaster, the EOC provides a central location of authority and information with face-to-face coordination among personnel.

To the north of Novato is the City of Petaluma which provides emergency response services in Sonoma County and participates in an automatic aid agreement with the NFPD for the response to wildland fires in the Mutual Threat Zone. To the south of Novato is the San Rafael region which has multiple emergency response agencies including Marinwood CSD, adjacent to the NFPD boundary, and the City of San Rafael.

Several automatic and mutual aid agreements are in place to ensure a high level of service to area residents. The NFPD currently has agreements with Lakeville Volunteer Fire Company; Marinwood Community Services District; Petaluma Fire Department; San Antonio Volunteer Fire Company; Marin County Fire Department. The NFPD also is a party to a Mutual Threat Zone agreement with CalFire, Marin County Fire Department, and Sonoma County Fire – San Antonio that outlines a joint response to vegetation fires in the area of Highway 101 near the Sonoma and Marin County line<sup>49</sup>. In the event of extraordinary events, the NFPD is also party to the Marin County Fire Chiefs Mutual Aid Agreement which provides for county-wide mutual assistance and mobilization during emergencies<sup>50</sup>.

Additional public services in the area include water service provided by the North Marin Water District and sewer service provided by Novato Sanitary District. The City of Novato provides a range of municipal services including parks and recreation and police services.

## 7.5 ORGANIZATION STRUCTURE

### Board of Directors

The NFPD has a five-member board that is elected to a four-year term. Elections for Board members are now ~~by division~~ by district elections so that each Board member represents a specific defined area within the NFPD.

<sup>49</sup> County Line Mutual Threat Zone Between Marin County Fire Department, Novato Fire Protection District, Sonoma County Fire Department, and California Department of Forestry and Fire Protection, June 2018.

<sup>50</sup> Marin County Fire Chiefs Mutual Aid Agreement, Draft May 28, 2019.

program. The NFPD is currently looking into long-term strategies to fund these additional positions.

## 7.6 ACCOUNTABILITY AND TRANSPARENCY

Over the past several years, the NFPD has made it a priority to maintain high accountability and transparency with all its activities. The NFPD website ([www.novatofire.org](http://www.novatofire.org)) provides information on Board meetings, financial reports, stations, history, employment, and more.

### Meetings and Agendas

The NFPD Board meets on the first Wednesday of every month at 6:00 pm at Fire Station 61 located at 7025 Redwood Boulevard in Novato. Special meetings are held as needed to go over specific topics such as the annual budget. Meeting agendas and minutes can be found on the NFPD website ([www.novatofire.org](http://www.novatofire.org)).

### Annual Budget Review

The NFPD prepares and adopts annual budgets covering revenues, operating, and capital expenses and fund balances. The NFPD takes into consideration five distinct divisions when preparing the annual budget: Emergency Medical Services, Risk Reduction Prevention & Mitigation, Operations, Organization Resources & Support, and Training. The NFPD vision statement is “To position the Fire District operationally and financially to create a sustainable future”.

## 7.7 FINANCIAL OVERVIEW

~~Almost all annual district revenue~~Approximately (84%), of the district’s annual revenue comes from property taxes. Other revenue sources include ambulance service fees, state and federal reimbursements for mutual aid assistance, and fire inspection and plan check fees. Additional revenue comes from service charges, State and Federal Government aid, sale of assets, California Office of Emergency Services reimbursements, ambulance billing, and other miscellaneous sources.—The NFPD aims to provide a high level of community service while maintaining sustainable fiscal practices. As is shown in Table 7-4, the past three years of audits show budget surpluses that help build the general fund.

### Revenue

Revenue sources for the NFPD come primarily from a portion of the 1% property tax and a parcel tax originally approved by voters in 1991 and later amended in 2002<sup>52</sup>. Of the 1% property tax, the NFPD receives an average of 14.5%<sup>53</sup> which amounts to approximately \$20.3 million for FY 2017-18. The voter-approved special tax is adjusted every year for inflation based on increases in the CPI and Board Approval. For FY 2018-19 the parcel tax rate is 9.16 cents per square foot for residential parcels and 13.73 cents per square foot for commercial/ industrial parcels. The FY

<sup>52</sup> County of Marin, Elections Department, Past Elections Results and Information, <https://www.marincounty.org/depts/rv/election-info/past-elections?tabnum=10>.

<sup>53</sup> County of Marin, Tax Distribution Percentages – City of Novato, <https://www.marincounty.org/depts/df/novato>.

2017-18 tax rate was set at 8.87 cents per square foot residential and 13.30 cents per square foot commercial/industrial which amounted to approximately \$5.4 million for the NFPD.

Table 7-4: NFPD Financial Audit Summary

Revenues	FY 2015-16 Audit	FY 2016-17 Audit	FY 2017-18 Audit
Charges for Services	\$3,867,554	\$3,780,142	\$4,531,999
Capital Grants and Contributions	\$27,862	\$70,722	\$0
Property Taxes	\$23,712,159	\$25,009,489	\$25,684,707
Investment Earnings	\$29,950	\$55,464	\$133,664
Non-Restricted Grants	\$86,993	\$84,983	\$84,756
Miscellaneous	\$170,767	\$164,000	\$252,398
<b>Total Revenues</b>	<b>\$27,895,285</b>	<b>\$29,164,800</b>	<b>\$30,687,524</b>
Expenditures	FY 2015-16 Audit	FY 2016-17 Audit	FY 2017-18 Audit
Personnel	\$15,431,417	\$22,140,885	\$22,990,911
Material and Services	\$4,378,374	\$3,777,604	\$3,883,965
Depreciation	\$1,442,580	\$1,458,984	\$1,386,291
<del>Dept Fiscal Charges</del> <del>Interest on Debt</del>	\$115,486	\$97,736	\$79,334
<b>Total Expenditures</b>	<b>\$21,367,857</b>	<b>\$27,475,209</b>	<b>\$28,340,501</b>
<b>Net Total</b>	<b>\$6,527,428</b>	<b>\$1,689,591</b>	<b>\$2,347,023</b>

Other sources of revenue for the district include but are not limited to, ambulance service charges, plan check and fire inspection fees, capital grants and contributions, investment earnings, ~~ambulance service fees~~, and state and federal reimbursements for mutual aid. ~~Office of Emergency Services reimbursements~~. The NFPD financials summary can be found in Tables 7-4 and 7-5.

## Debt

The FPD expends approximately \$750,000 per year on debt service including principal and interest payments. Current debt obligations include the administration building mortgage and loan payments for Station 64 construction which was completed in September 2015<sup>54</sup>. As of June 30, 2018, the FPD had approximately \$3,315,000 in outstanding debt which included \$164,000 for a ladder truck that was paid off in FY 2018-19. According to the June 30, 2019 unaudited financial statements, the NFPD has outstanding debt totaling \$2,637,000.

<sup>54</sup> Ibid. pg. 9308-12.



# Marin Local Agency Formation Commission

Municipal Service Review  
Novato Region

Final Draft

Januray 2020

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## PREFACE

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

### Context

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

### Commissioners, Staff, Municipal Services Review Preparers

#### Commissioners

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

#### Staff

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

#### MSR Preparers



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## Appendix A – References Cited

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## 1.0 INTRODUCTION

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### 1.1 ROLE AND RESPONSIBILITY OF LAFCO

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

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

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

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

#### Regulatory Responsibilities

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

Recent CKH amendments, however, now authorize and encourage LAFCOs to initiate on their own jurisdictional changes to form, consolidate, and dissolve special districts consistent with current and future community needs. The following table provides a complete list of LAFCOs' regulatory authority.

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

**Table 1-1: LAFCO Regulatory Powers**

LAFCo Regulatory Powers	
• City Incorporations / Disincorporations	• City and District Annexations
• District Formations / Dissolutions	• City and District Detachments
• City and District Consolidations	• Merge/Establish Subsidiary Districts
• City and District Outside Service Extensions	• District Service Activations / Divestitures

## Planning Responsibilities

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

### 1.2 MUNICIPAL SERVICE REVIEWS

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

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

**Table 1-2: Mandatory Determinations**

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

### **1.3 MARIN LAFCO COMPOSITION**

Marin LAFCo is governed by a 7-member board comprising two county supervisors, two city councilmembers, two independent special district members, and one representative of the general public. Each group also appoints one “alternate” member. Each member must exercise their independent judgment, separate from their appointing group, on behalf of the interests of all residents, landowners, and the public. Marin LAFCo’s current commission membership is provided below in Table 2-3.

**Table 1-3: Marin LAFCo Commission Membership**

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

Marin LAFCo is independent of local government and employs its own staff. Its offices are located at 1401 Los Gamos Drive, Suite 220 in San Rafael. Information on Marin LAFCo’s functions and activities, including reorganization applications, are available by calling 415-448-5877 by e-mail to [staff@marinlafco.org](mailto:staff@marinlafco.org) or by visiting [www.marinlafco.org](http://www.marinlafco.org).

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## 2.0 EXECUTIVE SUMMARY

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

### 2.1 AFFECTED PUBLIC AGENCIES

This report focuses on seven agencies operating in the Novato Region as listed below.

**Table 2-1: Agencies in Novato Regional MSR**

Novato Regional MSR
City of Novato
Novato Sanitary District
Novato Fire Protection District
Bel Marin Keys Community Service District
CSA No. 1 (Loma Verde)
CSA No. 20 (Indian Valley)
CSA No. 25 (County Parks)

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

#### Water

Water services include access to, treatment of, and distribution of water for municipal purposes. The Study Area is entirely within the North Marin Water District and the District is the sole purveyor of municipal water to the area. An in-depth review of countywide water services, including the North Marin Water District, was prepared by Marin LAFCo in 2016.

#### Wastewater

Wastewater services include collection, transmission, and treatment of wastewater. Within the Study Area, the Novato Sanitary District is the sole public provider of wastewater services. See Section 6 for a review of the District’s services.

#### Fire Protection and Emergency Services

Fire protection and emergency services consist of firefighting and fire prevention, emergency medical response, hospital service, ambulance, and rescue services. These services are somewhat

interrelated in nature and overlap in functional application. The Novato Fire Protection District is the primary service provider for fire protection and emergency services in the current study area.

### **Park and Recreation Services**

Parks and recreation services include the provision and maintenance of parks and recreation services. This also includes open space management. Open Space land is commonly set aside for recreation and stormwater management purposes, as well as for natural resource protection, preservation of cultural and historic resources, preservation of scenic vistas, and many other reasons. In the current study area, much of the open space land is managed by the Marin County Department of Parks and Open Space which is not included in this MSR. Other entities that provide park and recreation services in the study area include the City of Novato, Bel Marin Keys Community Service District, County Service Area (CSA) No. 1 – Loma Verde, and CSA No. 20 – Indian Valley.

### **Channel Maintenance**

Channel maintenance includes periodic dredging of creek channels. For the current study area, Bel Marin Keys Community Service District is the only district that provides channel maintenance.

### **Roadway Services**

Roadway services include construction, maintenance, planning of roads, and roadway lighting. In addition to the City of Novato, districts that provide Roadway Services include Bel Marin Keys Community Service District and County Service Area No. 1 – Loma Verde.

## **2.2 PLANS, POLICIES, STUDIES**

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

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

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

### **2.3 AGENCY AND PUBLIC PARTICIPATION**

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

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



Table 2-2: Novato Regional Agencies' Meeting Information

Novato Regional Municipal Service Review - Agency Transparency					
Agency	Governing Body	Meeting Date/Time	Meeting Location	Televised/Streaming	Website
City of Novato	City Council	2nd and 4th Tuesday at 6:00pm	Novato City Hall Council Chambers 901 Sherman Avenue Novato, CA 94945	Televised live on local Ch 27. Rebroadcast on Ch 27 and Horizon Cable Ch 70. Live online at Council website.	<a href="https://novato.org/government/city-council">https://novato.org/government/city-council</a>
Novato Sanitary District	Board of Directors	2nd Monday at 5:30pm	NSD District Office 500 Davidson Street Novato, CA 94945	N/A	<a href="http://www.novatosan.com/board-agendas-and-minutes/our-board">http://www.novatosan.com/board-agendas-and-minutes/our-board</a>
<b>Novato Fire Protection District</b>	Board of Directors	1st Wednesday at 6:00pm	Fire Station 61 Berthinier Conference Rm 7025 Redwood Boulevard Novato, CA 94945	N/A	<a href="https://www.novatofire.org/about-us/board-of-directors">https://www.novatofire.org/about-us/board-of-directors</a>
<b>Bel Marin Keys Community Service District</b>	Board of Directors	3rd Thursday at 7:30pm	BMK Community Center 4 Montego Key Novato, CA 94945	N/A	<a href="http://www.bmkcsd.us/bmk-csd/board-of-directors/">http://www.bmkcsd.us/bmk-csd/board-of-directors/</a>
<b>County Service Area No. 1 Loma Verde</b>	County Board of Supervisors	2nd and 4th Tuesday at 9:00am	County of Marin Civic Building 3501 Civic Center Drive - Suite 329, San Rafael, CA 94903	Webcasts available on Board of Supervisors website.	<a href="https://www.marincounty.org/depts/bs/meeting-archive">https://www.marincounty.org/depts/bs/meeting-archive</a>
<b>County Service Area No. 20 Indian Valley</b>	Advisory Board	Once per year or more as needed	Novato Fire District Administrative Building - Cavallero Conference Room 95 Rowland Way Novato, CA 94945	N/A	<a href="https://www.marincountyparks.org/about-us/boards-and-commissions/csa20">https://www.marincountyparks.org/about-us/boards-and-commissions/csa20</a>
<b>County Service Area No. 25 Mount Burdell (Inactive)</b>	County Board of Supervisors	2nd and 4th Tuesday at 9:00am	County of Marin Civic Building 3501 Civic Center Drive - Suite 329, San Rafael, CA 94903	Webcasts available on Board of Supervisors website.	<a href="https://www.marincounty.org/depts/bs/meeting-archive">https://www.marincounty.org/depts/bs/meeting-archive</a>

## 2.4 WRITTEN DETERMINATIONS

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

### 1. Growth and Population

This determination evaluates existing and projected population estimates for the City of Novato and the adjacent unincorporated communities within the study area. The ability of each provider to accommodate growth and demand projections is considered in each agency profile.

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

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

### 3. Capacity and Infrastructure

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

### 4. Financing

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

### 5. Shared Facilities

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

### 6. Government Structure and Local Accountability

Accountability and governance are described in Chapter 4 for each provider. This subsection addresses the adequacy and appropriateness of existing boundaries and spheres of influence and evaluates the ability of each service provider to meet its demands under its

existing government structure. Also included is an evaluation of compliance by each provider with public meeting and records laws (Brown Act).

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

Marin LAFCo has specified the sustainability of local agencies as a priority matter for consideration in this MSR. Sustainable local governments that take practical steps to protect the environment and our natural resources through land conservations, water recycling and reuse, preservation of open space and opting to use renewable energy are the key players in determining the sustainability of the region.

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

A summary of determinations regarding each of the above categories are provided in Chapter 11 of this document and will be considered by Marin LAFCo in assessing potential future changes to an SOI or other reorganization.

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## **3.0 SERVICES EVALUATION AND DETERMINATIONS**

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### **3.1 REGIONAL MUNICIPAL SERVICES**

In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. Services reviewed, on a regional scale, provide LAFCo with a broader understanding of service adequacy and efficiency. Evaluations consider service levels, service demand, financing challenges and opportunities, infrastructure needs and deficiencies, opportunities for shared facilities, and governance structure options. The commission may assess various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence, including, but not limited to, the consolidation of governmental agencies. Written determinations address mandatory factors required under the statute.

#### **1) Regional Considerations for Fire & Emergency Response Services**

Fire protection and emergency response services in the Novato region are provided by the Novato Fire Protection District. The FPD maintains a budget of over \$30 million dollars that is spread over five distinct divisions. The FPD is able to support 78 staff that work at five fire stations and one administrative building.

The FPD participates in a number of regional collaborations including the Marin Emergency Radio Authority and jointly operates an Emergency Operations Center with the City of Novato. It also has several automatic aid agreements in place with regional emergency response agencies including the Marin County Fire Chiefs Mutual Aid Agreement which allows for county-wide mobilization during emergencies.

Currently, the FPD is seeking funding to fill vacancies in its Risk Reduction, Prevention, and Mitigation division. By expanding this division, the FPD would be able to better support residents in the Wildland Urban Interface by conducting hazard assessments and drafting fuel reduction plans. This could decrease the number of losses associated with wildland fires which is a growing threat to communities all throughout California.

#### **2) Regional Considerations for Wastewater and Solid Waste Collection Services**

The Novato Sanitary District provides wastewater collection and recycled water services. It also provides solid waste collection services through a contract agreement with Recology Sonoma Marin. NSD operates a central treatment facility that was recently upgraded in 2011 and maintains hundreds of miles of pipeline throughout the Novato region. It is also able to provide approximately 165 million gallons of recycled water that is delivered by the North Marin Water District.

Recent upgrades to the Novato WWTP have allowed NSD to improve their level of service while also planning for future development and growth in the region. The NSD has also been working on upgrading its sewer collection system since 2000. With hundreds of miles of pipeline in a range of conditions, upgrades will continue to take place. In FY 2019-20 the NSD will complete a Collection System Master Plan that will identify needed improvements to its collection system.

Having this long-range planning document will allow the NSD to adequately budget for needed upgrades over the next decade and seek out additional funding as needed for larger projects.

### **3) Regional Considerations for Parks and Recreation Services**

Parks and recreation remain an integral part of the communities in the Novato region. The region has ample opportunity for recreation and could better serve residents in some areas by conducting long-term planning and considering governance structure and boundary changes.

#### *Long-Term Planning*

Parks and recreation services in the Novato region are mainly overseen by the City of Novato and the Marin County Department of Parks and Open Space. Additional park and recreation services are provided by Bel Marin Keys. These agencies have developed long-term planning documents that help guide capital improvement projects throughout the region. Another agency, CSA No. 20, could also benefit from such a document. CSA 20 exists for the purpose of enhancing features and amenities within the Indian Valley Open Space Preserve, which is managed by Marin County Open Space District. While CSA 20 reports that the utilize the current Marin County Open Space District planning documents to help inform decisions made by the Advisory Board. A long-term planning document specific to the Indian Valley Preserve, such as a list of project priorities, could help inform decisions made by the Advisory Board and help track management of funds and services.

#### *Governance Structure and Boundaries*

The Marin County Department of Parks and Open Space manages much of the open space area in the Novato Region including areas within the boundaries of CSAs Nos. 1, 20, and 25. This provides for consolidated management responsibilities and coordinated planning. In the case of CSA No. 25, all lands purchased by the CSA were transferred to the Open Space District which is now the Marin County Department of Parks and Open Space. As such, CSA No. 25 has no assets, revenue, or expenditures. It meets the criteria set forth by the State Controller's Office for an inactive district and is eligible for the State's inactive district list which would lead to the dissolution of the district. As the CSA has accomplished its original goal of land acquisition and no longer provides services to the region, this is a reasonable course of action.

#### *Funding*

In recent years the recreation facilities in the Novato region have benefited from Measure A funds. However, these funds are due to sunset in 2021. The City has also noted that revenues for Parks and Recreation and other City departments are highly dependent on community participation in programs. The cost of providing these services is anticipated to increase at a greater rate than revenues. Both the County and the City may consider researching additional long-term funding mechanisms, such as another bond measure or extension of the existing sales tax measure (Measure A), to continue funding park and recreation services in the Novato region.

#### **4) Regional Considerations for Police Services**

The City of Novato Police Department serves residents within and directly adjacent to the City's boundary. Unincorporated areas of the Novato region are served by the Marin County Sheriff Office from their patrol unit's Main Station in the City of San Rafael and the California Highway Patrol.

The City of Novato Police Department maintains a police force of approximately 20 patrol units and runs a range of community engagement efforts. Community efforts such as the Novato Response Team focus on crime prevention and neighborhood safety. The efforts of the police force have contributed to lower crime rates and very low citizen complaints. The department has an annual budget of over \$15.5 million which accounts for approximately 38% of the City's General Fund budget.

#### **5) Regional Considerations for Roads & Street Lighting Services**

The City of Novato Public Works Department is responsible for maintaining City facilities including roads, traffic signals, and thousands of street lights. The department works to improve pedestrian crossings, convert lights to LED in an effort to conserve energy, maintain adequate retaining walls, and repave roads along with many other regular maintenance and improvement projects.

Road maintenance outside of the City of Novato is the responsibility of Marin County. Major access roads to unincorporated areas include Bel Marin Keys Boulevard in Bel Marin Keys, Alameda de la Loma in Loma Verde, Harbor Drive in Black Point, Atherton Avenue in Green Point, and Indian Valley Road in Indian Valley. Major state roads include Highway 101 and Highway 37 which are maintained by Caltrans.

One issue that may arise in the future is the inundation of roads by sea-level rise. While much of Novato is anticipated to not be impacted by sea-level rise, according to the Marin Shoreline Sea Level Rise Vulnerability Assessment for the Novato region, some areas along San Pablo Bay and the Petaluma River could be impacted. In the event of 10" of sea-level rise and a 100-year Storm Surge event, approximately half of Bel Marin Keys Streets and portions of Green Point could see substantial flooding.

Another issue arising with road and street lighting services is the City's ability to continue funding departments at current and anticipated future levels. The City has noted that the rising cost of employee compensation, contributions to medical premiums, and workers compensation is exceeding revenue increases which may lead to funding deficits. The City may want to look at other sources of long-term revenue to help offset these rising costs.

#### **6) Regional Considerations for Dredging Services**

Dredging takes place in navigable creeks and rivers in the region. Bel Marin Keys CSD provides maintenance dredging services for its North Lagoon and portions of Novato Creek near flood control structures. Additional dredging in the region is conducted by the US Army Corps of Engineers along the Petaluma River.

Bel Marin Keys CSD has been able to secure funding for regular maintenance of their North Lagoon through passing of Measure D. However, Novato Creek remains largely unfunded. The last dredging that took place in 2005 and was funded by the passing of Measure F. Ideally the creek is dredged on a 20-year cycle to maintain the navigation channel. When the next major dredging of the creek is scheduled the CSD will need to consider additional funding options such as another bond measure or potential cost-sharing opportunities.

## **7) Regional Considerations for Planning**

The City of Novato is the major jurisdiction within the document's study area. While the largest in the area, water and sewer service are provided by other agencies. The provision of these services, along with land use authority, are some of the major factors determining development and growth. This means that growth on the unincorporated edges of the city is not generally at the discretion of the city, making it challenging for them to plan and provide for growth on their boundaries.

While Novato cannot have direct control over the unincorporated lands surrounding the City, there are tools available to them to further establish their region of interest. The Governor's Office of Planning and Research (OPR) recommends that cities establish a planning area as a part of their general plan development. The planning area may include regions that are outside of the City's SOI but that may impact the City if development occurs..

The City of Novato may be impacted by development in unincorporated areas due to increased population around the City and use of City amenities. As such, it would be advantageous to define a Planning Area in which the City is included in the development process through either notification, comment, or other agreed upon process. This type of planning area does not give the City of Novato the authority to approve or disapprove of any proposals but simply the chance to know about local projects. The City of Novato should consider working together with the County and surrounding communities to delineate a Novato Planning Area and establishing formal agreements for processing development proposals in this area.

## **3.2 MUNICIPAL SERVICE REVIEW DETERMINATIONS**

### **1) Growth and population projections for the affected area.**

- a) Projected near-future growth is expected to be moderate. According to the Association of Bay Area Governments, the Novato population is expected to increase to a total population of 53,900 by 2025 with an estimated annual growth rate of 0.3 percent.

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

- a) There are no identified DUCs within the Study Area.

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

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

### **4) Financial ability of agencies to provide services.**

- a) The City of Novato, Novato Sanitary District, Novato Fire Protection District, Bel Marin Keys CSD, and the County Service Areas all prepare annual budgets and prepare financial statements in accordance with established governmental accounting standards. The City Council, NSD, FPD, and CSD Boards, and County Board of Supervisors may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.
- b) The City Manager, Chief Engineer, Fire Chief, CSD General Manager, and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments or funds under certain circumstances, however; the City Council, NSD, FPD, and CSD Boards, and County Board of Supervisors must approve any increase in the operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for the City, NSD, FPD, CSD, and County by independent certified public accounting firms.
- c) While additional revenues are needed to provide some services and maintain infrastructure covered in this MSR, the agencies meet their financial responsibilities to provide services.

### **5) Status of, and opportunities for, shared facilities.**

- a) The Marin County Department of Parks and Open Space provides shared services for CSA Nos. 1 and 20 by managing open space areas and preserves within the CSAs' boundaries.
- b) The Novato Sanitary District is able to provide recycled water to the region that is distributed by the North Marin Water District.
- c) The Novato Fire Protection District operates an Emergency Operations Center jointly with the City of Novato and participates in multiple regional agreements for aid and operations.



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

- a) CSA No. 20 may consider a long-term planning document outlining special project needs within the boundaries of the CSA that include fuel reduction, trail realignment, and parking solutions along with other projects as deemed appropriate by the Advisory Board.

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

- a) No other matters relating to the effective or efficient service delivery have been identified.

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## 4.0 REGIONAL SETTING

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The MSR study area consists of Marin County's northern 101 corridor at the intersection of Highway 37 serving the Novato, Bel Marin Keys, Green Point-Black Point, Indian Valley, and Loma Verde communities. Seven public agencies, including three County Service Areas (CSA), are included. Not evaluated but located within the study area is the North Marin Water District which was recently reviewed by LAFCo in 2017.

Several communities lie within and adjacent to the Novato Study Area. Most are served by a number of municipal service providers established over time to meet local service needs. There are limited service overlaps within the Novato region. Fire and emergency medical services are provided by the Novato Fire Protection District, sanitary services are generally provided by the Novato Sanitary District except in areas with onsite services, and water is provided by North Marin Water District. There are several agencies that manage park and recreation services, including open space management.

The City of Novato primarily provides police, parks and recreation, road, flood control, and street lighting services within the city's corporate limits. The City encompasses approximately 28 square miles with an additional 2 square miles in its sphere of influence. In and around the City are several unincorporated pocket areas known as *unincorporated islands*, which are discussed below.

A limited number of CSAs serve parts of the region. Of the three present only two are currently active, CSA No. 1 – Loma Verde and CSA No. 20 – Indian Valley. These were primarily developed to fund open space acquisition, however, other services are provided as discussed further under their agency profiles.

South of the study area are the communities of Marinwood, St. Vincents, and the City of San Rafael which were recently reviewed by LAFCo in the San Rafael Regional MSR. To the north of the study area is Sonoma County and the City of Petaluma along the Petaluma River. To the east and west of the study area are San Pablo Bay and large areas of open space and agricultural lands, respectively.

### 4.1 UNINCORPORATED ISLANDS

The State Legislature has recognized that pockets of unincorporated territory that are surrounded or substantially surrounded by incorporated cities, typically known as "islands", create governance and service delivery inefficiencies and deficiencies. Marin LAFCo's Unincorporated Island policy encourages annexations of islands to cities, where supported by the island community, to further reduce and/or eliminate islands to provide more orderly local governmental boundaries and cost-efficiencies. However, Marin LAFCo will not independently proceed with an entire island annexation to the City of Novato where local residents have voiced opposition. In addition, the City of Novato has a voter-approved Urban Growth Boundary (UGB) that limits growth of the City. With some very limited exceptions a City voter supported UGB amendment would be required before any annexation of areas outside that boundary could take place. More information on the UGB can be found in Section 5.3.

There are five unincorporated islands in the City of Novato region, including Bel Marin Keys, Black Point, Green Point, Indian Valley, and Loma Verde. Each of these neighborhoods are described in more detail in the discussion below.

## **Black Point**

The Black Point planning area, along with its immediate neighbor Green Point, is an island of unincorporated territory along the Marin and Sanoma county line, bordered by the City of Novato on one side and San Pablo Bay on the other. The unincorporated Black Point neighborhood abuts the unincorporated Green Point neighborhood, the Petaluma River, and the northeast jurisdictional limits of Novato (See Figure 3-1). The area is primarily rural-residential, surrounded by open space.

Zoning in the area is primarily Agricultural Limited 2 and Open Area<sup>2</sup> which allows for the rural residential nature of the community. Basic services in the area include water and fire protection. The community is within the Novato Sanitary District SOI but does not currently receive service from them. Instead, residents rely on onsite wastewater treatment systems.

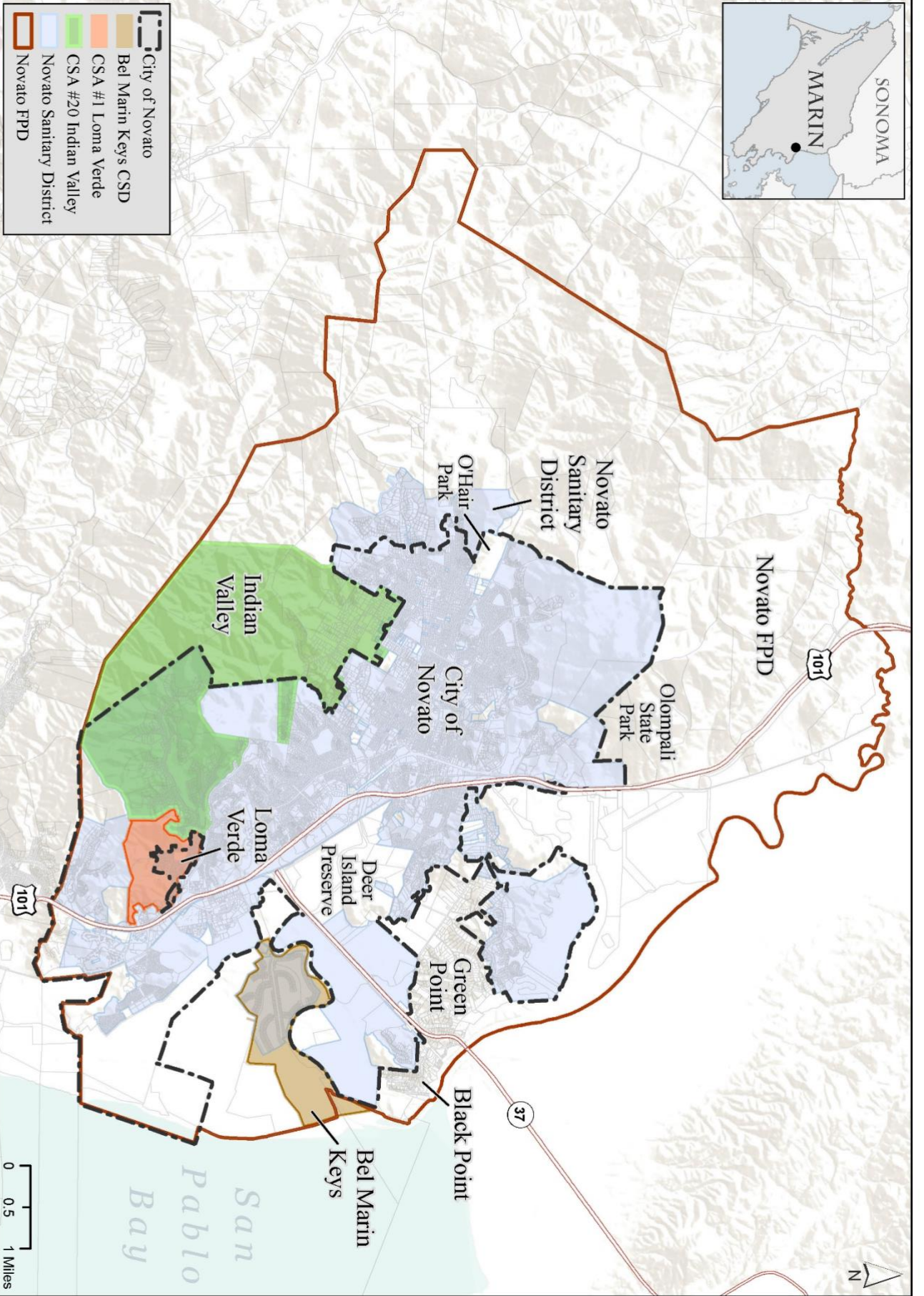
Black Point has many natural resources and associated hazards. Almost the entire area is within the Wildland Urban Interface and susceptible to wildland fires. The Novato Fire Protection District works collaboratively with county and other local fire agencies to help educate residents about the risk of wildland fires. The community is also located next to the San Andreas Fault Zone but it is primarily on soil that would not greatly amplify shaking and has a very low liquefaction rating<sup>3</sup>. Another hazard of concern is flooding. Most of the community is located on higher elevation hill areas that are not within the 100-year flood zone<sup>4</sup>, however, some portions of the community along the tidal marshes could be susceptible to flooding and potential impacts from sea-level rise.

The community, through the Black Point Improvement Club, has informed LAFCo that they do not wish to be annexed into the City of Novato in order to limit development and maintain the rural community setting . This is also the reason why Novato Sanitary District wastewater service has not been extended to the area. Onsite water treatment systems limit the development of higher occupancy residential areas due to their limited capacity .

<sup>2</sup> Marin Map Viewer, County Unincorporated Zoning.

<sup>3</sup> Ibid, pgs. 36-39.

<sup>4</sup> Ibid, pg. 41.



**Legend**

- City of Novato
- Bel Marin Keys CSD
- CSA #1 Loma Verde
- CSA #20 Indian Valley
- Novato Sanitary District
- Novato FPD

# Novato Regional Service Providers



Sources: Boundaries, Roads, Parcels: Marin Map GIS



Mapping provided by:  
**PLANWEST PARTNERS, INC.**  
 Map Date: 6/18/2019

Figure 4-1

## **Green Point**

The unincorporated community of Green Point is adjacent to the Black Point neighborhood. Paralleling the Petaluma River, it is bounded on the south by the flat uninhabited bay plains, which separates the community from the City of Novato. Principal access to Green Point is via State Route 37, which separates Green Point and Black Point.

Green Point largely developed within the last forty years with large residential lots interspersed with agriculture and large swaths of open spaces. According to Marin County's Green Point Community Plan, the neighborhood has historically retained a rural sense of place, with an absence of urban services and amenities.

The Black Point Improvement Club (BPIC), a local community group that is, in part, made of people who live in this unincorporated island of Green Point, has informed LAFCo that they do not want to be incorporated into the City of Novato.

## **Bel Marin Keys**

The unincorporated community of Bel Marin Keys is located in the southeast Novato region between Highway 37 and Highway 101 and is primarily served by the Bel Marin Keys CSD (see profile in Section 8). The community is estimated to cover approximately one square mile and has an estimated 700 housing units. In 1982 Marin LAFCo excluded the Bel Marin Keys area from the City of Novato's SOI. The 2002 LAFCo Municipal Service Review for the region noted that the Bel Marin Key's residents desire for the exclusive use of its waterways and the City's desire to avoid the cost liability and service responsibility associated with Bel Marin Keys' waterways fostered a mutual interest in maintaining the community separate from the city.

While the 2002 MSR mentioned "exclusive use" of the waterways, this is not an accurate depiction of what occurs under the Clean Water Act. The Clean Water act allows the general public passage through the locks if they desire use of the lagoons. The Bel Marin Keys' residents desire is to maintain controlled and limited access to the waterways in accordance with all government regulations and ordinances.

The Bel Marin Keys CSD Board of Directors, on behalf of its membership, has informed LAFCo that they do not want to be annexed into the City of Novato.

## **Loma Verde**

The Loma Verde neighborhood is located in the southern portion of Novato. Made up of primarily single-family homes with some apartments and townhomes, the neighborhood's developed residential area is unincorporated but completely surrounded by the City of Novato, and within the City's SOI. Adjacent to, and associated with the neighborhood is the Loma Verde Open Space preserve. The preserve itself is within Novato city limits. Both the preserve and unincorporated Loma Verde neighborhood are within the boundaries of CSA 1. See Section 9 for further discussion of CSA 1.

<sup>5</sup> Marin County. 2016 Green Point Community Plan. Adopted by the Marin County Board of Supervisors on July 26, 2016. Pg. 26

While there is no official neighborhood group for the Loma Verde area, residents have reached out to LAFCo to indicate they do not want their island annexed into the City of Novato.

## Indian Valley

As defined in the Marin Countywide Plan and Indian Valley Specific Plan, Indian Valley is comprised of the approximately 630-acre unincorporated portion of the Novato area lying south of Mill Road between Pacheco Avenue and Trumbull Avenue, extending to the boundary of the agricultural and open space preserves to the south.

Land ownership in Indian Valley is principally single-family housing with parcel sizes ranging from one to nearly 45 acres. Other uses include equestrian activity, orchards and livestock (cattle, sheep) pasture and grazing. There is no multi-family use, no institutional use, and no commercial use other than home-office oriented businesses and several horse stables and plant nurseries.

The Indian Valley Association (IVA) is a local community group made up of people who live in this unincorporated island. The IVA leadership, on behalf of its membership, has informed LAFCo that they do not want to be annexed into the City of Novato. IVA also does not want wastewater service from Novato Sanitary District to be extended to the area. Onsite water treatment systems limit the development of higher occupancy residential areas due to their limited capacity and is the preferred method for the community.

## 4.2 GROWTH AND POPULATION

LAFCo is required to make MSR determinations on growth and population. When planning for the provision of future services and infrastructure it is important to have ready access to accurate growth and population projections. This MSR also identifies and considers disadvantaged communities and growth and population data contribute to that analysis. The region's growth rates are based on historical development patterns, the County and Marin's general plans, regional estimates from the Association of Bay Area Governments and California Department of Finance, and information provided by special districts.

### Land Use

Marin County is generally considered an "infill" county, with new development guided to existing urbanized areas. The Marin Countywide Plan (2007) serves to guide the conservation and development of Marin County through policies that protect open space and "community separators" in the city-centered corridors. Marin County's 520 square miles is only 11% developed with urban uses, and only 5% of the remaining land is potentially developable under existing policies. Agricultural lands make up 36% of the County's total area, parklands 33%, and the remaining 15% in public or private open space uses.

The Novato Region outside the City commercial areas has a rural atmosphere largely because of its low population density and the high amount of open space and parks in and near the city.

Novato’s population density is about one-half that of San Rafael and is nearly one-third that of Petaluma or Vallejo<sup>7</sup>.

## **Current Population**

Marin County experienced progressive growth between 1950 and 1960 when the population jumped substantially from 85,619 to 146, 820, an increase of 72%. Compared to other Bay Area counties, Marin County has since experienced slow population growth rates between three and five percents<sup>8</sup>. Overall Marin remains the slowest growing county in the Bay Area.

The City of Novato accounts for the majority of the Study Area population, with an estimated population of 55,655 in 2018<sup>9</sup>. The Black Point–Green Point Census Designated Place (CDP) encompasses both communities, which are also within the Study Area. Together they have an estimated population of 1,544<sup>10</sup>.

## **Projected Growth and Development**

According to 2013 projections by the Association of Bay Area Governments (ABAG), the Novato population is expected to increase to a total population of 53,900 by 2025 with an estimated annual growth rate of 0.3 percent. ABAG projected the population of Marin County as a whole to increase by 14,191 for a total population of 266,600 in 2025.

## **Disadvantaged Unincorporated Communities**

LAFCo is required to evaluate disadvantaged unincorporated communities (DUCs) as part of this review, including the location and characteristics of any such communities within or contiguous to the SOIs established in the Study Area. A DUC is an unincorporated geographic area with 12 or more registered voters with a median household income of 80% or less of the statewide median household income. The identification of DUCs is intended to ensure that the needs of these communities are met when considering service extensions and/or annexations in unincorporated areas. There are no identified DUCs within the Study Area.

<sup>7</sup> City of Novato Adopted Budget 2018/19. Pg. 11.

<sup>8</sup> Marin LAFCo. Novato Regional Municipal Service Review. 2006.

<sup>9</sup> U.S. Census Bureau, Population Division. Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2018.

[https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml?src=bkmk](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk)

<sup>10</sup> U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

[https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml?src=bkmk](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk)

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## 5.0 CITY OF NOVATO

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### 5.1 OVERVIEW

The City of Novato, California is the northernmost city in Marin County, approximately twenty-nine miles north of San Francisco and thirty-seven miles northwest of Oakland. Characterized by a low population density (persons per acre) and a high amount of open space and parks in and near the city, Novato’s jurisdictional boundary covers twenty-eight square miles with a population of 55,655<sup>11</sup>. The city’s population density is about one-half that of San Rafael and is nearly one-third that of Petaluma or Vallejo<sup>12</sup>.

Novato provides a range of municipal services, including streets and street lighting; land use planning; recreation, park, and open space; and law enforcement. Other municipal services to the city are provided by several special districts.

Table 5-1: City of Novato Overview

City of Novato Overview	
<b>City Manager:</b>	Adam McGill
<b>Main Office:</b>	922 Machin Avenue, Novato
<b>Council Chambers:</b>	901 Sherman Avenue, Novato
<b>Formation Date:</b>	January 20, 1960
<b>Services Provided:</b>	Police, Parks & Recreation, Roads, Flood Control, Street Lighting
<b>City Boundary:</b>	28 sq. mi. city limit, 2 sq. mi. SOI
<b>Population Served:</b>	55,655

### 5.2 FORMATION AND DEVELOPMENT

During the latter half of the 19th century, fruit orchards and the new Northwestern Pacific Railroad Depot spurred development in the Novato region. In 1888, land grants were subdivided into lots and parcels, providing the footprint of the new town along the railroad tracks. By the end of the nineteenth century, Novato had a well-developed downtown with residential development concentrated around the railroad and Grant Avenue.

The 1920s saw the continued development of Novato. The Sanitary District was formed and sidewalks were paved. The Great Depression brought a halt to Novato’s economic growth and development, until the construction of Hamilton Field in 1932 (a United States Air Force base decommissioned in 1974), and subsequently World War II, which brought an abundance of new jobs to Novato.

<sup>11</sup> United States Census Bureau. *Quickfacts City of Novato*. Population estimates, July 1, 2018.

<sup>12</sup> City of Novato Adopted Budget FY 2018-19, “Compiled”.



Novato incorporated on January 20, 1960, as a General Law city. Residential development in the 1960s and 1970s spread outward along Novato Boulevard, as the City’s population increased from 17,900 in 1960 to nearly 44,000 by 1980.

Today, the existing land use in Novato is predominately residential in the valley areas west of Highway 101 and in neighborhoods east of the freeway. Most units are single-family detached homes on lots under one acre in size. In the last two decades, the re-use of the Hamilton Army Airfield added over 2,100 new homes to Novato<sup>13</sup>.

### **5.3 CITY BOUNDARY AND SPHERE OF INFLUENCE**

The current City of Novato jurisdictional boundary is roughly 28 square miles (17,857 acres) in size and largely defined by area topography . The northeast portion of the city abuts the Petaluma River and the Marin/Sonoma County line. The eastern extent of the city is surrounded by San Pablo Bay while the western and the southern extents are defined by open space preserves, steep topography, and Big Rock Ridge.

Marin LAFCo originally established a City of Novato sphere of influence (SOI) in 1982. At that time, it included most of the unincorporated territory surrounding the city, extending to cover open space areas within the City’s drainage and viewshed. Notably, it did not include the Bel Marin Keys area. In 2002, the Commission conducted a municipal service review and sphere of influence update. The updated sphere excluded publicly owned open space as well as the Indian Valley, Black Point, and Green Point neighborhoods, reflecting the city’s adopted Urban Growth Boundary (UGB)<sup>14</sup>. The Commission’s 2007 update reaffirmed the 2002 sphere, recommending no change. No sphere changes have occurred since.

As discussed in Section 2, a SOI is a boundary determined by LAFCo that establishes the probable city service area limit. The current SOI is coterminous with present city boundaries with four exceptions (comprising a total of 1,384 acres): (1) the Loma Verde neighborhood, the unincorporated portion of CSA #1 Loma Verde; (2) the Vineyard Road area; (3) Atherton Avenue between U.S. 101 and Bugeia Lane, and (4) portions of the St. Vincent properties abutting Novato to the south.<sup>15</sup> See Figure 5-1. The County has designated approximately 56 percent of this land for very low- and low-density residential use and 27 percent for open space and conservation<sup>16</sup>. Other unincorporated islands described in Section 4.1 above are not in the City SOI.

#### *Urban Growth Boundary*

Within a city’s jurisdictional boundary (also determined by LAFCo) a city may also develop policies and define areas such as an Urban Growth Boundary (UGB), to guide development and services extension . In 1997 the voters of Novato adopted an UGB to constrain the expansion of

<sup>13</sup> City of Novato. Draft General Plan 2035. 2016. Pgs. 1-3 & 1-4.

<sup>14</sup> Marin LAFCo. *Periodic Update – Adopted Sphere of Influence for Cities and Special Districts in the Novato Area*. September 28, 2007.

<sup>15</sup> City of Novato. *General Plan 2035 Policy White Paper, Urban Growth Boundary*. April 14 2014. <https://novato.org/home/showdocument?id=11898>

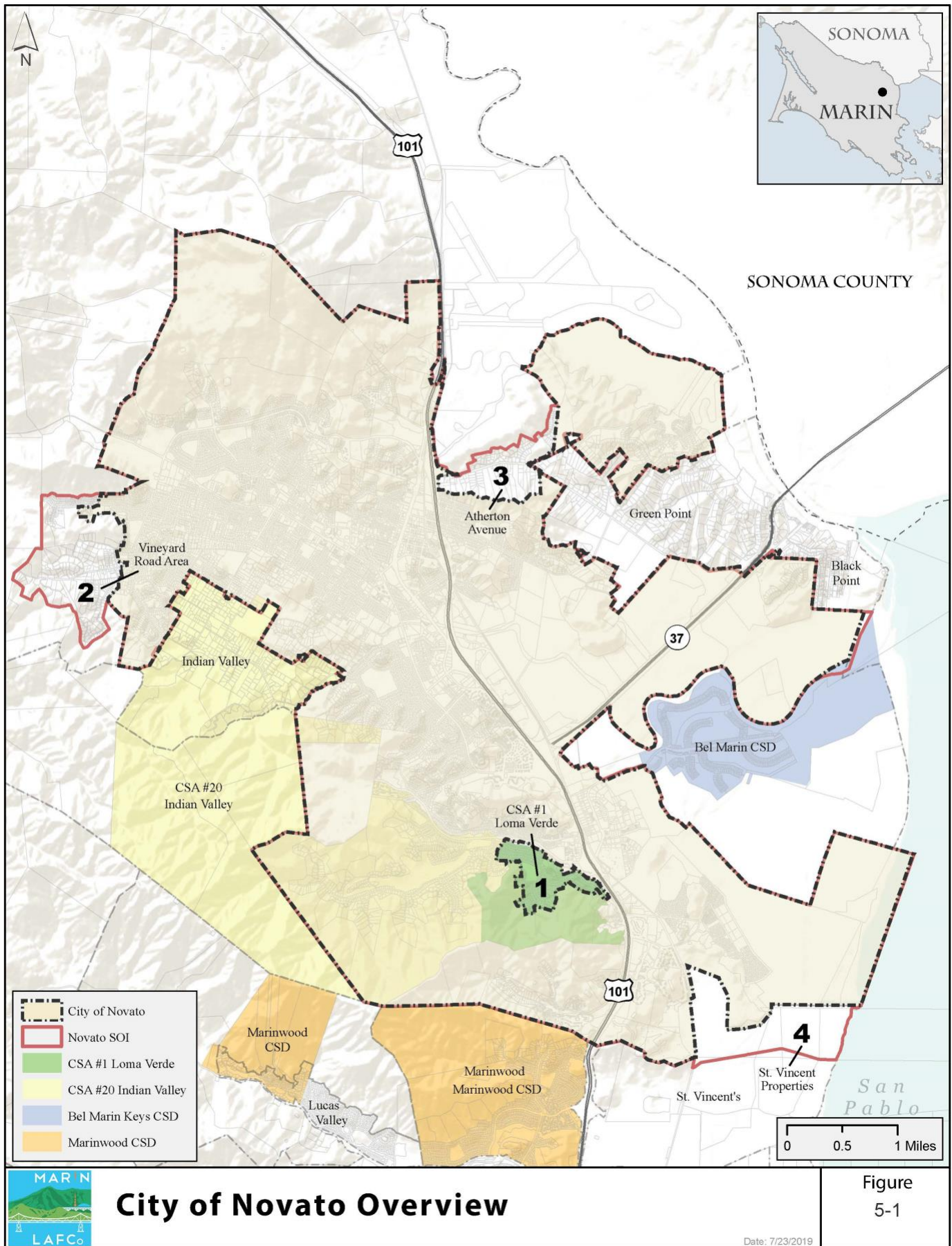
<sup>16</sup> City of Novato. Draft General Plan 2035. 2016. Pg. 2-21.

“urban” development (e.g., that which required sewer and water utilities) into the rural areas surrounding the incorporated City limits.

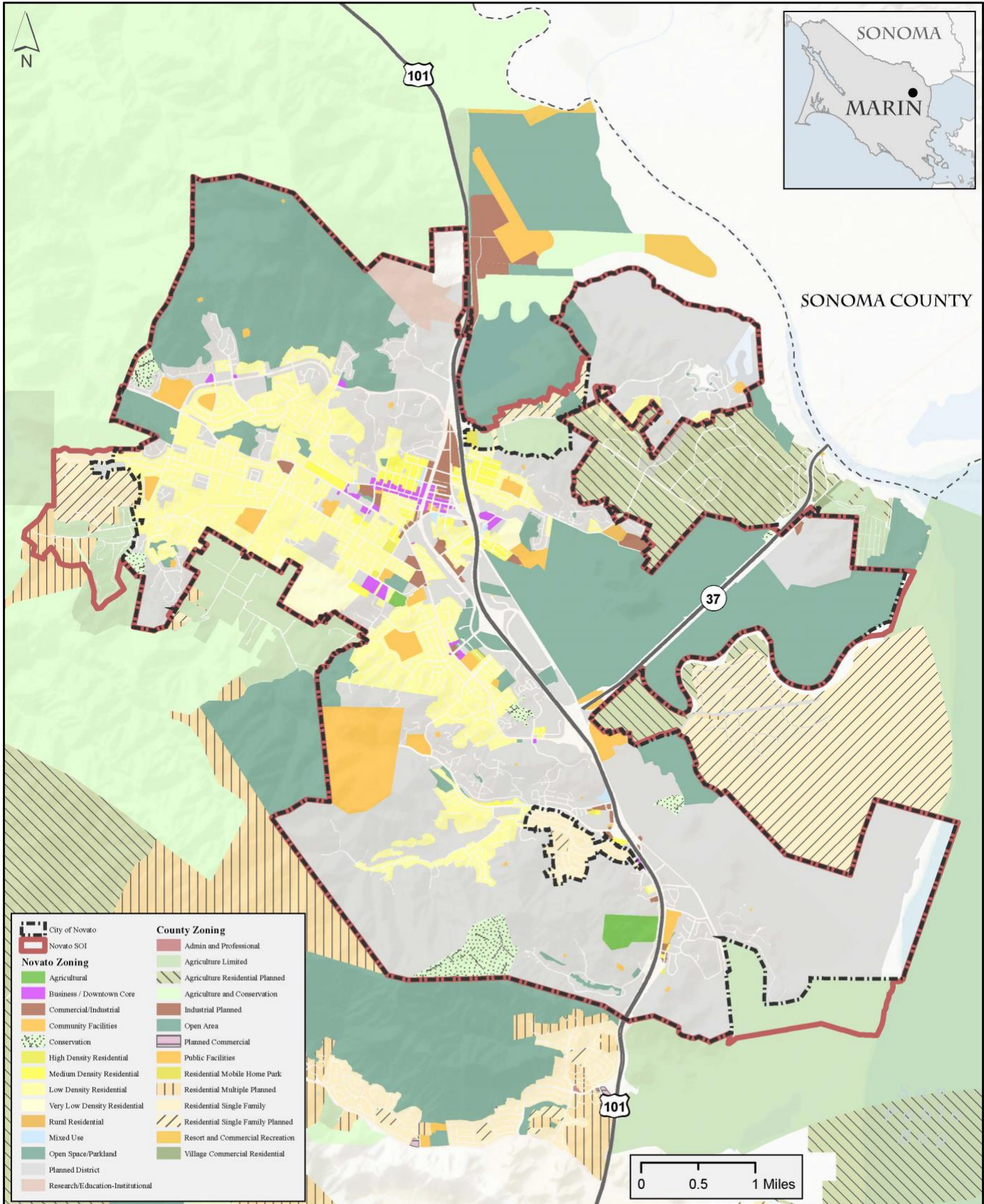
Initially established in 1997, Novato citizens reaffirmed the UGB and its associated policies to continue through 2037 via ballot Measure D in 2017. Established as coterminous with the city limit, there have been several minor amendments to the UGB to annex single or small groups of property to the city. The UGB is to protect the area from City development, maintain agricultural uses, and maintain open space separators between itself and other nearby cities by limiting land use beyond the boundary to non-urban uses such as agricultural, conservation, parkland, and open space, with limited exceptions.

Novato’s UGB guides city decisions on land within its jurisdiction, however, given that the majority of land the UGB aims to protect is outside of the city’s jurisdictional boundary, and the city does not directly provide services like water and sewer (development-related services), land use and development in unincorporated areas surrounding are not directly within the Novato’s control. The City has the ability to comment on projects that occur outside the city limits but within its SOI. However, given that SOI is currently set to be generally coterminous with the city limit line and UGB (with exception of unincorporated areas discussed above), much of the unincorporated land bordering Novato is not required to concurrently annex to the City if seeking annexation to the Sanitary and/or Water Districts. Accordingly, while not required to do so, Marin LAFCo does send single-district annexations noticing to neighboring jurisdictions, it does not carry the same weight in the decision-making process when the jurisdiction has no planning oversight.

While the City does not have land-use authority over the unincorporated lands surrounding the City, there are tools available to them to further establish their region of interest. The Governor’s Office of Planning and Research (OPR) recommends that cities establish a planning area as a part of their General Plan. Should the City wish to have a more active role in land use decisions outside of its UGB, they could consider working together with the County and surrounding local agencies to delineate a Novato planning area and consider establishing formal agreements for processing development proposals within the area.



Sources: Boundaries, Roads, Parcels: Marin Map GIS.



# City of Novato Zoning

Figure 5-2

Date: 6/24/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.

## 5.4 MUNICIPAL SERVICES

The City of Novato and the surrounding area is served by a variety of public services and facilities. Many services are provided by independent public agencies other than the City: water supply is provided by the North Marin Water District; wastewater collection and treatment, and trash collection and recycling are provided by the Novato Sanitary District; fire protection is provided by the Novato Fire Protection District; Flood Control is provided by the Marin County Flood Control & Water Conservation District; schools are provided by the Novato Unified School District; and libraries are provided by the Marin County Free Library District. The Pacific Gas & Electric Company provides electricity and natural gas distribution, and Marin Clean Energy provides an alternative energy source. City facilities encompass 50 acres of parks, including a historic cemetery, 22 athletic fields, two storm drain pump stations and a public swimming pool as well as public buildings including City Hall, City Administrative offices, a police station, a corporation yard, Margaret Todd Senior Center, three museums, an art studio complex, two gymnasiums, and several historical structures in City's downtown area.

The City of Novato provides the following municipal services:

- Land use planning
- Stormwater drainage
- Streets and street lighting
- Recreation, park, and open space
- Law enforcement

The below sections describe the provision of services by Novato in more detail.

### Land Use Planning

The Community Development Department is charged with providing city land use planning services. They assist the City Council, and ultimately the community, in planning for the City's future development, and reviewing proposed development projects for conformance with the City's adopted policies and ordinances and environmental laws. The Department also provides ongoing monitoring of deed restricted housing stock, including resales and rentals, and implementation of various housing programs contained in the Housing Element.

Within the department are several divisions:

- Building Division - Provides building permitting and inspection processes
- Code Enforcement Division - Enforces the Novato Municipal Code
- Planning Division - Develops and administers the City's General Plan, zoning regulations, and planning permit processes.

The primary City planning vehicle is the General Plan, the foundation for establishing goals, purposes, zoning, and activities allowed within the city. The City's General Plan was last completely updated and approved by City Council in December 1996. General Plan Elements have been updated since, such as the Housing Element. Since 2016, Novato has been updating the plan and a Draft General Plan 2035 is available on the city website.

### **Streets and Street Lighting**

The City's Public Works Department provides design, construction, maintenance and operation of public use facilities, including all roads and street lighting. The Public Works Director serves as the City Engineer and manages the Administrative, Engineering and Maintenance Divisions. The Department employs 55.5 full-time equivalents (FTE) positions and maintains facilities, including parking lots, roads, parks, traffic signals, and street lights.

Of the \$9.5 million Public Works operating budget, approximately \$1.6 Million (16.8%) are Streets and Street Lighting expenses. Of the \$28 million in Capital Improvement Project Expenses programmed for fiscal year 2019-20, \$19 Million (67.8%) is slated for Streets and Street Lighting related projects. In the 2018-19 fiscal year, the department completed the following projects:

- Renovated the Dogbone Meadow dog park;
- Enhanced 7 pedestrian crossings and refreshed all school-zone crosswalks and signage;
- Completed Vineyard Rd. Improvements;
- Rebuilt retaining wall along Sunset Parkway;
- Built a Marin Valley Mobile Country Club retaining wall and walkway installations;
- Performed LED lighting upgrades to save \$20-30K in annual costs;
- Reduced flooding by pre-emptive storm drain maintenance; and
- Refurbished Pioneer Park restrooms

Department Goals for Fiscal Year 2019/20 include:

- Finalize Storm Drain Master Plan;
- Develop 2020 Annual Pavement Rehabilitation Program;
- Complete a fire-wise assessment of city-owned properties in conjunction with NFPD;
- Develop annual defensible space clearance program;
- Begin construction on Hill Recreation Area Central Hub Project;
- Review and update City's Development Impact and Public Works fees for services;
- Forecast long-range infrastructure funding needs;
- Repave Nave Drive and complete right-of-way acquisition for Grant Ave. Bridge Project;
- Increase the number of Parking Spaces downtown;
- Begin implementation of a Computer Maintenance Management System;
- Increase # of fuel-efficient vehicles in City fleet; and
- Continue organic sheet mulching and explore other options for eco-friendly weed control.

## Recreation, Park, and Open Space

The Parks, Recreation & Community Services Department has oversight of City park and recreation facilities, programs, special events, classes, and childcare services. It offers a range of social and recreational programs and activities for all ages. From sports leagues and facility rentals to youth classes and senior events. They also manage park use.

The Department employs 23.3 FTE positions and oversees the operations of a range of facilities. The Culture and Recreation expenses for the city are budgeted \$5.3 million (13% of the General Fund expenditures) for the 2019-20 fiscal year.

City park facilities include 439 acres of parks at 29 park sites or approximately 8.5 acres per one thousand residents. Parks in Novato feature, among other amenities, hiking trails, playgrounds, playing fields, outdoor courts, amphitheater, a skate park, a dog park, a community swimming pool, and picnic areas.

## Law Enforcement

The City of Novato provides law enforcement, dispatch, and emergency preparedness services to all areas within the city limit and response to nearby unincorporated neighborhoods as necessary. The Novato Police Department is located at 909 Machin Avenue in Novato. As a full-service agency, NPD is divided into the Operations Division and the Administrative Services Division each led by a Police Captain. The Novato Police Department maintains its own Dispatch Center. Dispatchers receive and handle calls, including 911 calls, 24 hours a day.

Projected expenditures for 2019 are 17 million (41% of the General Fund expenditures), similar to the 2018-19 adopted budget. There are approximately 82 staff in the department including 61 sworn personnel (including two school resource officers), and a volunteer program<sup>17</sup>. This equates to 1.10 full-time sworn officers per 1,000 population. This is comparable to the San Rafael average of 1.07 full-time sworn officers per 1,000 population.

Department community engagement efforts include the Minors Access to Alcohol Prevention and Bicycle/Pedestrian Safety programs. The Novato Response Team is a special police team focused on crime prevention and intervention. It meets with residents to provide crime prevention tips, visits schools to mentor youth and reduce gang involvement and works with property owners of multifamily housing to ensure the safety of their residents and the surrounding community.

## 5.5 ORGANIZATIONAL STRUCTURE

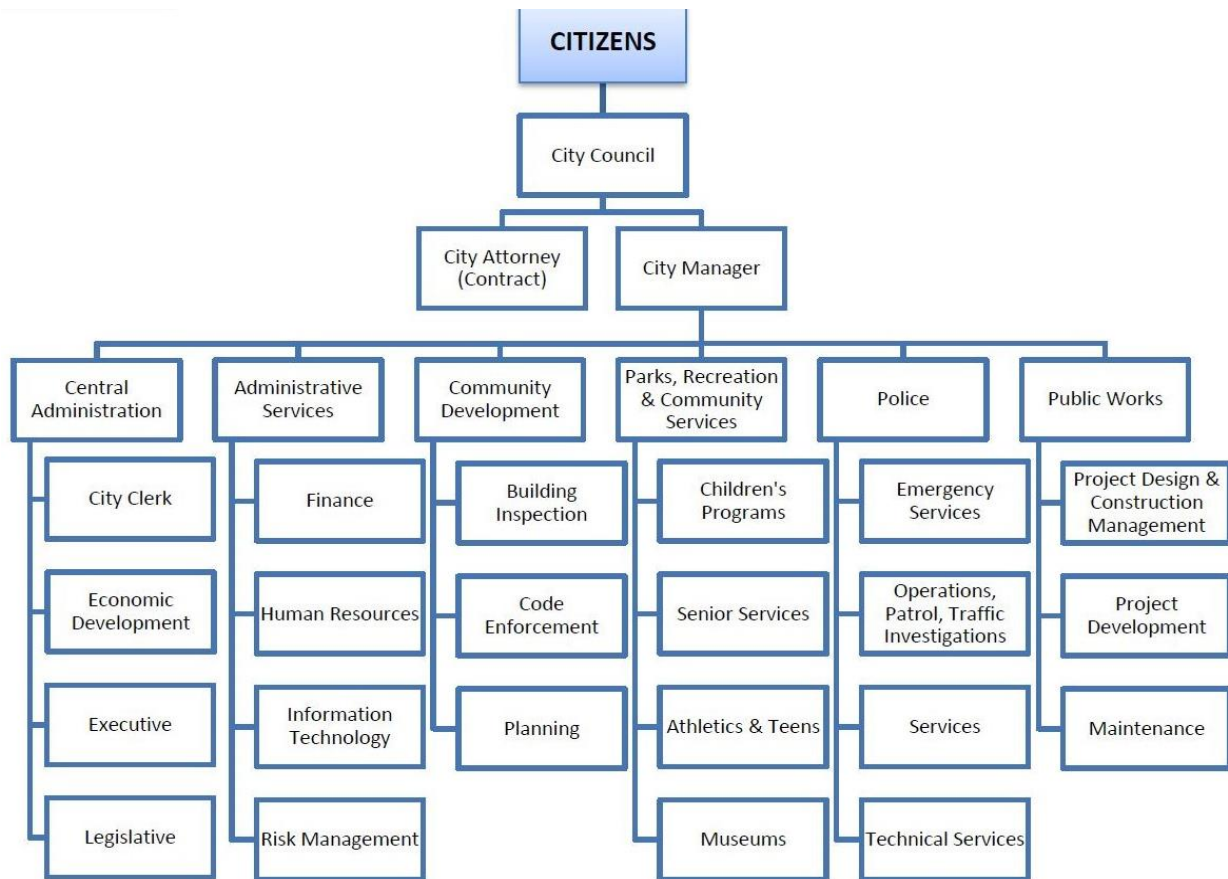
The City of Novato was incorporated on January 20, 1960, as a general law city. The City Council is made up of five members, elected at large, serving four-year terms. The Mayor is selected from

<sup>17</sup> City of Novato website. Police Department “About Us” page. Accessed July 3, 2019. <https://novato.org/government/police-department/about-us>

City Council members for a one-year term The Council operates under a council-manager form of government and directly appoint both the City Manager and the City Attorney.

City Council duties also include establishing legislation and policies governing the city; adopting all ordinances, resolutions, and major contracts; approving and modifying annual budgets; making appointments to advisory boards; commissions and committees. City Council meetings are scheduled the second and fourth Tuesday every month at 6:00 p.m. in the Novato City Hall Council Chambers located at 901 Sherman Avenue and are televised.

**Figure 5-3: City of Novato Organizational Structure**



### Staffing and City Operations

The City Manager is responsible for city operations management and policy implementation on behalf of the City Council. The City Manager is an at-will employee and administers the City of Novato’s departments. The City has 208.67 FTE employees and delivers municipal services through six departments: Central Administration, Police, Community Development, Public Works, Parks & Recreation, and Community Services<sup>18</sup>.

<sup>18</sup> City of Novato Comprehensive Annual Financial Report for the Year Ended June 30, 2018. Pg. ii.



## 5.6 ACCOUNTABILITY AND TRANSPARENCY

### Meetings and Agendas

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

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

## 5.7 FINANCIAL OVERVIEW

The City of Novato prepares an annual report on the City's financial statements in accordance with established governmental accounting standards. The most recent audited financial statement was prepared by the independent certified public accounting firm, Mann, Urrutia, Nelson, CPAs & Associates, LLP, for the fiscal year ending on June 30, 2018.

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

### Revenues and Expenditures

The Fiscal Year (FY) 2019-2020 general fund expenditure budget for Novato is \$42.7 million (including appropriations and transfers out to other funds). See Figure 5-3. The expenditure budget is supported predominantly by a projected revenue of \$41.7 million. See Figure 5-4.

The FY 2019/20 budget is balanced and does not require the use of one-time reserves for ongoing expenditures, however, in the Final Budget adoption staff report, city staff noted that the City faces fiscal challenges that will remain unless the Council implements new revenue sources that create a sustainable revenue stream over future years. According to the report, approximately 70% of the city's expenditures are personnel costs which are appropriated for the purposes of providing services and programs for the residents of Novato. The city will either need to reduce personnel costs to a level that would offset future expenditure increases and/or evaluate and implement

multiple revenue growth strategies that will generate sufficient revenue to meet the future projected expenditure increases to the General Fund.

Based on the FY 2017/18 Comprehensive Annual Financial Report, as of June 30, 2018 the City had a net pension liability of \$47,489,946. Large net pension liabilities are a common occurrence among local governments and prompted the Marin County Local Government Reform of Pensions and Other Post-Employment Benefits study that was released in September 2019. The City will be looking into the recommendations of the report and strategizing on how best to pay down pension liabilities.

Figure 5-4: Novato General Fund Budget Expenditures

### General Fund Appropriations by Function Fiscal Year 2019/20

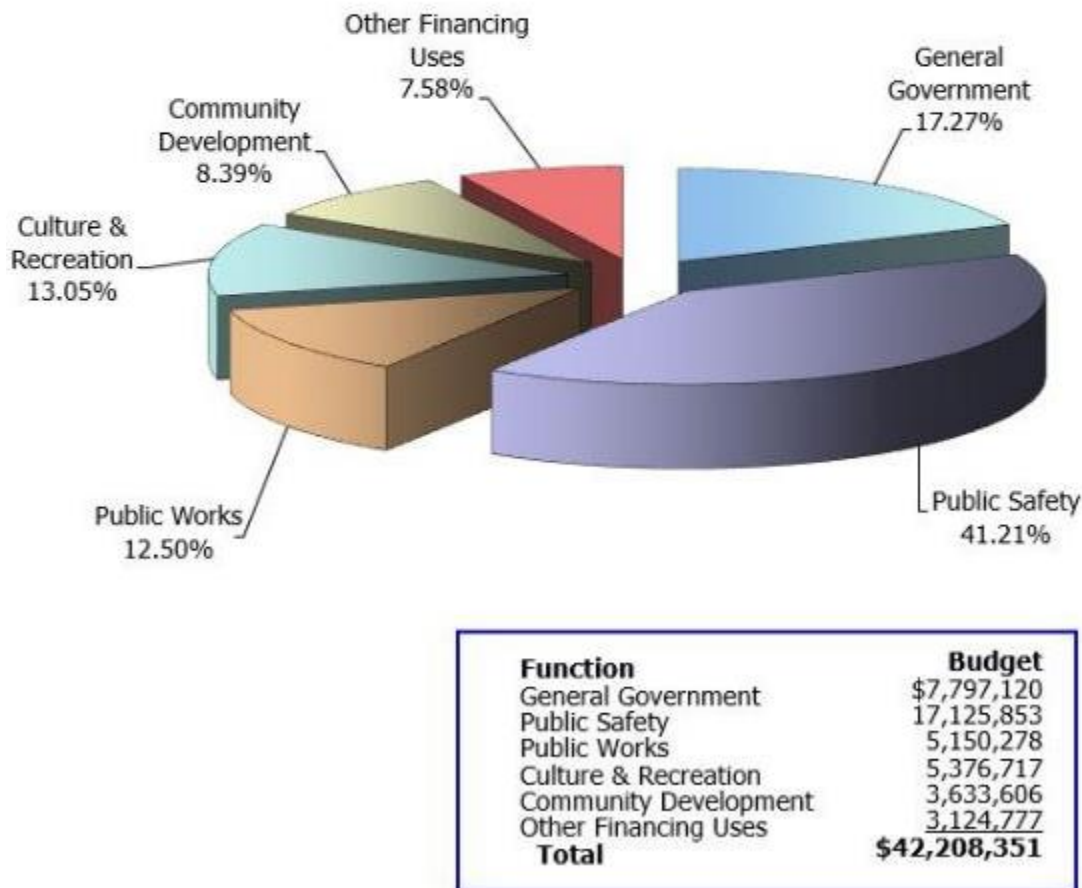


Figure source: City of Novato website, Finance page. Accessed July 12, 2019.

Figure 5-5: Novato General Fund Budget Revenues

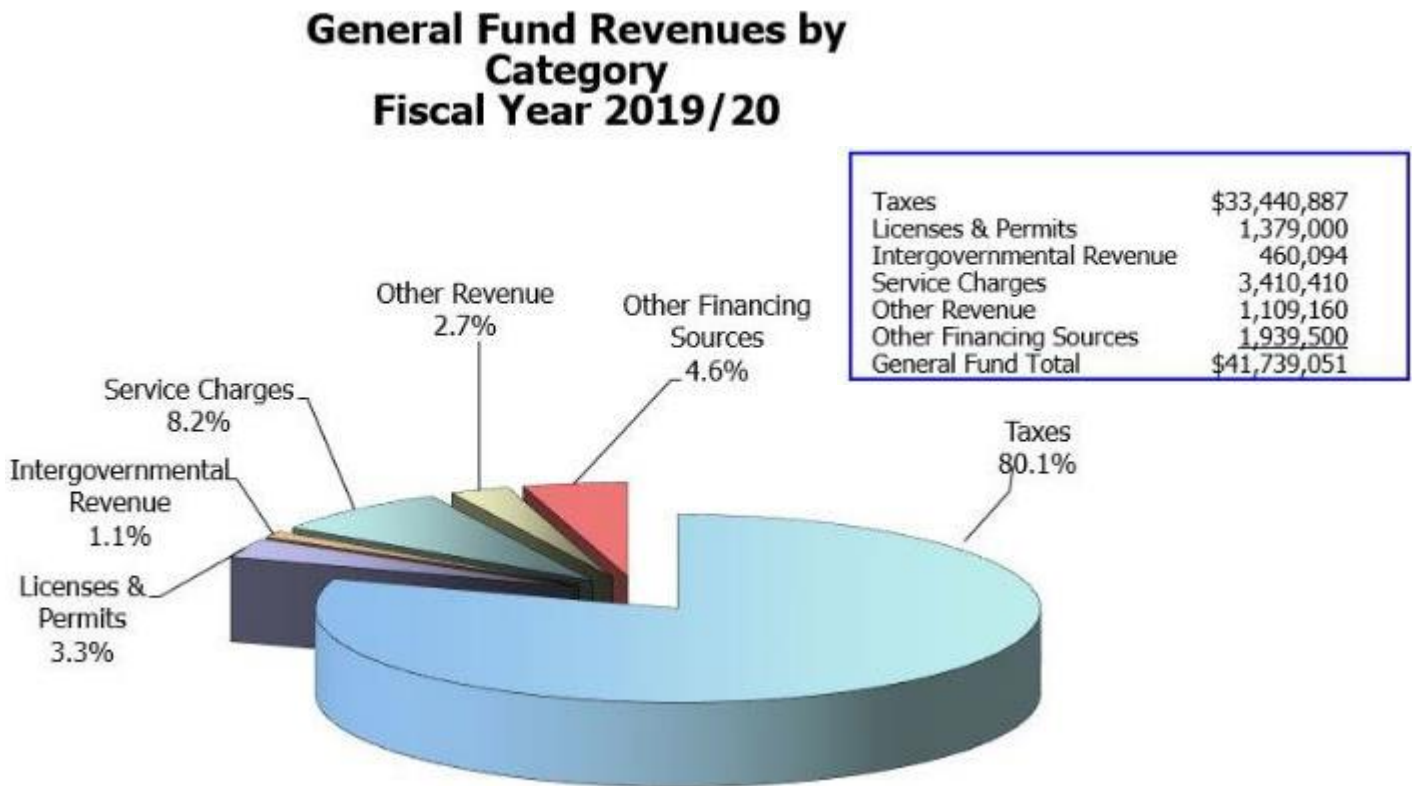


Figure source: City of Novato website, Finance page. Accessed July 12, 2019.

## 5.8 SUSTAINABILITY

The City of Novato was one of the first cities in Marin to adopt a Climate Action Plan in 2009. Since that time, they have worked to integrate sustainability actions into city operations and the community at large. Major past accomplishments include converting more than 4,000 streetlights to energy-efficient LEDs and switching over to Deep Green 100% renewable energy at all city facilities.

Currently housed within the Central Administration Department, Novato maintains a Sustainability Division which focuses on implementing the City’s Climate Change Action Plan, reducing greenhouse gas emissions and preserving natural resources in City operations and throughout the community. They have a Sustainability Coordinator who implements an internal staff Green Team, secures Green Business Certification for City operations, and provides support for community sustainability-related events.

Current division activities include: a range of education and outreach programs with a focus on reducing greenhouse gas emissions, adding electric vehicles to the city fleet, retrofitting several municipal buildings to be more energy and water efficient, reducing the environmental impact of city purchasing decisions, exploring options to increase municipal solar electricity generation, and rolling out a green commute program for city staff.

In the 2019/20 fiscal year, the City has prioritized the following items:

- Update the Climate Action Plan;
- Establish energy efficiency, water conservation and waste reduction targets for each City-owned Facility;
- Manage the Reimagining Citizenship program, fostering the next generation of community leaders;
- Implement expanded recycling programs at Hamilton Community Center and Margaret Todd Senior Center;
- Continue the Green Film Series and other public outreach and education events;
- Develop and implement targeted community action campaigns focused on renewable electricity, idling, food waste, and school travel;
- Support the implementation of the Clean Fleet Policy;
- Develop a community-wide Electric Vehicle Strategy; and
- Identify City-owned properties suitable for solar installations.

Recent program accomplishments noted in the FY 2019/20 budget include:

- Implemented lighting upgrade in the police station;
- Conducted quarterly Climate Action Roundtable meetings with the community;
- Hosted North Bay Climate Action Summit at the Buck Institute Marin/Sonoma Climate Action Summit, in conjunction with the state Global Climate Action Summit;
- Organized inaugural Green Living Festival to celebrate Earth Day;
- Submitted successful grant application to Cal Recycle for county-wide food waste prevention; and
- Established two community (Organic Waste and School Travel) and two staff (Green Facilities and Green Fleet) working groups to tackle sustainability issues.

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## 6.0 NOVATO SANITARY DISTRICT

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### 6.1 OVERVIEW

The Novato Sanitary District (NSD) was one of the first agencies formed in the Novato Region. The NSD boundary includes the city of Novato and surrounding populated areas. Being adjacent to San Pablo Bay provides for unique conservation activities, in that Recycled water can be transferred to wetland and agricultural sites to help promote restoration and farming (pasture) activities and to reduce treated water volumes discharged into the bay.

NSD was originally formed to manage solid waste in the Novato region. Now, NSD provides wastewater collection, solid waste disposal by a franchise agreement, and recycled water distributed by the North Marin Water District. In the upcoming years, NSD will continue to collaborate with other North Bay region wastewater and water service providers to increase recycled water use and share facilities.

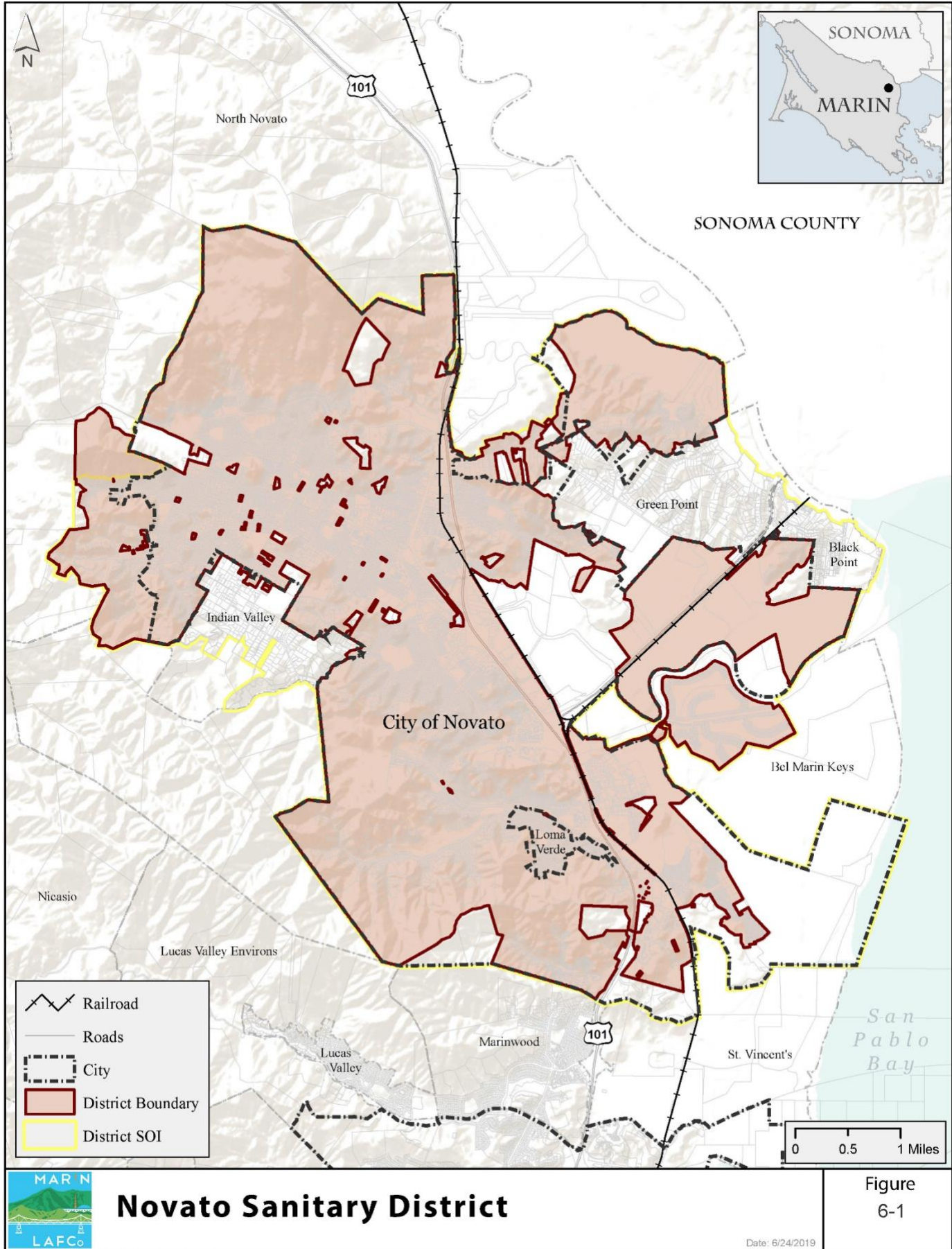
Table 6-1: Novato Sanitary District Overview

Novato Sanitary District	
<b>Primary Contact</b>	Sandeep Karkal, General Manager – Chief Engineer
<b>Phone</b>	(415) 892-1694
<b>Office Location:</b>	500 Davidson Street, Novato, CA 94945
<b>Formation Date</b>	1925
<b>Services Provided</b>	Wastewater Treatment, Recycled Water, Solid Waste Collection
<b>Service Area</b>	31.26 sq. mi.

### 6.2 FORMATION AND DEVELOPMENT

The NSD was formed in October 1925 after approval in a special election held September 30, 1925<sup>19</sup>. The district was formed to provide oversight to sanitary systems in Novato, primarily solid waste disposal. Later on, in 1949, a collection system and primary treatment plant were built to serve community needs. Most recently, in 2011, NSD consolidated its aging Ignacio and Novato treatment plants into an upgraded facility at the Novato Treatment Plant (NTP) site. The upgraded plant is more energy-efficient and has the capacity to meet projected future needs.

<sup>19</sup> Marin County Board of Supervisors, Meeting Minutes October 5, 1925, Minute Book pg. 80.

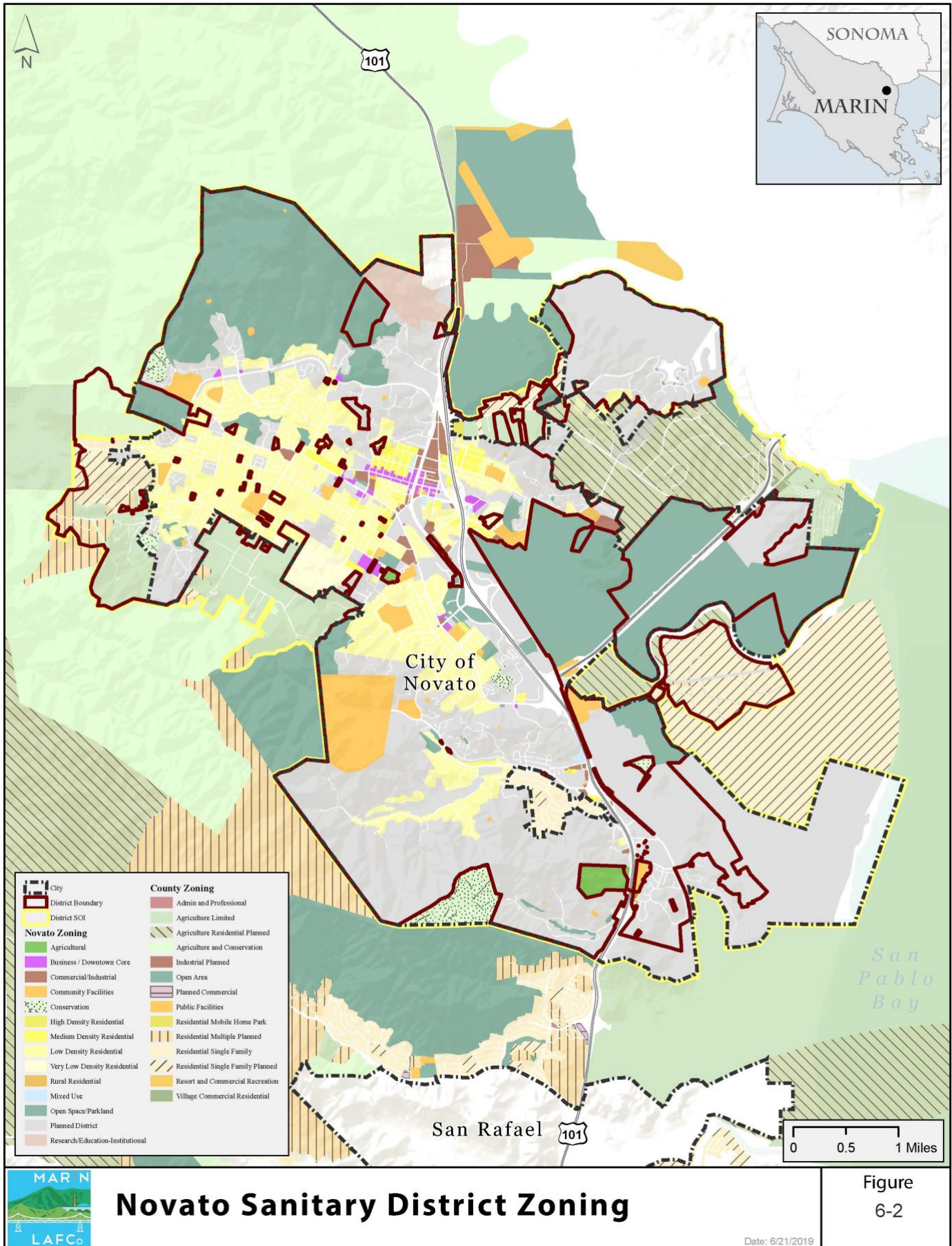


# Novato Sanitary District

Figure 6-1

Date: 6/24/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.



# Novato Sanitary District Zoning

Figure 6-2

Sources: Boundaries, Roads, Parcels: Marin Map GIS.

### **6.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

Novato Sanitary District's SOI is not coterminous with the outer edges of its jurisdictional boundary. The NSD SOI includes several unincorporated areas around the City of Novato, but not in the City SOI, including Green Point, Black Point, and Indian Valley. The original district boundary encompassed a small portion of Novato. Over the years, multiple annexations took place as Novato expanded. The current boundary totals 20,006.4 acres which equates to 31.26 square miles. NSD serves communities within the City of Novato and those directly adjacent to the City boundary including Bel Marin Keys, Loma Verde, and neighborhoods surrounding Verissimo Hills Preserve and Ohair Park.

Within the NSD boundary, there are several parcels and small areas that are not included as part of the district. These properties have on-site wastewater systems and do not require NSD connections. They do remain within the NSD SOI in the event that future connections are needed.

### **6.4 MUNICIPAL SERVICES**

#### **Wastewater**

NSD owns and operates a wastewater collection system, a municipal wastewater treatment plant (WWTP), and an effluent discharge outfall. The WWTP is the Novato Treatment Plant, which is currently designed for an average dry weather flow of 7.0 MGD. This plant was significantly upgraded and placed into service in 2011. Also, in 2010 NSD entered into an agreement with Veolia Water to operate the NSD treatment facilities on a contract basis. In 2018 the WWTP processed a total of 1,569.28 million gallons of wastewater. The maximum monthly flow was 200.92 million gallons in March and the minimum was 100.90 million gallons in September<sup>20</sup>.

NSD's wastewater collection system collects and transports wastewater flows to the WWTP through a series of gravity sewers and interceptors, pump stations, and force mains. The combined collection and conveyance systems include a total of about 235 miles of sewers with about 212 miles of gravity sewer lines ranging from 6-inch to 48-inch diameter, about 23 miles of force mains, 5 main pump stations, and 33 lift stations. The pump stations vary in capacity from about 50 GPM to about 5 MGD, and individual pumps range from 3 hp to 90 hp<sup>21</sup>.

Over the last two decades, NSD has been working on upgrading its aging facilities. The WWTP was upgraded in 2011 and the sewer collection system and pump stations have been going through upgrades since 2000. In FY 2019-20 NSD is anticipated to complete a Collection System Master Plan (CSMP) that will further identify needed improvements to its collection system for the next 10-20 years.

<sup>20</sup> 2018 Annual Operations and Maintenance Report for the Novato Sanitary District, Veolia Water West Operating Services, Inc., March 2019, pg. 22.

<sup>21</sup> Novato Sanitary District, Sewer system Management Plan, August 2018, pg. I-1 to I-2.



## Rates

Residential rates for sewer service are calculated using Equivalent Dwelling Units (EDU) and the customer's water usage during the winter months. Rates are broken down into three tiers Low, Average, and high water-use. Details are provided below in Table 6-2.

**Table 6-2: Novato Sanitary District Residential Sewer Service Charges**

Tier	Percent of Average Winter Water Use	EDU	Cost per EDU 2018-2019
<b>Low</b>	25% or less	0.6	\$370
<b>Average</b>	26% to 199%	1.0	\$615
<b>High</b>	200% or more	1.8	\$1,105

Non-residential rates are based on building square footage, water use, and building type. A full non-residential categories and rates list is on the NSD website under Sewer Service Charges. Rates are scheduled to increase annually for both residential and non-residential service over the next few years. While the rates are set to increase, NSD works to keep customer costs down by maintaining a small staff, pursuing grants to cover project costs, and seeking low-interest loans for large capital improvements.

## Recycled Water

The NSD participates in the North Bay Water Reuse Authority (NBWRA) which is a collaboration of several local agencies serving the North Bay region. NBWRA is implementing recycled water programs in two major phases that focus on infrastructure upgrades, storage, and providing recycled water for landscaping, agriculture, and wetland restoration. In Phase 1, NSD added recycled water production capacity and began to provide recycled water for distribution by the North Main Water District (NMWD)<sup>22</sup>. In Phase 2, NSD will potentially work towards expanding its recycled water production capacity in conjunction with NMWD<sup>23</sup>.

In 2018 NSD produced 165.414 million gallons of recycled water that was delivered by the North Marin Water District<sup>24</sup>. The NSD works with North Marin Water District and Las Gallinas Valley Sanitary District to provide recycled water to large landscaped areas, golf courses, school and park areas, and several commercial uses. Additionally, during the summer months (June 1 to August 31) NSD sends its secondary treated effluent to its effluent storage ponds located near Deer Island, north of Hwy 37. This water is used to irrigate approximately 800 acres of pasture land that the NSD leases for grazing operations. The irrigation operations reduce the volume of treated water discharged into the bay. In 2018, 243 million gallons of treated effluent was used for irrigation.

<sup>22</sup> North Bay Water Reuse Program, Project Descriptions, <http://www.nbwra.org/project-descriptions/>.

<sup>23</sup> North Bay Water Reuse Program, Program Overview – Summer 2015, <http://www.nbwra.org/wp/wp-content/uploads/NBWRA-Program-Overview-Summer-2105.pdf>.

<sup>24</sup> 2018 Annual Operations and Maintenance Report for the Novato Sanitary District, Veolia Water West Operating Services, Inc., March 2019, pg. 20.

## Solid Waste Management

NSD contracts with a franchise service provider, Recology Sonoma-Marín (Recology), that manages recycling, composting, and garbage collection in the region. Recology has a “Waste Zero” vision that works by diverting waste from landfills. They utilize a three-bin system that includes compost, recycle, and trash. In 2018, the total waste generated and picked up by Recology was 55,046 tons, with 24,850 tons (45.14%) diverted through recycling processes.

The original franchise agreement was made with Novato Disposal Service in 2011. Since then, Recology bought out Novato Disposal Service and took over the remainder of the agreement which extends through December 31, 2025. Recology performs the responsibilities and duties as described in the agreement with the understanding that fees will be collected from customers for services rendered. Recology does not receive payment from NSD as part of the agreement<sup>25</sup>.

### Rates

Solid waste disposal rates are based on residential and commercial customer bin size and are charged on a monthly basis. Current rates are provided below in Table 6-3. A full list of residential and commercial rates along with extra services are on the Recology website<sup>26</sup>.

**Table 6-3: Recology Solid Waste Disposal Rates**

<b>Residential Carts</b>	<b>20 gal</b>	<b>32 gal</b>	<b>64 gal</b>	<b>96 gal</b>
<b>Residential Rates</b>	\$13.26	\$21.20	\$42.37	\$63.58
<b>Extra Pick Ups</b>	\$6.50	\$6.50	\$6.50	\$6.50
<b>Commercial Cart</b>	<b>20 gal</b>	<b>32 gal</b>	<b>64 gal</b>	<b>96 gal</b>
<b>Garbage Rate</b>	-	\$22.96	\$44.07	\$66.09
<b>Compost Rate</b>	-	-	\$33.05	\$49.57

*Note: All rates are per month and based on one collection per week. Additional charges apply for more frequent collections and commercial/multi-family units.*

## 6.5 ORGANIZATIONAL STRUCTURE

### Board of Directors

NSD is overseen by a five-member Board of Directors that are elected to four-year terms. The NSD is currently seeking changes to how the board members are elected. Previously, members were elected at large. Now, the board members will be elected by region within the NSD boundary.

Board members are entitled to compensation for their participation. Members receive \$225 per meeting or per day if multiple meetings are scheduled on the same day. The current Board members are listed below in Table 6-4.

<sup>25</sup> Amended and Restated Agreement Between Novato Sanitary District and Novato Disposal Service, Inc. for Solid Waste Collection, Processing, Diversion and Disposal, March 2011, pg. 49.

<sup>26</sup> <https://www.recology.com/recology-sonoma-marin/novato/rates/>.

Table 6-4: Novato Sanitary District Board Members

Member	Position	Experience	Term
<b>Carole Dillon-Knutson</b>	President	Geotechnical Consulting	2022
<b>Jerry Peters</b>	Director	Airline and Property Management	2020
<b>Jean Mariani</b>	Director	Budget and Finance Management	2020
<b>William C. Long</b>	President Pro-tem	Technical and Marketing Management	2022
<b>Tim Fuelle</b>	Director	Civil Engineering Project Management	2022

### Staffing and District Operations

NSD currently supports 23.32 Full-Time Equivalent employees including a General Manager that oversees operations<sup>27</sup>. Operations are organized into several divisions including Project/Plant Management, Field Services, Collection Systems, and Engineering.

## 6.6 ACCOUNTABILITY AND TRANSPARENCY

### Meetings and Agendas

Board meetings are held on the second Monday of every month at 5:30 pm at the District office. Meeting agendas, minutes, and handouts are on the District webpage ([www.novatosan.com](http://www.novatosan.com)). The current meeting agenda is displayed on the homepage for easy access.

### Annual Budget Review

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

## 6.7 FINANCIAL OVERVIEW

NSD’s primary source of revenues is from service fees. Additional revenue sources include property taxes, rental fees, and grants. Major expenses include the operation of the wastewater treatment plant and collection system, infrastructure upgrades, and administrative and engineering operations. A summary of NSD’s financials is provided below in Tables 6-5 and 6-6.

<sup>27</sup> Novato Sanitary District, Board of Directors Meeting Packet, June 10, 2019, pg. 108.

Table 6-5: Novato Sanitary District Financial Audit Summary

Revenues	FY 2015-16 Actuals	FY 2016-17 Actuals	FY 2017-18 Actuals
<b>Sewer Service Fees</b>	\$16,222,876	\$16,843,212	\$17,655,740
<b>Other Service Fees</b>	\$207,416	\$193,006	\$147,410
<b>Permit &amp; Inspection Fees</b>	\$46,283	\$28,479	\$27,141
<b>Recycled Water Facility</b>	\$100,433	\$177,285	\$138,258
<b>AB939 – Solid Waste</b>	\$11,513	\$354,134	\$376,426
<b>Property Taxes</b>	\$2,155,476	\$2,292,988	\$2,360,251
<b>Franchise Fees</b>	\$51,059	\$52,485	\$54,358
<b>Rental Revenue</b>	\$101,530	\$94,439	\$77,732
<b>Interest Earnings</b>	\$71,592	\$136,595	\$312,886
<b>Gain/(Loss) on Assets</b>	\$0	\$1,627	(\$34,250)
<b>Grant Revenue</b>	\$0	\$51,069	\$257,183
<b>Other Non-Op Revenue</b>	\$	\$227,891	\$0
<b>Total Revenues</b>	<b>\$19,299,289</b>	<b>\$20,453,210</b>	<b>\$21,373,135</b>
Expenditures	FY 2015-16 Actuals	FY 2016-17 Actuals	FY 2017-18 Actuals
<b>Operating Expenses</b>	\$8,392,467	\$9,173,987	\$9,131,926
<b>Depreciation Expense</b>	\$5,661,922	\$5,744,111	\$5,793,254
<b>Non-Operating Expense</b>	\$2,533,440	\$2,513,064	\$2,390,042
<b>Total Expenditures</b>	<b>\$16,587,829</b>	<b>\$17,431,162</b>	<b>\$17,315,222</b>
<b>Net Total</b>	<b>\$2,711,460</b>	<b>\$3,022,048</b>	<b>\$4,057,913</b>

As seen from Table 6-6 below, NSD requires significant annual capital expense budgeting. However, annual capital expenditures follow a very different spending trajectory than regular annual operating expenditures, and tend to be extremely “lumpy” on an annual basis over short time periods (although they tend to even out over longer periods). Therefore, while Table 6-6 shows net annual deficits from a budgeting perspective, the audited financials of Table 6-5 illustrate a more “typical” and “actual” sustainable revenues/expenditures picture.

District has an overall financial rating of “AAA” as assigned by Standard & Poors’ (S&P) Rating Services, which is highest rating offered by S&P, and reflects S&P’s confidence & belief in NSD’s financial strength and stability. In addition, the Government Finance Officers Association (GFOA) has awarded NSD its prestigious Award and Financial Reporting achievement (AFRA) and Certificate of Achievement for Excellence in Financial Reporting for NSD’s Comprehensive Annual Financial Reports (CAFRs) for the past eight years. This award is generally recognized as the highest form of recognition in governmental accounting and financial reporting, and its attainment for eight years in a row represents a significant accomplishment by a government and its management.

## Revenue

NSD’s primary revenue source is service fees. As discussed above in Section 5.5, there is a tiered rate structure based on winter water use. In FY 2017-18 sewer service fees totaled over \$17.7 million accounting for 83% of NSD’s total revenue. Fees for sewer services are billed annually on the County of Marin’s property tax bills<sup>28</sup>. An additional 11% of NSD’s total revenue comes from property taxes which in FY 2017-18 totaled \$2,360,251.

Table 6-6: Novato Sanitary District Budget Overview

Revenues	FY 2016-17 Budget	FY 2017-18 Budget	FY 2018-19 Budget
<b>Operating Revenue</b>	\$10,108,692	\$10,654,033	\$11,282,802
<b>Capital Revenue</b>	\$10,015,352	\$10,926,445	\$11,035,274
<b>Total Revenues</b>	<b>\$20,124,044</b>	<b>\$21,580,478</b>	<b>\$22,318,076</b>
Expenditures	FY 2016-17 Budget	FY 2017-18 Budget	FY 2018-19 Budget
<b>Operating Expense</b>	\$9,972,648	\$10,329,235	\$10,740,490
<b>Capital Expense</b>	\$4,675,000	\$5,680,000	\$6,803,000
<b>Debt Service</b>	\$7,059,705	\$7,043,504	\$6,839,456
<b>Total Expenditures</b>	<b>\$21,707,353</b>	<b>\$23,052,739</b>	<b>\$24,382,946</b>
<b>Net Total</b>	<b>(\$1,583,309)</b>	<b>(\$1,472,261)</b>	<b>(\$2,064,870)</b>

## Debt

NSD has several long-term debt obligations including Wastewater Revenue Certificates of Participation totaling \$13,410,000 and a State Revolving Fund Loan totaling \$59,463,938 as of June 30, 2018<sup>29</sup>. The NSD’s total debt is \$74,518,409 as of June 30, 2018.

NSD issued Refunding Bonds in 2017 to refund the 2011 Wastewater Revenue Certificates of Participation. These bonds have an interest rate of 2.03% that is payable twice per year<sup>30</sup>. In 2008, NSD was granted a loan for \$81,329,083 in order to construct upgrades to the Novato Treatment Plant. This loan is being repaid at a rate of 2.40% interest. For FY 2018-19 the anticipated principal paid is \$3,951,834 and the anticipated interest paid is \$1,427,123. The loan is scheduled to be paid in full by 2031<sup>31</sup>.

Additional NSD liabilities include pension plans and other post-employment benefits for retirees. NSD contributes to the California Public Employees Retirement System (CalPERS) which provides various retirement to members and beneficiaries. For FY 2017-18 NSD employer contributions totaled \$327,385. As of June 30, 2018, NSD had a total net pension liability of \$5,544,711<sup>32</sup>. NSD also pays a portion of the cost of health insurance for retirees under any group

<sup>28</sup> Novato Sanitary District Comprehensive Annual Financial Report FY 2017-18 and FY 2016-17, pg. 19.

<sup>29</sup> Ibid. pg. 29.

<sup>30</sup> Ibid. pg. 31.

<sup>31</sup> Ibid. pg. 30.

<sup>32</sup> Ibid. pg. 40.

plan offered by CalPERS, subject to certain restrictions. In 2018 there were a total of 19 active place members and 34 retirees/beneficiaries receiving benefits<sup>33</sup>.

### **Financial Planning/Capital Improvement**

NSD provides a two-year Capital Improvement Budget for Board review and approval. This budget outlines projects scheduled to take place over the next two fiscal years and the funding mechanisms for each project. For the 2018-2020 budget, major projects include the North Bay Water Reuse Authority Phase 2 project implementation, which will be partially funded by the US Bureau of Reclamation WaterSMART program, capacity expansion of the Recycled Water Facility, and continued replacement of collection system components and laterals.

The largest cost centers for the Capital Improvement Program (CIP) are Collection System Improvements, budgeted at \$2.45 million for FY 2018-19 and the Recycled Water Facility Expansion, budgeted for \$2.02 million in FY 2018-19<sup>34</sup>. CIP projects are reviewed on an annual basis and the Board is made aware of any changes for the upcoming fiscal years. Major initiatives are also identified in NSD’s annual financial audit. This allows NSD to adequately prepare and budget for needed system upgrades.

## **6.8 SUSTAINABILITY**

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. NSD is working closely with other wastewater and water providers in the north bay region through the North Bay Water Reuse Authority. As discussed above in Section 5.5 – Recycled Water, NSD has already upgraded its recycled water capacity. Also, in the upcoming years, NSD will be working with the State Coastal Conservancy to potentially provide treated effluent to propagate and sustain a brackish marsh at the former Bel Main Keys V and Hamilton Air Force base sites.

The upgraded WWTP also decreased NSD energy use. It is estimated that approximately 528 MWh of energy is saved annually<sup>35</sup> which equates to 373 metric tons of carbon dioxide equivalent saved<sup>36</sup>. The NSD will continue to work towards its vision of “Collecting and transforming Novato’s wastewater and solid waste into more valuable resources.”

<sup>33</sup> Ibid. pg. 34

<sup>34</sup> Novato Sanitary District, Capital Improvement Program Committee Agenda Packet, May 31, 2018, pg. 13.

<sup>35</sup> Novato Sanitary Wastewater Facilities Upgrade Project PowerPoint Presentation, July 2010, slide 21.

<sup>36</sup> United States Environmental Protection Agency, Energy and the Environment, Greenhouse Gas Equivalencies Calculator, <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>.

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## 7.0 NOVATO FIRE PROTECTION DISTRICT

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### 7.1 OVERVIEW

The Novato Fire Protection District (NFPD) was established in 1926 as an independent Special District from what was originally a volunteer fire department. The NFPD boundary encompasses approximately 71 square miles in northern Marin County, California. This includes all of the City of Novato and surrounding unincorporated areas to the east, north, and west. The District has a population of approximately 66,000 persons. The last Municipal Service Review for the NFPD was conducted in fall 2007 as part of the Novato Area Periodic Update.

Currently, the primary NFPD function is to provide structural fire and emergency medical response to the City of Novato and surrounding areas as shown in Figure 7-1. The NFPD also participates in many automatic and mutual aid agreements with nearby fire districts and responds to wildland fires as needed. The main administration building is also the site of the City of Novato and NFPD Joint Emergency Operations Center (EOC) during major disasters.

The NFPD has close community ties and many of its members voluntarily support a number of Novato Fire Foundation programs including youth programs, toy drives, and education activities. As part of its community outreach program, the NFPD hosts an annual open house and participates in and provides medical services at the Novato Chamber of Commerce Art & Wine Festival where the community can visit any station to view equipment and interact with personnel.

Table 7-1: Novato Fire Protection District Overview

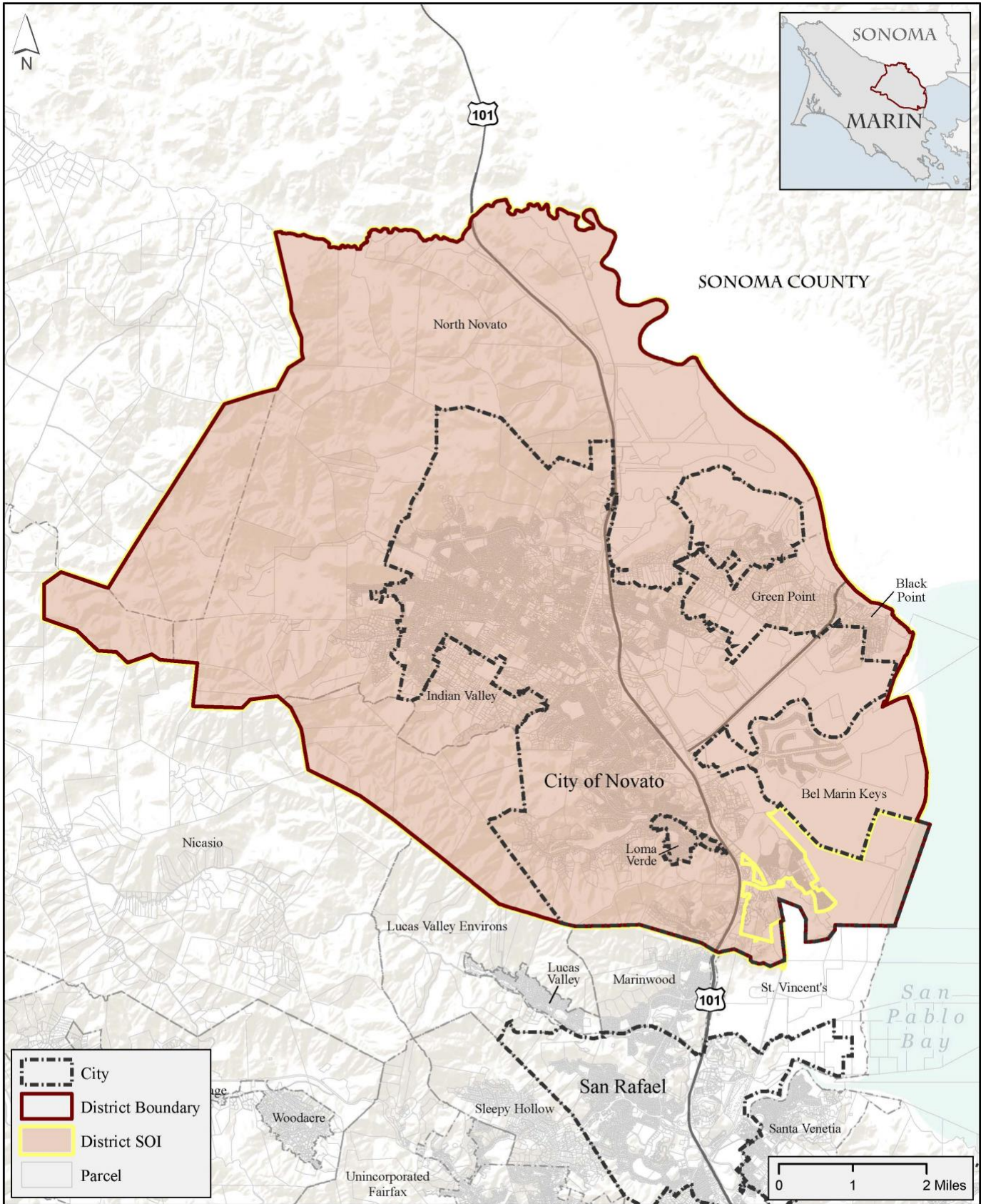
Novato Fire Protection District			
<b>Primary Contact</b>	Chief Bill Tyler	<b>Phone</b>	(415) 878-2690
<b>Office Location:</b>	95 Rowland Way, Novato, CA 94945		
<b>Formation Date</b>	1926		
<b>Services Provided</b>	Fire Protection and Emergency Response		
<b>Service Area</b>	~71 mi <sup>2</sup>	<b>Population Served</b>	~66,000

### 7.2 FORMATION AND DEVELOPMENT

NFPD formation was the result of community interest to provide basic services even before the town of Novato was created. Prior to the NFPD, a small volunteer fire department, formed in 1894<sup>37</sup>, served the area with hose carts and a chemical engine. After Novato was granted township, the NFPD was established and its first commissioners appointed on July 7, 1926<sup>38</sup>. It was established as an independent Special District whose legal authority and responsibilities are contained in the State of California Health and Safety Code Sections 13800 – 13970.

<sup>37</sup> Novato Fire Protection District Website. "Historical Timeline" page, Accessed June 20, 2019 - <https://www.novatofire.org/about-us/history/historical-timeline>

<sup>38</sup> Marin County Board of Supervisors, Regular Meeting Minutes, July 7, 1926, pg. 134.



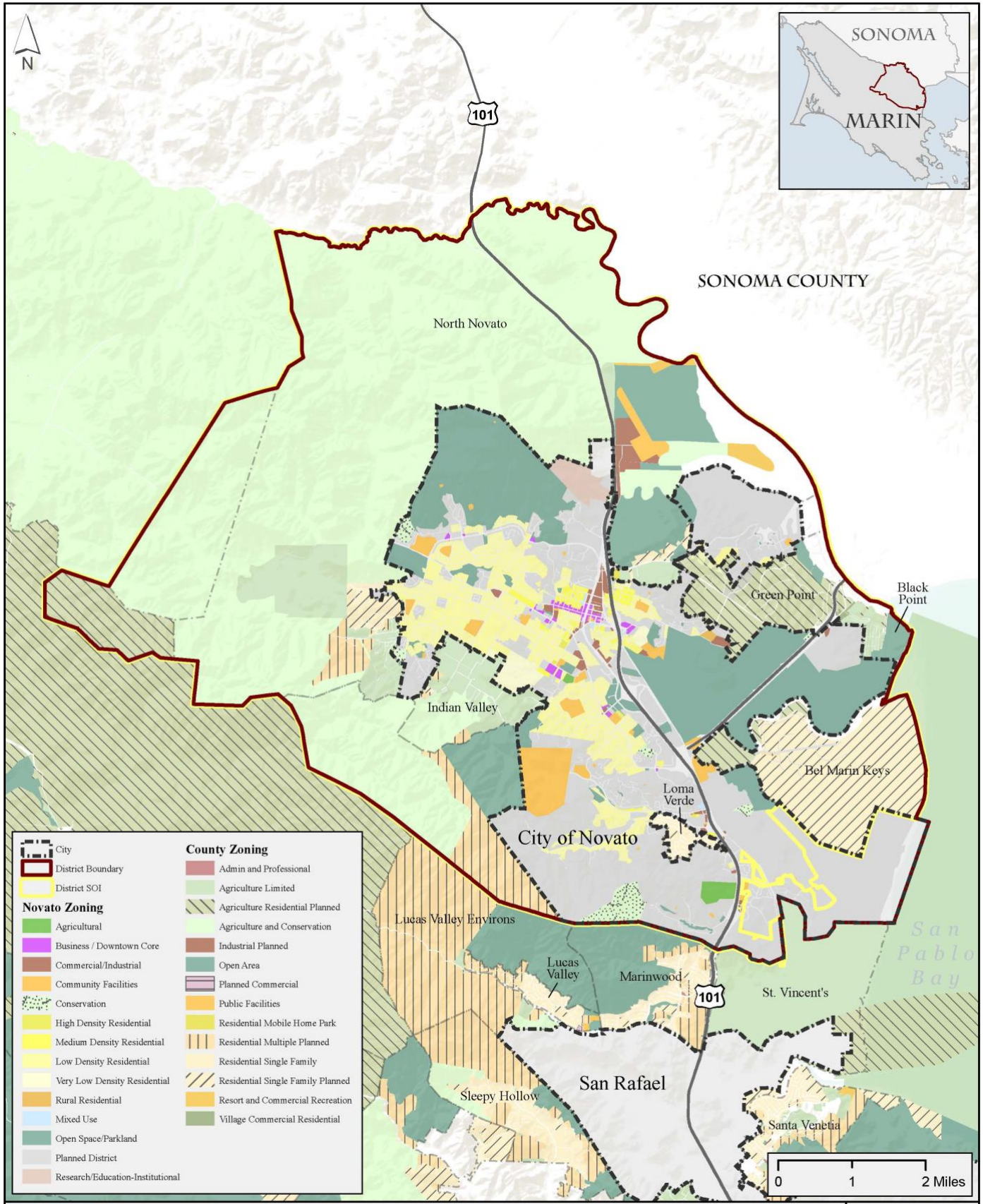
# Novato Fire Protection District

Figure 7-1

Date: 6/24/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.





# Novato Fire Protection District Zoning

Figure 7-2

Date: 6/24/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.

### **7.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

NFPD’s service boundary, which currently encompasses 71 square miles includes all of the City of Novato and outlying areas east to San Pablo Bay and up to the Sonoma County line. The current Sphere of Influence encompasses 69.5 square miles. In 1977 the Hamilton Air Force Base was detached from the NFPD boundary, however, in 1999 the Ninth Circuit U.S. Court of Appeals determined that the detachment was not valid. In 2009, Marin LAFCo rescinded the action on the “Hamilton Field and Rafael Village Detachment” with LAFCo Board Resolution No. 09-03. This action rescinded the NFPD boundary change but did not account for the SOI which was determined after the 1977 decision. Therefore, the NFPD boundary is currently larger than the SOI.

There are County and City designated land uses in and around the NFPD’s service boundary. Within the City of Novato boundary, land use authority falls under city jurisdiction. Unincorporated areas within the District are subject to Marin County Land use authority. Land use within the city is predominantly residential<sup>39</sup> but also includes commercial and mixed-use areas; business and industrial areas; and community and natural resource lands. The predominant land uses in unincorporated district territory are generally comprised of agricultural, public facility, open space, rural residential, and low-density residential lands Figure 7-2.

### **7.4 MUNICIPAL SERVICES**

#### **Fire Protection and Emergency Response**

The FPD provides fire protection, emergency response, and paramedic services. Incident call types include emergency medical response, fire, service calls, good intention calls, natural disasters, and hazardous materials/conditions. The District has five stations with personnel covering three shifts. Each shift has one Battalion Chief, five Captains and five engine companies including a cross staffed truck and Type 3 engines. Staffing includes two front line paramedic ambulances, each staffed with two firefighter/paramedics. The District also has a Risk Reduction, Prevention, and Mitigation division, as well as Training and EMS divisions.

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

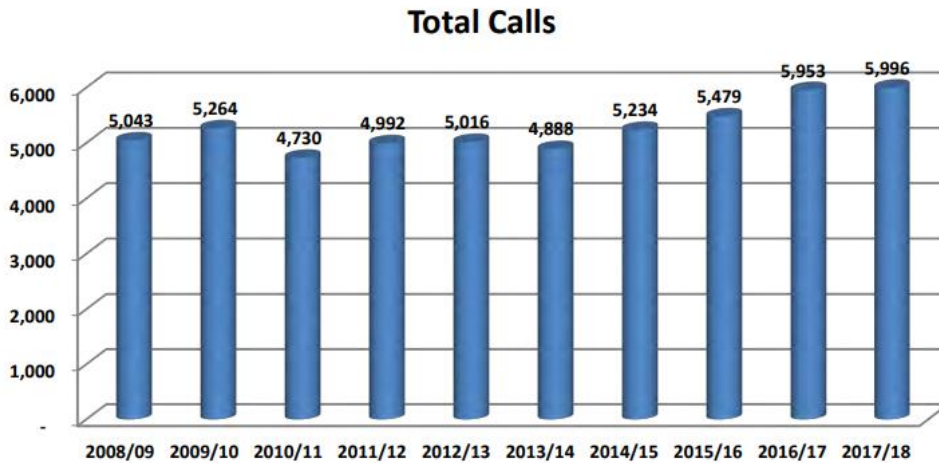
The NFPD receives an average of 5,259.5 calls per year (2008 – 2018) with the majority being for Rescue/ Emergency Medical<sup>40</sup>. The call volume has increased steadily over the last five years

<sup>39</sup> City of Novato General Plan 2035. 2016. Pg. 1-4

<sup>40</sup> Novato Fire Protection District, Comprehensive Annual financial Report for the Year Ended June 30, 2018, pg. 78.

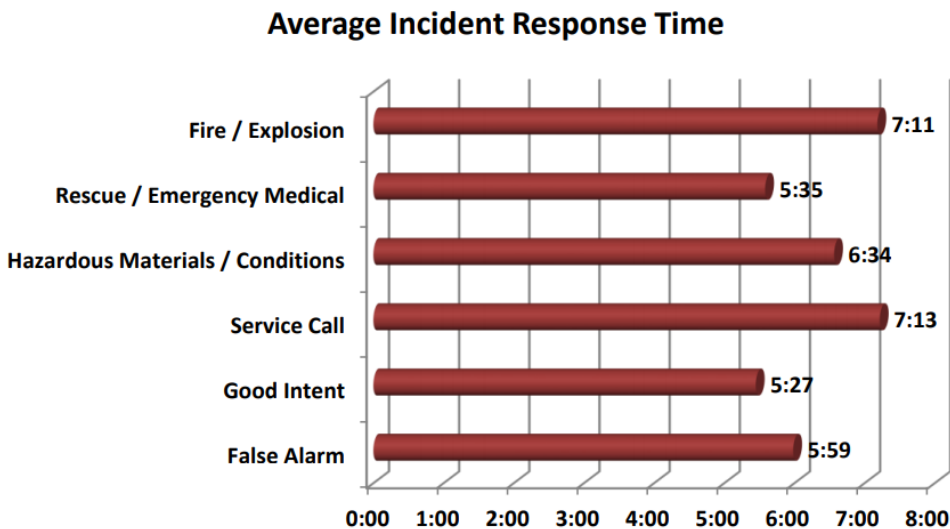
from 4,888 calls in 2013/14 to 5,996 in 2017/18. A summary of call numbers over the last 10 years is shown below in Figure 7-3.

Figure 7-3: NFPD Total Calls per Fiscal Year<sup>41</sup>



During FY 2017-18 the NFPD responded to 5,996 incidents. Of these, 68 percent were for emergency medical services and 2 percent were for fires. The average reported response time was 5 minutes 35 seconds for emergency medical services and 7 minutes 11 seconds for fires<sup>42</sup>. A summary of incidents and response times is provided below in Figures 7-3 and 7-4.

Figure 7-4: NFPD Response Times by Incident Type (2018)<sup>43</sup>

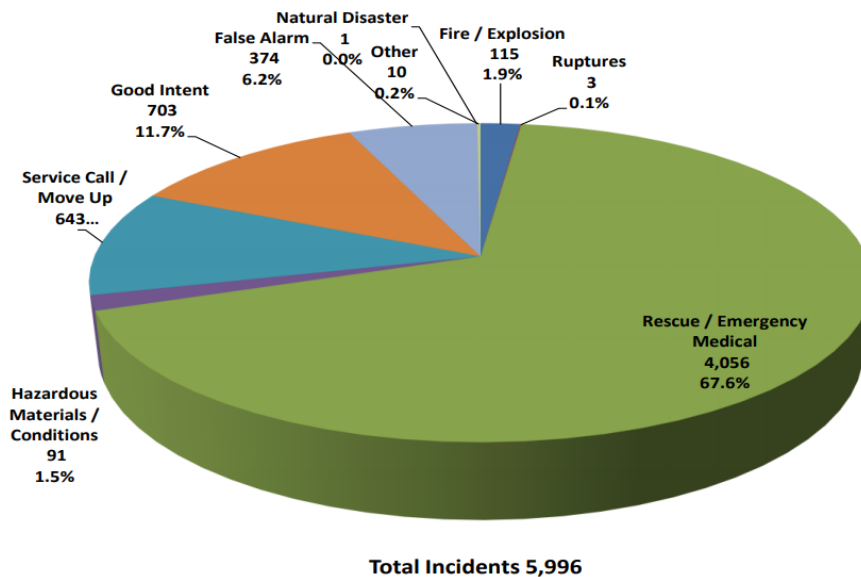


<sup>41</sup> Ibid.

<sup>42</sup> Novato Fire Protection District, Popular Annual Financial Report, Fiscal Year Ended June 30, 2018. <https://www.novatofire.org/home/showdocument?id=8606>

<sup>43</sup> Ibid.

Figure 7-5: NFPD Emergency Responses by Incident Type (2018)<sup>44</sup>



The NFPD currently contracts with the Marin County Sheriff’s Department for dispatch services. Additionally, the City of Novato dispatch will route calls that come in for structural fire and/or medical services to the County Sheriff’s Department. This helps ensure that services are provided efficiently throughout the FPD service area.

### Facilities and Apparatuses

The NFPD owns, operates and maintains one administrative building and five stations as listed below:

- Administration Building - 95 Rowland Way, Novato, CA 94945
- Station 61 - 7025 Redwood Boulevard, Novato, CA 94945
- Station 62 - 450 Atherton Avenue, Novato, CA 94945
- Station 63 - 65 San Ramon Way, Novato, CA 94945
- Station 64 - 319 Enfrente Road, Novato, CA 94949
- Station 65 - 5 Bolling Drive, Novato, CA 94949

A facilities assessment was conducted in 2014 for all NFPD owned buildings. The assessment identified the current building status and upcoming repair and/or replace needs. Station 64 was not included in this assessment as it was being rebuilt at the time of the assessment.

During the assessment, many of the buildings were found to be in fair to good condition with lifecycle replacements of building systems needed within the next 10 years<sup>45</sup>. Having these

<sup>44</sup> Ibid, pg. 8.

<sup>45</sup> EMG, Facility Condition Assessment of - Administration Building, Fire Station 61, Fire Station 62, Fire Station 63, Fire Station 65, 2014.

assessments allows the NFPD to plan ahead for major facility upgrades. Currently, the NFPD has completed the renovation of fire station 62’s kitchen and full replacement and upgraded to the station’s septic system. In addition, the fire district’s training tower locate at fire station 62 is currently being replaced, and two new training classrooms are being installed with a completion date of spring of 2020.<sup>46</sup>

The NFPD has a variety of apparatus that serve the community ranging from support vehicles to paramedic trucks. The NFPD’s apparatus listed by station is provided below<sup>47</sup>.

*Station 61:* Type 1 engine, Ambulance, Water Tender, B/C Command vehicle, Reserve Ambulance, Off-Road Utility, Reserve Type 1 Engine

*Station 62:* Type 1 Engine, 1 Reserve Type 1, 1 Ambulance, Golf Cart

*Station 63:* Type 1 engine, Type 3 engine, 1 Reserve Ambulance, Off-Road Utility

*Station 64:* Type 1 engine, Ladder Truck, Ambulance

*Station 65:* Type 1 engine, Type 3 engine, Medium Duty Rescue Unit, Off-Road Utility

Additionally, the Risk Reduction Prevention and Mitigation Division (RPM) utilizes several SUVs for inspections, investigations, and fire response. For Public Education purposes, the District maintains a utility vehicle and a golf cart. There are two pool vehicles (a hybrid car and a 12-passenger van) utilized for administrative needs.

The NFPD utilizes a Vehicle Replacement Plan<sup>48</sup> to ensure that all vehicles remain in sound working order and are replaced when needed. Operations vehicles are replaced based on years of front-line service and are then placed in reserve. Table 7-2 summarizes the service time for each vehicle type. Having a Vehicle Replacement Plan allows the NFPD to adequately plan for upcoming replacement costs and ensures that service needs can be fulfilled.

**Table 7-2: NFPD Vehicle Service Times**

Vehicle Type	Front-line Service (years)	Reserve (years)
<b>All Engine Types</b>	15	5
<b>Ambulances</b>	5	5
<b>Aerial Trucks</b>	20	5
<b>Rescue</b>	20	-
<b>Water Tender</b>	25	-

<sup>46</sup> Chief Bill Tyler, Personal Communication, October 7, 2019.

<sup>47</sup> Novato Fire Protection District, Comprehensive Annual Financial Report for the Year Ended June 30, 2018.

<sup>48</sup> Novato Fire Protection District, NFPD Fire Policy Manual, Policy 704.

<b>Command Vehicles</b>	5	-
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### Other Service Providers

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

The NFPD jointly operates the EOC with the City of Novato at the NFPD administrative office. During a major emergency or disaster, the EOC provides a central location of authority and information with face-to-face coordination among personnel.

To the north of Novato is the City of Petaluma which provides emergency response services in Sonoma County and participates in an automatic aid agreement with the NFPD for the response to wildland fires in the Mutual Threat Zone. To the south of Novato is the San Rafael region which has multiple emergency response agencies including Marinwood CSD, adjacent to the NFPD boundary, and the City of San Rafael.

Several automatic and mutual aid agreements are in place to ensure a high level of service to area residents. The NFPD currently has agreements with Lakeville Volunteer Fire Company; Marinwood Community Services District; Petaluma Fire Department; San Antonio Volunteer Fire Company; Marin County Fire Department. The NFPD also is a party to a Mutual Threat Zone agreement with CalFire, Marin County Fire Department, and Sonoma County Fire – San Antonio that outlines a joint response to vegetation fires in the area of Highway 101 near the Sonoma and Marin County line<sup>49</sup>. In the event of extraordinary events, the NFPD is also party to the Marin County Fire Chiefs Mutual Aid Agreement which provides for county-wide mutual assistance and mobilization during emergencies<sup>50</sup>.

Additional public services in the area include water service provided by the North Marin Water District and sewer service provided by Novato Sanitary District. The City of Novato provides a range of municipal services including parks and recreation and police services.

## 7.5 ORGANIZATION STRUCTURE

### Board of Directors

The NFPD has a five-member board that is elected to a four-year term. Elections for Board members are now by district elections so that each Board member represents a specific defined area within the NFPD.

<sup>49</sup> County Line Mutual Threat Zone Between Marin County Fire Department, Novato Fire Protection District, Sonoma County Fire Department, and California Department of Forestry and Fire Protection, June 2018.

<sup>50</sup> Marin County Fire Chiefs Mutual Aid Agreement, Draft May 28, 2019.

**Table 7-3: NFPD Board of Supervisors**

<b>Member</b>	<b>Position</b>	<b>Experience</b>	<b>Term Expiration</b>
<b>James Galli</b> (jgalli@novatofire.org)	President	Battalion Chief	December 2020
<b>Lj Silverman</b> (ljsilverman@novatofire.org)	Vice-President	Firefighter/Paramedic	December 2020
<b>Steve Metcho</b> (smetcho@novatofire.org)	Secretary	Firefighter	December 2020
<b>William “Bill” Davis</b> (bdavis@novatofire.org)	Director	Registered Nurse	December 2022
<b>Bruce Goines</b> (bgoines@novatofire.org)	Director	USFS Fire Service	December 2022

The Board of Directors maintains current certificates for the CA Local Agency Ethics and California Sexual Harassment Prevention for Supervisors programs. Certificates for each of the board members can be found on the NFPD website.

According to the Board of Directors’ policy (Policy 225), members are paid a sum of \$200 per meeting (effective November 2019), workshop, study session, special meeting, and committee meeting up to a maximum of 4 meetings per month<sup>51</sup>. Information on meeting dates and payments is provided on the NFPD website.

The Board of Directors is guided by Policy 223 which provides general duties of the board, roles and responsibilities, and training, both required and suggested.

### **Staffing and District Operations**

The NFPD currently staffs 78 employees working at five fire stations and one administrative building. Stations are regularly staffed with a combination of battalion chiefs, captains, engineers, firefighter/paramedics.

Currently, the NFPD is seeking to fill vacancies in their RPM Division. Additional staffing positions that are desired, but do not yet have permanent funding, are additional fire inspectors, and an administrative Training Captain. Two fulltime limited term Wildfire Mitigation Specialists have been recently hired to complete additional defensible space inspections and structural ignitability evaluations of homes and businesses in Novato. The Wildfire Mitigation Specialists are responsible for conducting hazard assessments, providing vegetation management assessment and prescriptions, and drafting fuel reduction plans for the wildland-urban interface areas of the NFPD. The Training Captain would be responsible for creating and implementing a fire training

<sup>51</sup> NFPD Fire Policy Manual, Policy 225, Board of Directors.

program. The NFPD is currently looking into long-term strategies to fund these additional positions.

## **7.6 ACCOUNTABILITY AND TRANSPARENCY**

Over the past several years, the NFPD has made it a priority to maintain high accountability and transparency with all its activities. The NFPD website ([www.novatofire.org](http://www.novatofire.org)) provides information on Board meetings, financial reports, stations, history, employment, and more.

### **Meetings and Agendas**

The NFPD Board meets on the first Wednesday of every month at 6:00 pm at Fire Station 61 located at 7025 Redwood Boulevard in Novato. Special meetings are held as needed to go over specific topics such as the annual budget. Meeting agendas and minutes can be found on the NFPD website ([www.novatofire.org](http://www.novatofire.org)).

### **Annual Budget Review**

The NFPD prepares and adopts annual budgets covering revenues, operating, and capital expenses and fund balances. The NFPD takes into consideration five distinct divisions when preparing the annual budget: Emergency Medical Services, Risk Reduction Prevention & Mitigation, Operations, Organization Resources & Support, and Training. The NFPD vision statement is “To position the Fire District operationally and financially to create a sustainable future”.

## **7.7 FINANCIAL OVERVIEW**

Approximately 84% of the district’s annual revenue comes from property taxes. Other revenue sources include ambulance service fees, state and federal reimbursements for mutual aid assistance, and fire inspection and plan check fees. The NFPD aims to provide a high level of community service while maintaining sustainable fiscal practices. As is shown in Table 7-4, the past three years of audits show budget surpluses that help build the general fund.

### **Revenue**

Revenue sources for the NFPD come primarily from a portion of the 1% property tax and a parcel tax originally approved by voters in 1991 and later amended in 2002<sup>52</sup>. Of the 1% property tax, the NFPD receives an average of 14.5%<sup>53</sup> which amounts to approximately \$20.3 million for FY 2017-18. The voter-approved special tax is adjusted every year for inflation based on increases in the CPI and Board Approval. For FY 2018-19 the parcel tax rate is 9.16 cents per square foot for residential parcels and 13.73 cents per square foot for commercial/ industrial parcels. The FY 2017-18 tax rate was set at 8.87 cents per square foot residential and 13.30 cents per square foot commercial/industrial which amounted to approximately \$5.4 million for the NFPD.

<sup>52</sup> County of Marin, Elections Department, Past Elections Results and Information, <https://www.marincounty.org/depts/rv/election-info/past-elections?tabnum=10>.

<sup>53</sup> County of Marin, Tax Distribution Percentages – City of Novato, <https://www.marincounty.org/depts/df/novato>.



Table 7-4: NFPD Financial Audit Summary

Revenues	FY 2015-16 Audit	FY 2016-17 Audit	FY 2017-18 Audit
<b>Charges for Services</b>	\$3,867,554	\$3,780,142	\$4,531,999
<b>Capital Grants and Contributions</b>	\$27,862	\$70,722	\$0
<b>Property Taxes</b>	\$23,712,159	\$25,009,489	\$25,684,707
<b>Investment Earnings</b>	\$29,950	\$55,464	\$133,664
<b>Non-Restricted Grants</b>	\$86,993	\$84,983	\$84,756
<b>Miscellaneous</b>	\$170,767	\$164,000	\$252,398
<b>Total Revenues</b>	<b>\$27,895,285</b>	<b>\$29,164,800</b>	<b>\$30,687,524</b>
Expenditures	FY 2015-16 Audit	FY 2016-17 Audit	FY 2017-18 Audit
<b>Personnel</b>	\$15,431,417	\$22,140,885	\$22,990,911
<b>Material and Services</b>	\$4,378,374	\$3,777,604	\$3,883,965
<b>Depreciation</b>	\$1,442,580	\$1,458,984	\$1,386,291
<b>Interest on Debt</b>	\$115,486	\$97,736	\$79,334
<b>Total Expenditures</b>	<b>\$21,367,857</b>	<b>\$27,475,209</b>	<b>\$28,340,501</b>
<b>Net Total</b>	<b>\$6,527,428</b>	<b>\$1,689,591</b>	<b>\$2,347,023</b>

Other sources of revenue for the district include but are not limited to, ambulance service charges, plan check and fire inspection fees, capital grants and contributions, investment earnings, and state and federal reimbursements for mutual aid. The NFPD financials summary can be found in Tables 7-4 and 7-5.

## Debt

The FPD spends approximately \$750,000 per year on debt service including principal and interest payments. Current debt obligations include the administration building mortgage and loan payments for Station 64 construction which was completed in September 2015<sup>54</sup>. As of June 30, 2018, the FPD had approximately \$3,315,000 in outstanding debt which included \$164,000 for a ladder truck that was paid off in FY 2018-19. According to the June 30, 2019 unaudited financial statements, the NFPD has outstanding debt totaling \$2,637,000.

The NFPD also provides a pension plan for employees and is part of the Marin County Employees' Retirement Association (MCERA). MCERA provides retirement, disability, and death benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the NFPD Net Pension Liability was \$15,629,033 which is a decrease of approximately \$2.8 million

<sup>54</sup> Ibid. pg. 9308-12.

from the prior year. The NFPD pension funded ratio is 89.2% which is among the highest ratio for fire districts<sup>55</sup>. In addition to the pension plan, the NFPD provides post-retirement health care benefits to its retirees. For FY 17-18 the NFPD contributed \$1,502,716 to the plan which has 73 active members and 90 inactive employees or beneficiaries that are currently receiving benefit payments.

The NFPD maintains a District credit card with a credit limit of \$175,000. As of July 11, 2018, the available credit was \$164,490. The card balance is typically paid in full every month so that no interest is accrued.

**Table 7-5: NFPD Approved Budget Summary**

<b>Revenues</b>	<b>FY 2016-17 Adopted</b>	<b>FY 2017-18 Adopted</b>	<b>FY 2018-19 Adopted</b>
<b>Property Taxes</b>	\$24,684,811	\$25,839,858	\$26,546,170
<b>Interest</b>	\$16,032	\$34,830	\$68,084
<b>Intergovernmental</b>	\$389,766	\$329,983	\$329,756
<b>Charges for Services</b>	\$2,549,898	\$2,765,678	\$2,352,653
<b>Other</b>	\$686,608	\$433,001	\$1,191,503
<b>Total Revenues</b>	<b>\$28,327,115</b>	<b>\$29,403,350</b>	<b>\$30,488,166</b>
<b>Expenditures</b>	<b>FY 2016-17 Adopted</b>	<b>FY 2017-18 Adopted</b>	<b>FY 2017-18 Adopted</b>
<b>Personnel</b>	\$22,475,443	\$23,741,066	\$25,120,276
<b>Services and Supplies</b>	\$4,001,875	\$4,154,266	\$4,146,723
<b>Debt Service</b>	\$820,500	\$757,300	\$747,300
<b>Total Expenditures</b>	<b>\$27,297,818</b>	<b>\$28,652,632</b>	<b>\$30,014,299</b>
<b>Net Total</b>	<b>\$1,029,297</b>	<b>\$750,718</b>	<b>\$473,867</b>

### Financial Audit

The NFPD contracts with an outside accounting firm, currently Maze & Associates, to prepare an annual report for each fiscal year to review the District’s financial statements in accordance with established governmental accounting standards. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2018.

### Financial Planning/Capital Improvement

The NFPD maintains several designated reserve accounts as shown in Table 7-6. The NFPD also maintains a committed fund that provides contingency funding in situations where actual revenue is 15% or more below expected revenue, or when a state of emergency is declared by the District

<sup>55</sup> Cheiron, MCERA Actuarial Valuation Report as of June 30, 2018.

Board or County of Marin for an area that falls within District boundaries. As of June 30, 2018, the balance for that fund was \$4,199,942.

Table 7-6: NFPD Reserve Funds

Reserve Fund	Balance <sup>56</sup>
EMS Capital Equipment Reserve	\$100,000
Unemployment Insurance	\$35,100
Management Information Systems	\$210,000
Apparatus and Equipment Replacement	\$3,322,000
Facility Capital Improvement	\$500,000
Retirement Unfunded Liability	\$2,110,000
Worker’s Compensation Fund	\$1,038,000
Retiree Health Benefits	\$3,095,594
Wildfire Mitigation Fund	\$738,000
Protective Equipment Reserve	\$180,000
Compensated Absences	\$830,035
<b>Total</b>	<b>\$12,158,729</b>

## 7.8 WILDLAND FIRE PREPAREDNESS

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

The NFPD participated in the Community Wildfire Protection Plan that was released in 2016. This was a collaborative effort among fire agencies in the county, local fire organizations including FIRESafe Marin, land management agencies, and community stakeholders. Through this effort, areas of concern throughout the county were identified based on population, fire behavior, vegetation, and other factors. Additionally, several goals were stated and associated action items were created to better prepare the county for wildland fires. One such goal is to “Increase awareness, knowledge, and actions implemented by individuals and communities to reduce human loss and property damage from wildland fires, such as defensible space and fuels reduction activities, and fire prevention through fire safe building standards”<sup>57</sup>. The NFPD is working towards providing more education to the community about this topic and staffing of the RPM Division would further aid in the implementation of this goal.

<sup>56</sup> Fund balances as of June 30, 2019. Novato Fire Protection District Preliminary Unaudited Financial Statements, Note 7.

<sup>57</sup> Marin County Fire Department and FIRESafe Marin, Community Wildfire Protection Plan, July 2016, Appendix D.

Consistent with the Community Wildfire Protection Plan, the “Lessons Learned from North Bay Fire Siege” report, and the 2019 “Marin Civil Grand Jury Report on Wildfire Preparedness,” stress the importance of a countywide, multi-agency approach to better protect county residents. The deadliest and most destructive wildfires in the state’s history have occurred in recent years, and Marin’s wildlands and lush vegetation leave the Novato region particularly vulnerable. Given the changing climate and increased risk of wildfires, NFPD has been partnering with FIRESafe Marin, fire agencies, the county, and cities and towns in Marin to develop a countywide Wildfire Prevention program and authority to coordinate and oversee the ongoing programs to make the community safer and better prepared.

A countywide coalition that includes the cooperation of all Marin fire and city/town agencies and the county has proposed a new joint powers agreement (JPA) and funding measure that would raise approximately \$21 million per year dedicated to local wildfire prevention. The JPA agreement would consist of local fire agencies, cities and towns, and the County. The mission of the Marin Wildfire Prevention Authority would be to fund and oversee the following efforts:

- Wildfire detection and evacuation system improvements
- Vegetation management and fire hazard reduction
- Defensible space and home hardening evaluations
- Public education and neighborhood wildfire preparedness
- Local specific wildfire prevention efforts

The NFPD will continue to work with the other partner agencies to ensure the highest level of safety and service for residents within Marin County.

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## 8.0 BEL MARIN KEYS COMMUNITY SERVICE DISTRICT

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### 8.1 OVERVIEW

The Bel Marin Keys Community Services District (CSD) is located in the southeast Novato region between Highway 37 and Highway 101 and is accessed by Bel Marin Keys Boulevard. Within the westerly portion of the CSD is a unique community with lagoons that provides water access and recreation to Bel Marin Keys residents. It also maintains two locks that provide access to Novato Creek which flows into San Pablo Bay. The easterly portion of the CSD is California State Coastal Conservancy land with San Pablo Bay frontage that is pwine

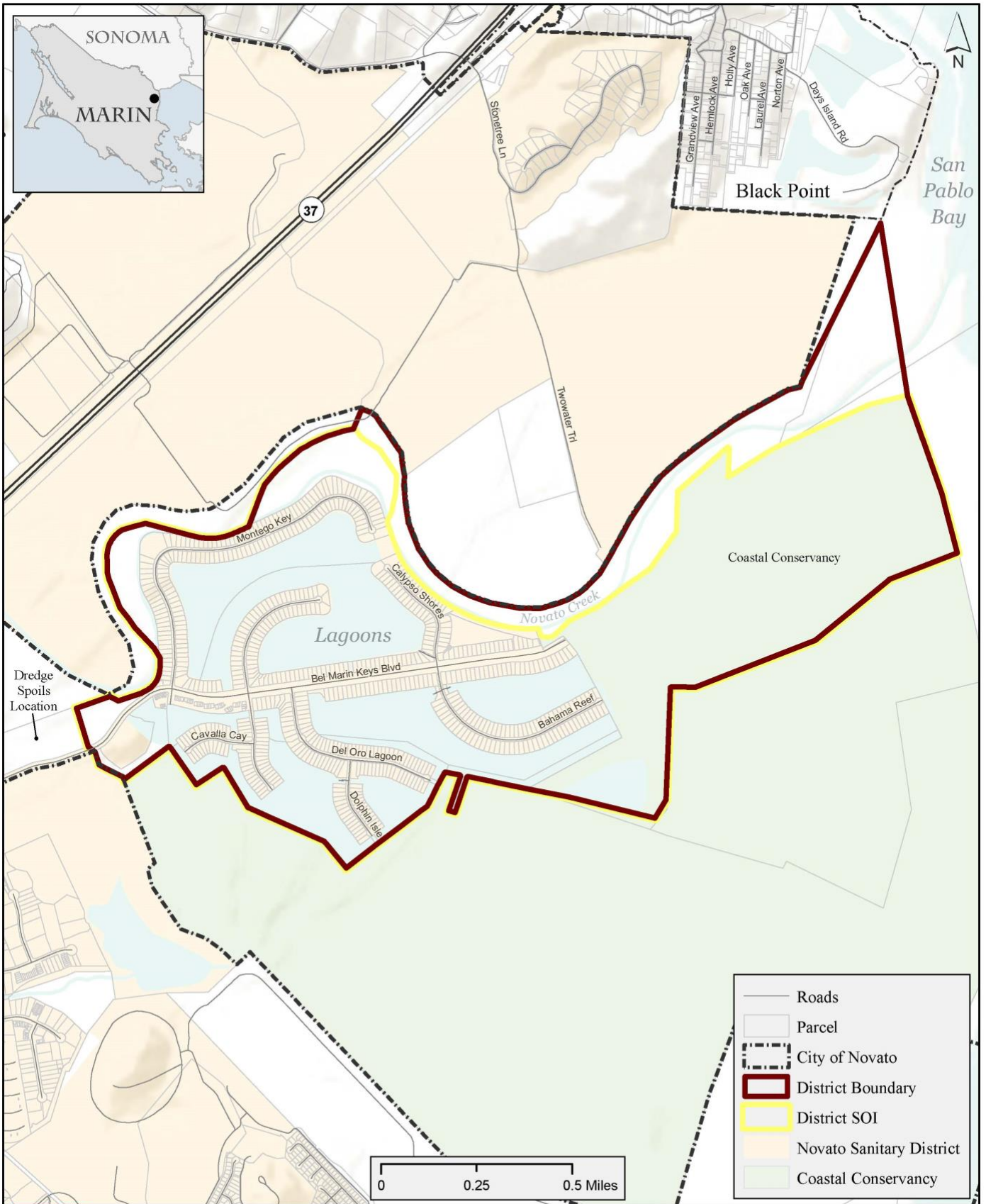
of the larger Hamilton Wetlands Restoration effort.

Table 8-1: Bel Marin Keys CSD Overview

Bel Marin Keys CSD			
<b>Primary Contact</b>	Noemi Camargo-Martinez	<b>Phone</b>	(415) 883-4222
<b>Office Location:</b>	4 Montego Key, Novato, CA 94949		
<b>Formation Date</b>	1961		
<b>Services Provided</b>	Lagoon Maintenance (including marine infrastructure and dredging), Public Facilities, Parks and Recreation (Open Space), Flood Protection Facilities, Street Lighting		
<b>Service Area</b>	4 sq. mi.	<b>Population Served</b>	1,530

The CSD provides a multitude of community services either directly or through contracts. Services and facilities include, but are not limited to, Novato Creek maintenance dredging, north and south lagoon maintenance, maintenance and operation of marine infrastructure assets, operation of a community center complete with kitchen and bar, four boat ramps of which three can be accessed by residents, eight parks, six open space areas, two islands, and street lighting maintenance. Water, wastewater, and fire services are provided by other agencies.

Services and facilities listed above require planning, budgeting, and in some cases permitting. Major projects such as levee maintenance and dredging require coordination with several agencies and stakeholders to ensure compliance with state and federal regulations. The CSD manages these projects and regular maintenance activities with a small staff and contract management services.

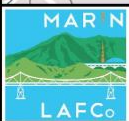
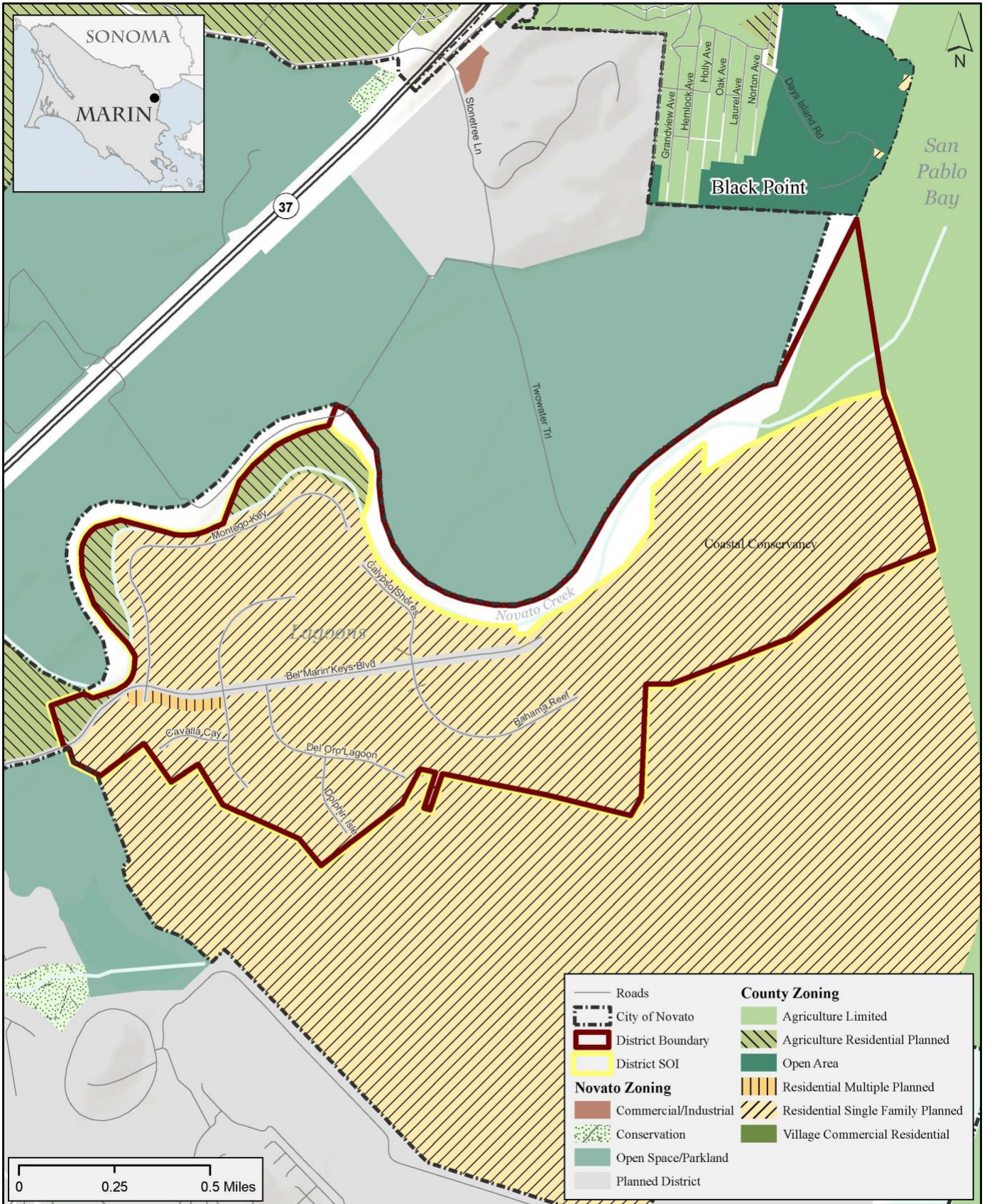


# Bel Marin Keys Community Services District

Figure 8-1

Date: 6/24/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.



# Bel Marin Keys Community Services District

Figure 8-2

Date: 6/21/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.

## **8.2 FORMATION AND DEVELOPMENT**

Bel Marin Keys CSD was formed in 1961 to provide services for the new Bel Marin Keys housing development. Basic infrastructure was purchased by Marin County, after construction by the developer, using proceeds from the sale of serial bonds<sup>58,59</sup>. Once initial construction of infrastructure was completed, certain systems were conveyed from the County to the appropriate agency. Lagoons were transferred to the CSD, the water supply system was transferred to the North Marin Water District and the sewer system was transferred to the Novato Sanitary District<sup>60</sup>.

In 1980, approximately 90 acres to the south of the original CSD was annexed for the development of Bel Marin Keys Unit IV. There were plans to develop additional land to the south and east as Bel Marin Keys Unit V. However, after years of deliberation, the parcels were purchased by the California State Coastal Conservancy and are now part of a greater wetland restoration effort taking place in the region.

## **8.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

Bel Marin Keys CSD's jurisdictional boundary is larger than its current sphere of influence. The boundary includes the Bel Marin Keys housing development, portions of Novato Creek, and California State Coastal Conservancy lands bordering San Pablo Bay. The boundary encompasses a total of 990 acres and the SOI encompasses a total of 855 acres.

## **8.4 POPULATION AND GROWTH**

Bel Marin Keys is located in Census Blocks 1001, 1001, 1005, and 1006 of Tract 1043 in Marin County. According to the 2010 US Census, these blocks had a total population of 1,530. Since the sale of Bel Marin Keys V to the California Coastal Conservancy, there is no longer potential for further development in the area.

## **8.5 MUNICIPAL SERVICES**

The CSD currently provides several services to the community including lagoon maintenance, marine infrastructure operation and maintenance, dredging, and parks and recreation. The CSD also owns and maintains a community center equipped with a full kitchen, bathrooms, and a bar. Additionally, the CSD provides street lighting through a contract with DC Electric.

### **Lagoon Maintenance**

After initial waterways construction by developers, the lagoons were turned over to the CSD for management and maintenance. Waterways are tested for pathogens, in accordance with County of Marin Recreational Standards, once a month typically when a lagoon flushing event occurs. The lagoons are mechanically maintained at prescribed set water elevations and water quality is maintained by exchanging water (flushing) to and from Novato Creek. A flushing schedule is

<sup>58</sup> Marin County Board of Supervisors, Resolution 6981, October 24, 1961.

<sup>59</sup> Marin County Board of Supervisors, Resolution 6980, October 24, 1961.

<sup>60</sup> Ibid.



posted in the quarterly newsletter and signs are posted at the navigation locks to advise residents not to enter waters near the lock areas when flushing is occurring. Additional lagoon maintenance includes monthly inspection of buoys, regular inspection of the CSD's four boat ramps, debris removal, aquatic vegetation control, CSD dock inspections, and easement compliance along with other water-related maintenance items.

There are two navigation locks owned and maintained by the CSD. The south lock was originally built in 1985 and the north lock was built in 1974. These locks maintain and allow for lagoon water level management within the CSD while providing residents Novato Creek access. They also assist with seasonal flood control. The locks are operated by a controlled access system that residents receive after going through training on how to use the system.

In addition to lagoon maintenance, the CSD surveys Novato Creek performs debris removal in the creek and has previously conducted dredging to maintain adequate navigational depths and removal accreted materials from flood control structures.

The CSD also maintains the levee surrounding the south lagoon which is an 11,000-foot-long levee owned by the California State Coastal Conservancy (SCC) and bordering SCC land known as BMK V. The BMK V development was originally going to provide tax income for south levee maintenance. Now that the SCC owns the land, there is no revenue to support this maintenance. The CSD is currently working with the SCC to address levee improvement funding specific to cost incurred by the CSD. There is a project scheduled to be undertaken by the SCC in summer 2019<sup>61</sup> on the BMK V parcel.

## Dredging

The CSD is responsible for dredging areas of the Bel Marin Keys lagoons and Novato Creek for water quality, flood control, and watercraft access. Maintenance dredging as undertaken requires planning, financing, permitting, dredging, and dredge material placement.

### *Planning*

The last dredging event conducted by the CSD in Novato Creek was in 2005. The last dredging of the north lagoon was conducted in 2007. There are areas within the north lagoon that have a propensity for sediment accretion and as such, the CSD monitors and will conduct maintenance dredging as needed and budgets allow. Novato Creek is ideally dredged on a 20-year cycle although there is no specific funding for this<sup>62</sup>.

A detailed October 2017 hydrographic survey mapped the Novato Creek channel with contours and comparisons to December 2013 and July 2016 hydrographic surveys to depict channel

<sup>61</sup> California State Coastal Conservancy, Projects, San Francisco Bay Area: <https://scc.ca.gov/projects/san-francisco-bay/>.

<sup>62</sup> Personal Communication, Noemi Camargo-Martinez – District Manager, June 3, 2019 and June 19, 2019.

changes. The 2017 survey results provide information on where future dredging activities may need to take place<sup>63</sup>.

### *Financing*

The District funds dredging activities for the lagoons through Measure D that was passed in 2001 and is discussed in further detail under Finances. Planned 2019 dredging activities include portions of Novato Creek around flood control structures which will be funded by Measure D. Other creek areas are currently not funded through Measure D. The last Novato Creek channel dredging, completed in 2005, was funded through bond Measure F which is also discussed below.

### *Permitting*

In 2017 the CSD applied to the US Army Corps of Engineers for a 10-year maintenance dredging permit that included North Lagoon and portions of Novato Creek. The CSD is still operating under this permit and continues to work with other regulatory agencies such as the San Francisco Bay Regional Water Quality Control Board and the San Francisco Bay Conservation and Development Commission.

### *Dredging Activities*

The CSD procures dredging services under public contracting guidelines as discussed under Contracting below. Prior dredging, summarized in Table 8-2, has utilized hydraulic dredge methods to remove build-up sediment. The dredged material is then pumped through a slurry pipeline and deposited at the nearby disposal site discussed below<sup>64</sup>.

**Table 8-2: Bel Marin Keys Dredging History**

<b>Year</b>	<b>Location</b>	<b>Approximate Volume (cubic yards)</b>
<b>1985</b>	Novato Creek	40,000
<b>2001</b>	North Lagoon	15,000
<b>2005</b>	Novato Creek	100,000
<b>2007</b>	North Lagoon	220,000

### *Dredge Disposal*

Dredged material from both the lagoons and the creek has been deposited on a 22-acre parcel owned and operated by the CSD to the west of Bel Marin Keys permitted as a Dredged Materials Management Site (DMMS)<sup>65</sup>. The DMMS is adjacent to and runs along the north edge of Bel Marin Keys Boulevard across from Pacheco Pond. This parcel is outside of the CSD boundary.

<sup>63</sup> CLE Engineering, Novato Creek Condition Hydrographic Survey- October 2017, January 5, 2018.

<sup>64</sup> US Army Corps of Engineers, San Francisco District, SPN-2006-22397N Bel Marin Keys Maintenance Dredging, June 9, 2017.

<sup>65</sup> Ibid.

## Parks and Recreation

The CSD owns 37 parcels within its boundary, many of which are maintained as park or open space areas. There are currently eight parks, six open space areas, and two islands. In 2012 county voters approved a sales tax (Measure A) to help fund park and recreation improvements in Marin County. The CSD receives an apportionment of those tax funds for Bel Marin Keys park and open space improvements.

The CSD held a community meeting to identify priority areas for Measure A funding and developed a timeline of improvements for many of the parks. The highest priority park identified by the community meeting was Montego Park. Residents indicated that a new multipurpose court and bocce ball course were desired. Replacement of existing tennis courts was completed in 2018 and other park and open space facilities will continue to be upgraded as funds become available.

The CSD offers play equipment in several park areas and has recently expanded its All Ages Fitness areas. These areas offer workout stations that include sit-up stations, chin-up bars, cycling, and other equipment to help promote fitness for all ages and abilities.

A continuing issue with park facilities, including Montego Park, is drainage. Flooding occurs in areas during high rainfall and limits accessibility to park facilities. The CSD has utilized pumps in the past to keep park areas free of water and is currently working on drainage upgrades that will provide a long-term solution to flooding issues.

Park and other landscaped areas are maintained through a contract with an outside company. The annual cost of landscaping in the CSD is approximately \$60,000. Additional areas maintained by the CSD include a moat, two front entry areas, a parking lot, two offices, and a community center.

## 8.6 ORGANIZATIONAL STRUCTURE

### Board of Directors

Bel Marin Keys was formed as an independent special district and maintains a five-member Board of Directors elected to serve four-year terms. A current list of Board members is provided below in Table 8-3. Board members receive compensation of \$100 per meeting for their participation.

Table 8-3: Bel Marin Keys Board of Supervisors

Member	Position	Experience	Term
Vince Lattanzio	President	Landscape Design	2022
Darrick T. Chase	Vice-President	Family Law	2020
Mark Montobbio	Director	Law	2022
Mercy Angelopulos	Director	Technical Communications	2020
Cheryl Furst	Director	Business Management	2020

## **Staffing and District Operations**

The CSD has one full-time staff member and one part-time staff member. Other staffing services, including a waterways manager, is provided by contract through Foth-CLE Engineering Group, LLC that is renewed every five years. Annual contract services are approximately \$120,000 for waterways management, \$100,000 for engineering and permitting, and \$20,000 for parks design and engineering.

## **8.7 ACCOUNTABILITY AND TRANSPARENCY**

### **Meetings and Agendas**

Board meetings are held the third Thursday of every month at the Community Center at 4 Montego Key in Novato. Board meeting agendas and minutes are posted on the CSD website for public access (<http://www.bmkcsd.us/agendas>).

### **Annual Budget Review**

The CSD provides an annual budget to the Board for review and consideration. Separate budgets are prepared for the general obligation fund and Measure D funds. The CSD has a Measure D oversight subcommittee that meets semi-annually to accurately track and report the revenue and expenditures for Measure D which is specifically for lagoon maintenance. Separate reporting is conducted on Measure A in accordance with Marin County requirements. An independent financial auditor conducts an annual audit of the CSD's financial statements. The last audit, by R.J. Ricciardi, Inc., was conducted for the fiscal year ending June 30, 2018. Budgets and audits can be found on the CSD's website.

## **8.8 FINANCIAL OVERVIEW**

Bel Marin Keys CSD is funded through a portion of the ad valorem property tax for properties served, two bond measures, and one parcel tax passed by voters in the CSD. Primary expenditures are for lagoons, marine infrastructure, Novato Creek, and park maintenance. See Table 8-4 for District revenues and expenses. Notably, in Fiscal Year 2017-18, the District had a significant increase in expenses. This is attributed to several unexpected capital outlay expenses for a culvert replacement and new tennis court. Such expenditures are not expected to be an annual occurrence in the future.

### **Revenues**

The main source of revenue for the CSD is a portion of the ad valorem property tax collected and distributed by the County of Marin, special taxes, and bond measures (Measures A, D, E, & F) approved by voters living in the CSD boundary, or in the case of Measure A, the county. Taxes account for 99% of the CSD revenues with the other 1% coming from investment income and other revenue.

Measure A is a countywide measure that was approved by voters in 2012 and applies a one-quarter cent sales tax in order to fund county park areas<sup>66</sup>. Once passed, the measure would be effective for nine (9) years making the sunset date November 2021. The CSD receives a portion of this tax to fund maintenance and improvements to park areas. In FY 2017-18 the total revenue from Measure A was \$57,461.

Measure D was passed by voters in November 2001 and levies a Parcel Tax that increases at a rate of 2% every year with no sunset date to provide regular long-term revenue for the CSD. This tax is to be used for operation and maintenance of the CSD's marine facilities<sup>67</sup>. In FY 2017-18 the total revenue from Measure D was \$481,488.

Measure E was passed by voters in November 2001 and allowed for the issuance of \$2,600,000 in special tax bonds to finance improvements to the CSD's shared and public marine facilities for Community Facilities District No. 2001-1 (Marine Facilities Improvements). The bonds are to be repaid by a special tax levied on properties in CFD No. 2001-1 that is not to exceed \$385 per parcel<sup>68</sup>. In FY 2017-18 the total revenue from Measure E was \$227,643 which was then passed through for loan payments. Once the bond refinancing loan is repaid, the special tax will no longer be levied.

Measure F was passed by voters in November 2001 and allowed for the issuance of \$5,600,000 in special tax bonds to finance improvements to the CSD's marine facilities for CFD No. 2001-2 (Dredging and Marine Improvements). More specifically, the bonds funded dredging of lagoons and Novato Creek, training walls in Novato Creek, water circulation system upgrades, and necessary extensions of private and public docks and piers. The bonds are to be repaid by a special tax levied on properties in CFD No. 2001-2 according to their area designation. Maximum annual tax rates range from \$330 to \$1,131<sup>69</sup>. In FY 2017-18 the total revenue from Measure F was \$455,495 which was then passed through for loan payments. Once the bond refinancing loan is repaid, the special tax will no longer be levied.

<sup>66</sup> County of Marin, Past Elections Results and Information, November 6, 2012, Ballot Measure A.

<sup>67</sup> County of Marin, Past Elections Results and Information, November 6, 2001, Ballot Measure D.

<sup>68</sup> Ibid, Ballot Measure E.

<sup>69</sup> Ibid, Ballot Measure F.

Table 8-4: Bel Marin Keys CSD Financial Audit Summary

Revenues	FY 2015-16 Actuals	FY 2016-17 Actuals	FY 2017-18 Actuals
<b>General Fund</b>	\$506,039	\$521,319	\$543,639
<b>Measure A</b>	\$53,351	\$81,480	\$57,461
<b>Measure D</b>	\$469,739	\$476,631	\$493,324
<b>Measure E and F</b>	\$686,274	\$686,218	\$683,351
<b>Total Revenues</b>	<b>\$1,715,403</b>	<b>\$1,765,648</b>	<b>\$1,777,775</b>
Expenditures	FY 2015-16 Actuals	FY 2016-17 Actuals	FY 2017-18 Actuals
<b>Measure A</b>	\$36,835	\$31,071	\$78,709
<b>Measure D</b>	\$126,970	\$153,999	\$148,961
<b>Loan Payments</b>	\$639,761	\$639,764	\$639,761
<b>Projects I and II</b>	\$182,564	\$92,159	\$126,609
<b>Maintenance</b>	\$237,206	\$405,031	\$269,190
<b>Capital Outlay</b>	\$51,696	\$50,825	\$562,736
<b>Other</b>	\$340,479	\$303,293	\$323,964
<b>Total Expenditures</b>	<b>\$1,615,511</b>	<b>\$1,676,142</b>	<b>\$2,149,930</b>
<b>Net Total</b>	<b>\$99,892</b>	<b>\$89,506</b>	<b>(\$372,155)</b>

Measures D, E, And F were all proposed and passed in 2001 in order to provide needed funding for the CSD. Prior to these measures, there was not enough revenue to cover rising maintenance activities costs. Measure D now provides a long-term source of income for maintenance activities including water testing, lock maintenance, maintenance dredging, and annual management of the waterways. Measures E and F provided bond funding for large capital improvement projects and major dredging that was needed at the time. For FY 2017-18 Measure D taxes were \$686.38 per parcel, Measure E taxes were \$350.76 per parcel, and Measure F taxes ranged from \$287.26 to \$984.52 per parcel depending on location<sup>70</sup>. The total CSD taxes for these measures totaled \$1,321.40 to \$2,021.66. This does not include basic property tax or Measure A estimates.

<sup>70</sup> County of Marin, Department of Finance, Property Tax Bill Tax Roll Year 2017-18, <https://apps.marincounty.org/TaxBillOnline>.

Table 8-5: Bel Marin Keys CSD Budget Summary

Revenues	FY 2016-17 Adopted Budget	FY 2017-18 Adopted Budget	FY 2018-19 Adopted Budget
<b>Operating</b>	\$400,120	\$410,120	\$466,720
<b>Capital Improvement</b>	\$-	\$365,000	\$160,000
<b>Measure D</b>	\$450,235	\$468,971	\$481,000
<b>Total Revenues</b>	<b>\$850,355</b>	<b>\$1,244,091</b>	<b>\$1,107,720</b>
Expenditures	FY 2016-17 Adopted Budget	FY 2017-18 Adopted Budget	FY 2018-19 Adopted Budget
<b>Maintenance</b>	\$120,400	\$122,200	\$202,040
<b>Payroll Expenses*</b>	\$138,096	\$137,206	\$156,718
<b>Professional Fees</b>	\$38,700	\$39,200	\$37,500
<b>Utilities</b>	\$27,376	\$28,156	\$29,536
<b>General Operating</b>			
<b>Capital Improvement</b>	\$-	\$365,000	\$128,000
<b>Measure D</b>	\$262,000	\$236,614	\$244,050
<b>Other</b>	\$64,458	\$63,632	\$26,734
<b>Total Expenditures</b>	<b>\$651,030</b>	<b>\$992,008</b>	<b>\$824,578</b>
<b>Net Total</b>	<b>\$199,325</b>	<b>\$252,083</b>	<b>\$283,142</b>

\*This includes employee benefits and director fees.

## Debt

The CSD has a long-term lease-finance agreement with PG&E with a loan balance of \$19,084 as of June 30, 2018, and two commercial loans with the Bank of Marin to re-finance Measure E and F Special Tax bonds. Those loans had a combined balance of \$2,698,165 as of June 30, 2018.

## Contracting

The CSD participates in the California Uniform Public Construction Cost Accounting Program. Under this program, the CSD maintains an Informal Bid List of contracts that receive notices on projects taking place within the CSD. This program allows for contracting flexibility that eases costs to the CSD while still maintaining a competitive bid process.

## Long-term Planning

The CSD is currently preparing a Capital Improvement Plan which is set to be finalized by Fall 2019. This plan will identify priority needs for the CSD and provide a schedule of improvements for several fiscal years allowing the CSD to plan ahead for future improvements.

## 8.9 SUSTAINABILITY

Bel Marin Keys has been working with residents on sustainable practices for both land and water. Community groups come together to help reduce household carbon footprints and the CSD has offered Clean and Green Boating seminars. Boating seminars include education of effective spill cleanup, safe fueling practices, reducing marine debris and proper sewage disposal.

Neighborhood groups have also worked with other organizations including the Greenbelt Alliance, Marin Conservation League, and Sierra Club to gain voter approval on laws that limit urban sprawl and maintain open spaces for community benefit.

Flooding remains an important issue to the CSD as high spring rain levels have caused levee breaches in adjacent neighboring parcels. The CSD will continue to work with other local agencies in order to identify critical needs and conduct flood control projects.



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## 9.0 COUNTY SERVICE AREA NO. 1 (LOMA VERDE)

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### 9.1 OVERVIEW

CSA No. 1 is located south of Ignacio Boulevard as shown in Figure 9-1. The northerly developed Loma Verde neighborhood and Loma Verde Elementary School portions are unincorporated and the southerly Loma Verde Preserve portion is in the City of Novato. The neighborhood, which is completely surrounded by the City of Novato, is made up of mostly single-family homes with some apartments and townhomes. The main roads through the CSA are Alameda De La Loma which runs east and west, and Alameda Del Prado that runs parallel to Highway 101.

The CSA provides street light maintenance throughout the unincorporated area through a contract administered by the Marin General Services Authority, meridian maintenance along Alameda Del Prado, and has acquired open space for the county.

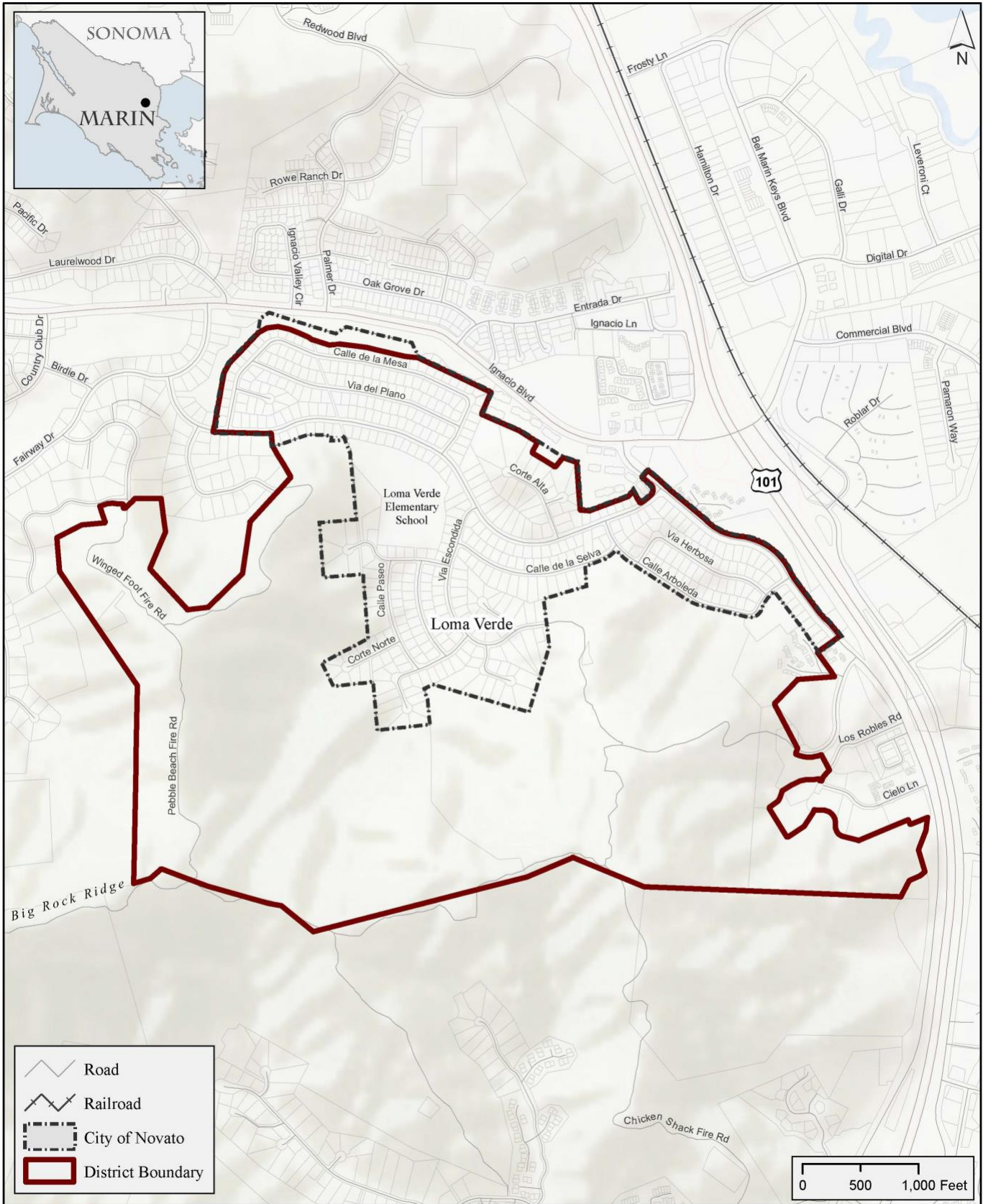
Table 9-1: CSA No. 1 Overview

CSA No. 6 – Loma Verde			
<b>Primary Contact</b>	Michael Frost – Deputy Director of Public Works		
<b>Phone</b>	(415) 473-3725	<b>Email</b>	mfrost@marincounty.org
<b>Office Location</b>	3501 Civic Center Drive, San Rafael, CA 94903		
<b>Formation Date</b>	1956		
<b>Services Provided</b>	Meridian Maintenance, Lighting, Open Space Street		
<b>Service Area</b>	503 acres		

### 9.2 FORMATION AND DEVELOPMENT

CSA No. 1 was formed by Marin County Board Resolution No. 4294 on January 1956 in order to provide County services to the area. Upon formation, no designation of specific services was made. In later years, specific resolutions were made to define services as lighting and parkway maintenance. In 1974 additional parcels were annexed to the CSA in order to provide open space for the community. This land acquisition was funded by the sale of bonds that were repaid by a special tax levied on properties within the CSA. Bonds were originally set to mature no later than 1995, at which point taxes would no longer be collected for bond repayment<sup>71</sup>.

<sup>71</sup> Marin County Board of Supervisors, Resolution No. 75-74, March 18, 1975.

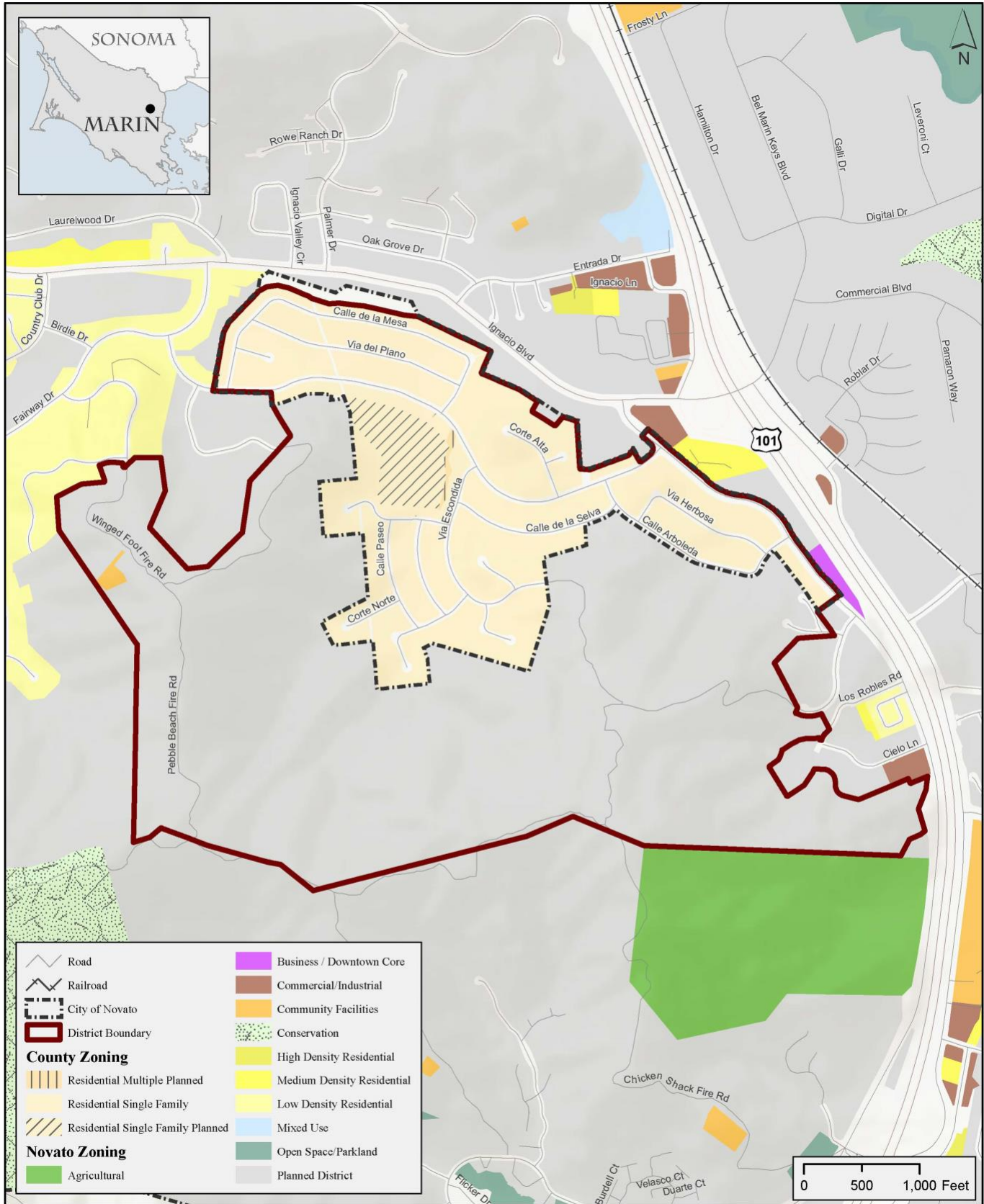


# CSA No. 1 - Loma Verde

Figure 9-1

Date: 6/25/2019

Sources: Boundaries, Roads, Parcels: Marin Map GIS.



## CSA No. 1 - Loma Verde Zoning

Figure 9-2

Sources: Boundaries, Roads, Parcels: Marin Map GIS.

### 9.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

CSA No. 1’s jurisdictional boundary encompasses approximately 503 acres, a portion of which is within the Novato city boundary. The sphere of influence is coterminous. The original boundary encompassed only the Loma Verde neighborhood. In 1974, approximately 100 acres of land, now known as the Loma Verde Preserve, was annexed to the CSA for open space land acquisition and management. At the same time, the open space land was annexed, the original CSA boundary was designated as a CSA improvement district where taxes could be levied for services provided<sup>72</sup>.

The Loma Verde neighborhood and elementary school are not part of the City of Novato. However, the surrounding open space is within the City. Land use in and around the CSA is primarily Open Space Low-Density Residential and public facility for the elementary school site.

### 9.4 MUNICIPAL SERVICES

#### Street Lighting and Maintenance

The County contracts with a private landscaping firm that provides services for many different areas in the region. Included in this larger contract is a small portion for landscaping maintenance of Alameda Del Prado in CSA No. 1. From Ignacio Boulevard to Posada Del Sol there is a meridian down Alameda Del Prado with trees, shrubs, and flowering plants that require regular maintenance. A maintenance schedule summary is provided below in Table 9-2.

Table 9-2: Summary of Maintenance Frequency for CSA No. 1

Maintenance Activity	Weekly	Monthly	Quarterly	Bi-Annually	Annually	As Needed
Irrigation (Mar-Oct)	X					
Fertilization					X	
Pruning					X	
Pest/Weed Control						X
Litter/Trash Removal	X					X
Curb and Gutter Cleaning						X
Irrigation System Inspection (Apr-Oct)		X				

There are approximately 101 street lights in CSA No. 1 maintained as part of the Marin County Street Light network through a county contract with DC Electric that is funded and administered by the Marin General Service Authority. The original contract was entered into in August 2015 and is renewed annually. Under this contract, lights are replaced every five years or more

<sup>72</sup> Marin County Board of Supervisors, Resolution No. 74-129, May 7, 1974.

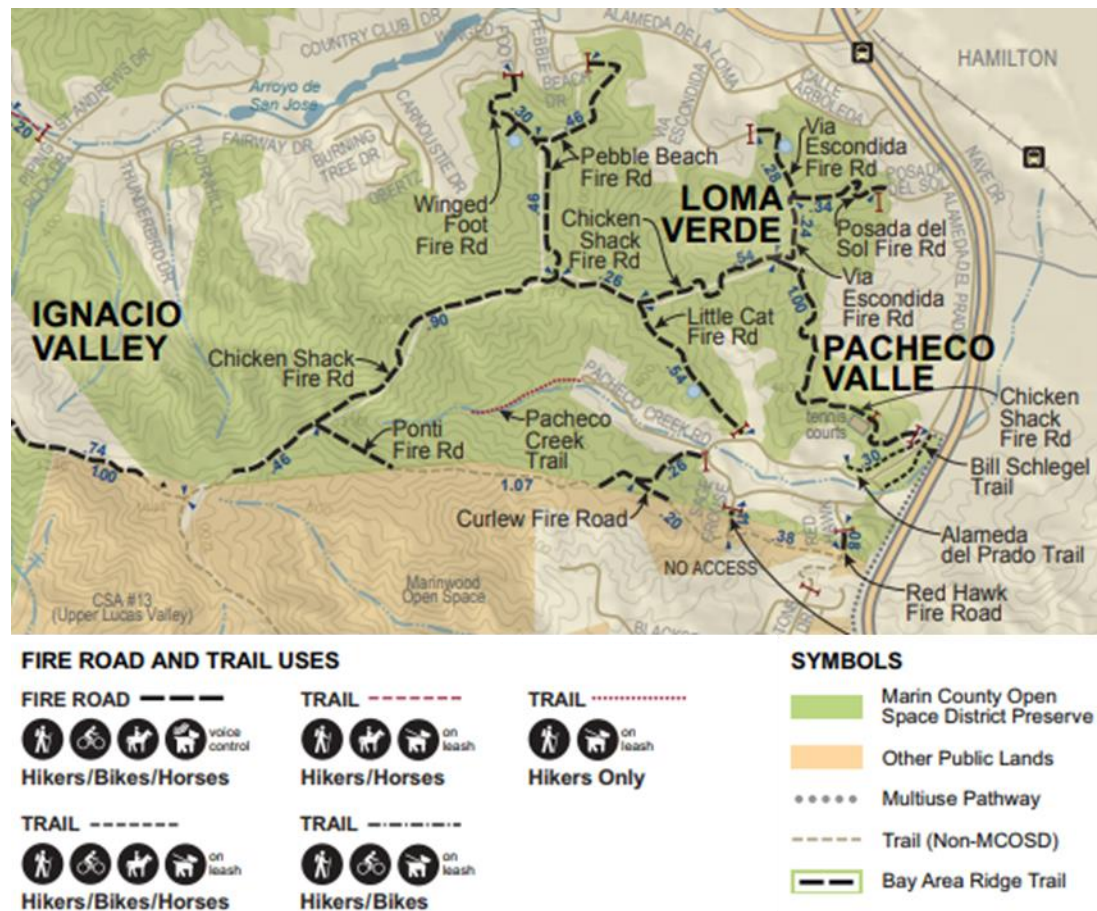
frequently as needed. Other street maintenance is overseen by the County Department of Public Works.

### Recreation (Open Space Acquisition)

Loma Verde Preserve is south of the Loma Verde neighborhood. The preserve covers the northeast slope of Big Rock Ridge and offers dog-friendly hiking and horseback riding. It can be accessed at several points in CSA No. 1 including Pebble Beach Drive, Winged Foot Drive, Via Escondida, and Posada Del Sol. Many other footpaths also lead off of neighborhood streets into the preserve.

As discussed previously, the preserve was purchased with bond funds through CSA No. 1. It is approximately 100 acres in size and adjoins Ignacio Valley, Pacheco Valle, and Marinwood to provide large contiguous open space access for area residents. The Marin County Department of Parks and Open Space now manages the Loma Verde preserve as part of its open space system. A map of the preserve and connecting trails is provided in Figure 9-3.

Figure 9-3: Loma Verde Open Space Preserve Map<sup>73</sup>



<sup>73</sup> Marin County Department of Parks and Open Space, Loma Verde Preserve Map, February 27, 2019.

## 9.5 ORGANIZATIONAL STRUCTURE

### Board of Directors

CSA No. 1 was formed as a dependent special district with the Marin County Board of Supervisors as its governing body. The five county supervisors are elected to four-year terms of office with no term limits. Government Code Section (25212) grants the Board of Supervisors rights and powers to administer service areas.

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

Table 9-3: County of Marin Board of Supervisors

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

### Staffing and District Operations

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

CSA No. 1 is primarily managed by the Department of Public Works which oversees the street lighting contract which is primarily held by the Marin General Services Authority. The Department of Parks and Open Space manages the meridian maintenance contract and the open space is managed as part of the county's broader open space program.

## **9.6 ACCOUNTABILITY AND TRANSPARENCY**

### **Meetings and Agendas**

The Board of Supervisors meeting agendas, minutes, and recordings can be found online on the Marin County website. Board documents such as resolutions and ordinances can also be found on the Board of Supervisors page of Marin County's website.

### **Annual Budget Review**

The County of Marin contracts with an independent financial auditor, Clifton Larson Allen, to conduct an annual financial report. CSA No. 1 is included in the report under the Budgetary Comparison Schedule for County Service Areas Fund. The latest audit was prepared for the year ending June 30, 2018.

Every year the County Department of Public Works develops a CSA budget and presents it to the Board of Supervisors for review and approval. It is based on prior years' expenses and anticipated upcoming fiscal year infrastructure upgrades and maintenance costs.

## **9.7 FINANCIAL OVERVIEW**

CSA No. 1 is funded through a portion of the ad valorem property tax for properties served. Properties taxed are those within the original CSA boundary which was designated an improvement district of the CSA in 1974<sup>74</sup>. The taxes collected are solely for meridian maintenance. The open space portion of the CSA receives funding and management through the County Department of Parks and Open Space. Street lighting is funded by the Marin General Services Authority.

Maintenance of the Alameda Del Prado meridian costs the CSA approximately \$982 per month (\$11,784 per year) depending on monthly service activities. This is a small portion of the approximately \$26,433 monthly County landscaping contract <sup>75</sup>. All other CSA activities are funded by other county sources including the Marin General Services Authority and the Marin County Department of Parks and Open Space. This allows the CSA to grow and maintain a healthy fund balance that can be used for emergency repairs or other unforeseen costs as needed.

<sup>74</sup> Marin County Board of Supervisors, Resolution No. 74-129, May 7, 1974.

<sup>75</sup> Gardeners' Guild, County of Marin – Parks, Open Spaces & Cultural Services Landscape Maintenance, May 2019 Invoice.

Table 9-4: CSA No. 1 Financial Summary

Revenues	FY 2016-17 Actuals	FY 2017-18 Estimated	FY 2018-19 Adopted Budget
<b>Current Secured Property Tax</b>	\$41,519	\$43,276	\$34,136
<b>Use of Money and Property</b>	\$1,566	\$3,474	\$261
<b>Intergovernmental Revenues</b>	\$197	\$196	\$205
<b>Total Revenues</b>	<b>\$43,282</b>	<b>\$46,946</b>	<b>\$34,602</b>
Expenditures	FY 2016-17 Actuals	FY 2017-18 Estimated	FY 2018-19 Adopted Budget
<b>Services and Supplies</b>	\$1,016	\$3,120	\$70,500
<b>Interfund Expense</b>	\$7,298	\$7,497	\$7,080
<b>Total Expenditures</b>	<b>\$8,314</b>	<b>\$10,617</b>	<b>\$77,580</b>
<b>Net Total</b>	<b>\$34,968</b>	<b>\$36,329</b>	<b>(\$42,978)</b>
<b>Fund Balance (Start of FY)<sup>76</sup></b>	<b>\$274,532</b>	<b>\$309,521</b>	<b>\$345,851</b>

### Sustainability

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. CSA No. 1 provides ample open space for community residents to enjoy and utilizes water-efficient landscaping to reduce municipal water consumption. In addition, street lights were updated to LED lights in 2011 to decrease CSA and county energy usage.

<sup>76</sup> Frost, Michael – Department of Public Works, Personal Communication, June 25, 2019.



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## 10.0 COUNTY SERVICE AREA NO. 20 (INDIAN VALLEY)

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### 10.1 OVERVIEW

CSA No. 20 is located in the southwest Novato region and provides open space-related services. It encompasses over 7 square miles of both incorporated and unincorporated territory that includes the Indian Valley and Ignacio Valley Open Space Preserves which are managed by the Marin County Department of Parks and Open Space.

The CSA conducts special projects in open space areas within the CSA boundary. This includes improved trails, access, and wildland fire prevention measures for the Marin County Club and Indian Valley communities.

Table 10-1: CSA No. 20 Overview

CSA No. 20 – Indian Valley	
<b>Primary Contact</b>	Jim Chayka, Superintendent Marin County Parks
<b>Phone</b>	(415) 473-3639
<b>Office Location:</b>	Marin County Parks, 3501 Civic Center Drive, #260, San Rafael, CA 94903
<b>Formation Date</b>	1974
<b>Services Provided</b>	Parks and Recreation (Open Space Services)
<b>Service Area</b>	4,620 acres (7.2 miles)

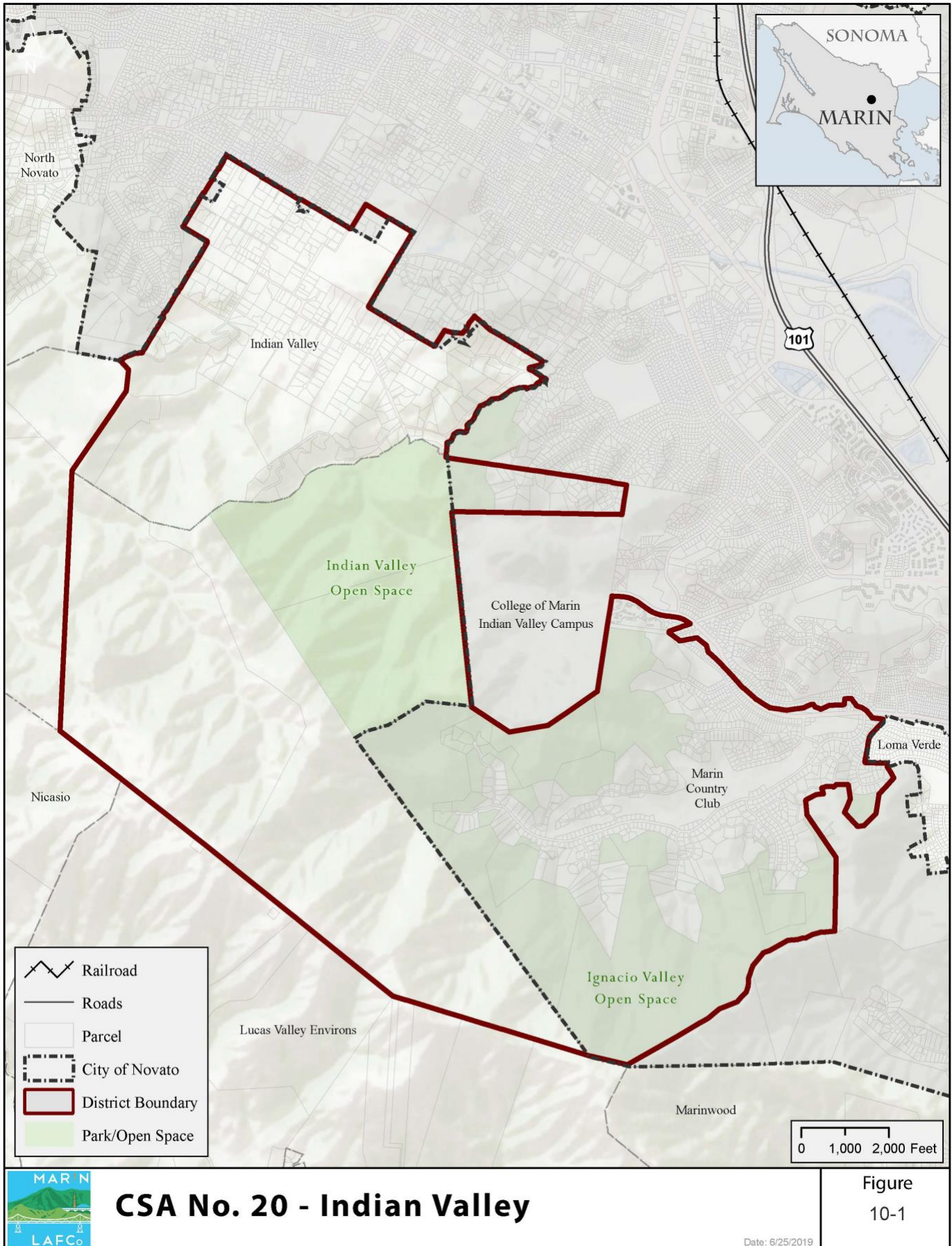
### 10.2 FORMATION AND DEVELOPMENT

CSA No. 20 was formed by Board Resolution 74-371 in November 1974. The types of services designated by the Board at the time of formation were “Local park and recreation facilities and services”. The CSA was partially funded by a bond in 1975 for the acquisition of 1,300 acres. The bonds were scheduled to be paid in full by 1995<sup>77</sup>.

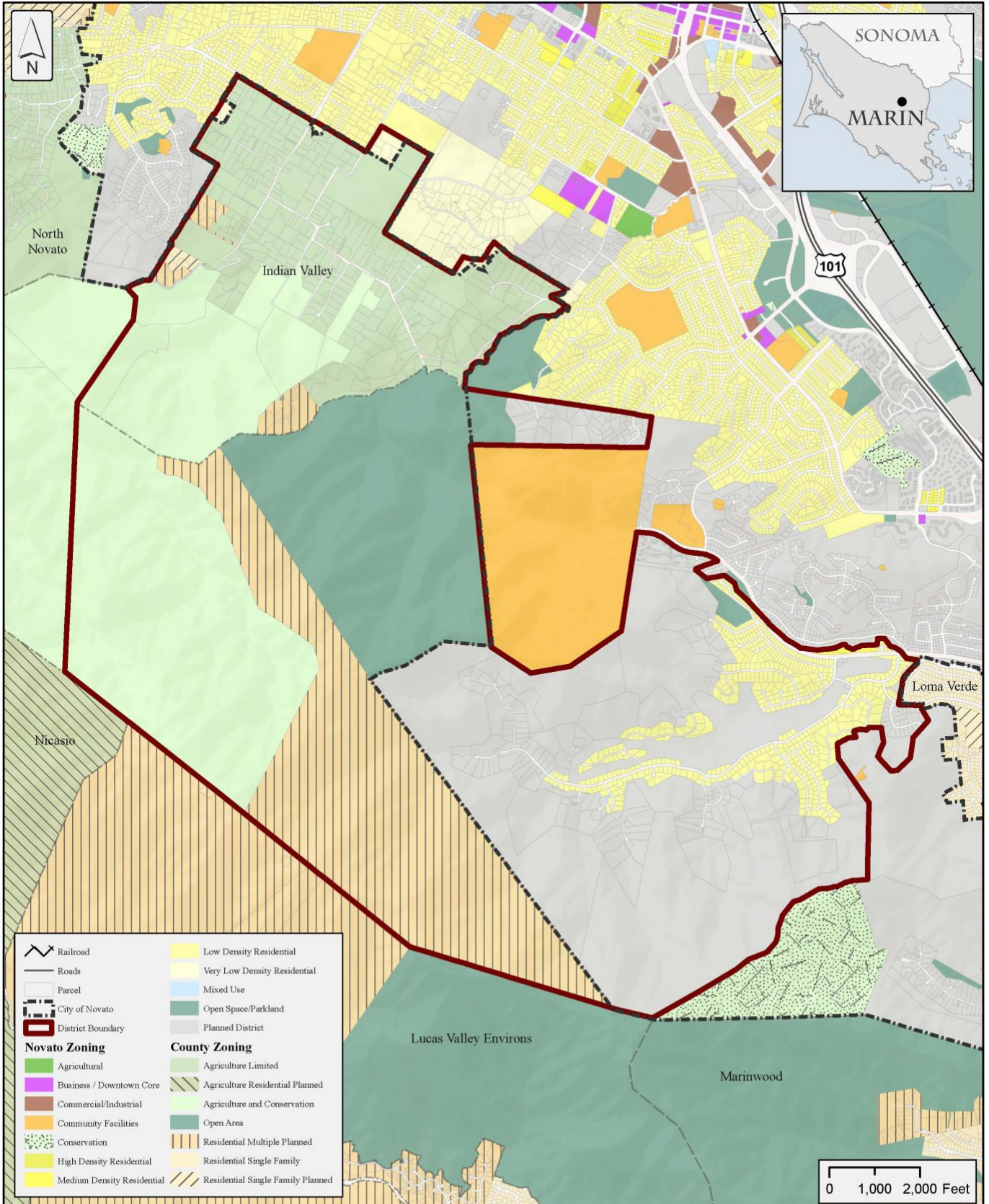
### 10.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

CSA No. 20’s jurisdictional boundary encompasses 4,620 acres of land. Portions of the CSA are within the City of Novato boundary and subject to the City’s Zoning. The sphere of influence is coterminous. Primary land use designations in the CSA area are Open Space, Low-Density Residential, Conservation, and Agriculture with some Community Facilities and Planned Residential. The CSA boundary surrounds the College of Marin – Indian Valley Campus off of Ignacio Boulevard which is also the main access point for much of the open space. Additional access points include Indian Valley Road to the north and Fairway Drive to the south.

<sup>77</sup> Marin County Board of Supervisors, Resolution 75-143, May 13, 1975.



Sources: Boundaries, Roads, Parcels: Marin Map GIS.



**MARIN LAFCo**

# CSA No. 20 - Indian Valley Zoning

Figure 10-2

Date: 6/24/2019

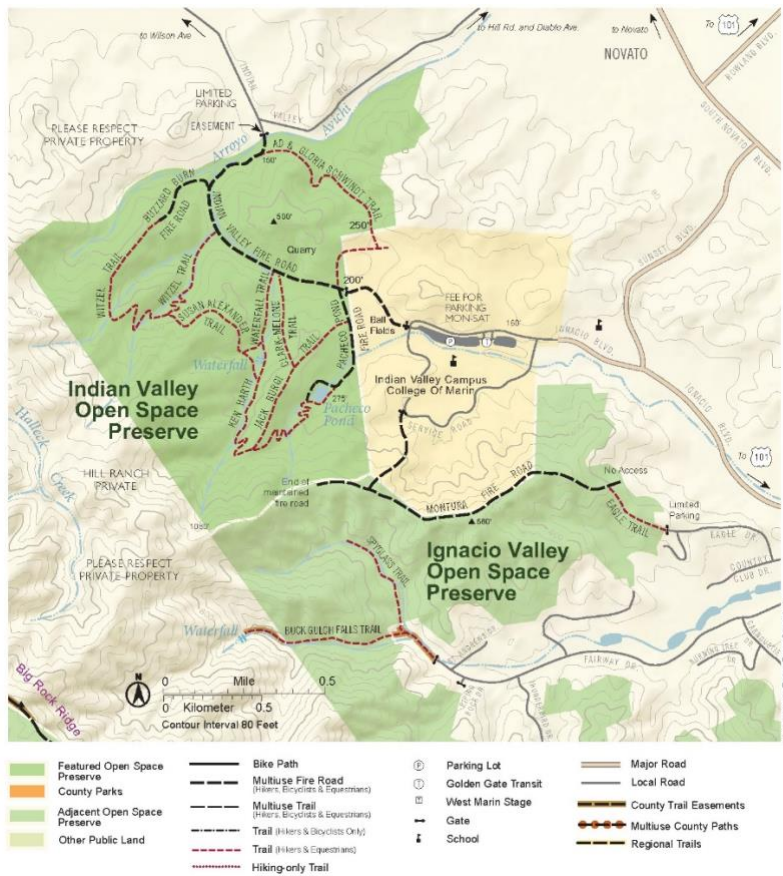
Sources: Boundaries, Roads, Parcels: Marin Map GIS.

## 10.4 MUNICIPAL SERVICES

### Parks and Recreation

CSA No. 20 provides access to open space near the communities of Indian Valley and Marin County Club. The two open space preserves in the CSA, Indian Valley and Ignacio Valley, are managed as part of the larger Marin County open space system. Open space activities include biking, hiking, fishing, and horseback riding. A map of the open space area is shown in Figure 10-3.

Figure 10-3: Indian Valley and Ignacio Valley Open Space Trail Map<sup>78</sup>



Funds collected by the CSA are primarily used to conduct special projects within the CSA area at the direction of the Advisory Board and for the benefit of the communities adjacent to the preserves. Completed projects include decommissioning of illegal trails and fencing of sensitive habitats<sup>79</sup>. Recently the CSA has been looking at funding for re-alignment of Indian Valley Fire Road<sup>80</sup>. However, due to rising wildland fire concerns, the CSA is now looking at funding fire fuel reduction including removing brush, downed trees, and dead or dying trees.

<sup>78</sup> Marin County Department of Parks and Open Space, June 27, 2017.  
<sup>79</sup> CSA 20 Advisory Board, Meeting Minutes for April 13, 2015.  
<sup>80</sup> CSA 20 Advisory Board, Draft Meeting Minutes for September 11, 2017.

## 10.5 ORGANIZATIONAL STRUCTURE

### Board of Directors

CSA No. 20 was formed as a dependent special district with the Marin County Board of Supervisors as its governing body. A list of the current Board of Supervisors can be found in Section 8.6.

### Advisory Board

CSA No. 20 is guided by a five-member Advisory Board that meets at least once per year. Members of this board are appointed to two-year terms by the County Board of Supervisors. Current members of the advisory board are provided below in Table 10-3. The Advisory Board meets to review budget items and planned projects for the upcoming year. They also provide input to county staff and provide recommendations to the County Board of Supervisors.

Table 10-2: CSA No. 20 Advisory Board Members

Member	Position	Term
Rodney Bosche	Advisor	10-17-19
Gary Frugoli	Advisor	09-12-19
Jonathan Gasson	Advisor	10-31-19
R. Craig Knowlton	Advisor	10-17-19
Ron Witzel	Advisor	02-13-20

### Staffing and District Operations

As a dependent special district of the County, all CSA functions are provided by county departments, including legal counsel and compilation of financial transaction reports for the State Controller's Office required under Government Code Section (53891). The CSA is primarily administrated by Marin County Department of Parks and Open Space and specific CSA projects are overseen by county senior and principal engineers.

## 10.6 ACCOUNTABILITY AND TRANSPARENCY

### Meetings and Agendas

Meeting agendas, minutes, and handouts can be found on the Marin County Parks webpage under CSA No. 20 Advisory Board.

### Annual Budget Review

CSA No. 20 includes draft budgets as a hyperlink on the meeting agenda webpage. These draft budgets are excerpts from the County's MUNIS system. The CSA is also included in the County's annual financial audit under Budgetary Comparison Schedule County Service Areas Fund. The most recent audit was conducted for the year ending June 30, 2018.

## 10.7 FINANCIAL OVERVIEW

CSA No. 20 is funded through a portion of the ad valorem property tax from properties within the CSA boundary. There is no other CSA funding and expenses are limited to administration costs in most years except for when special projects, such as improving trails and fuel reduction measures, are approved by the Advisory Board. A summary of the CSA’s annual finances is provided in Table 10-5 below.

Special projects for the CSA are funded out of the reserve balance built up for the CSA. As of September 2018, the total fund balance for CSA No. 20 was \$160,745.02. Trail realignment was scheduled for FY 2018-19 which was approved at \$100,000. However, these activities were paused due to new direction from the Advisory Board. The fund balance will instead be carried over and utilized to fund fuel reduction projects in the area<sup>81</sup>.

Table 10-3: CSA No. 20 Financial Summary

Revenues	FY 2016-17 Actuals	FY 2017-18 Adopted Budget	FY 2018-19 Adopted Budget
<b>Current Secured Property Tax</b>	\$12,119	\$12,611	\$12,511
<b>Use of Money and Property</b>	\$657	\$1,446	\$200
<b>Intergovernmental Revenues</b>	\$58	\$58	\$30
<b>Total Revenues</b>	<b>\$12,834</b>	<b>\$14,115</b>	<b>\$12,741</b>
Expenditures	FY 2016-17 Actuals	FY 2017-18 Adopted Budget	FY 2018-19 Adopted Budget
<b>Services and Supplies</b>	\$0	\$0	\$100,000
<b>Capital Assets</b>	\$0	\$0	\$0
<b>Interfund Expense</b>	\$84	\$84	\$0
<b>Total Expenditures</b>	<b>\$84</b>	<b>\$84</b>	<b>\$100,000</b>
<b>Net Total</b>	<b>\$12,750</b>	<b>\$14,031</b>	<b>(\$87,259)</b>

## 10.8 SUSTAINABILITY

CSA No. 20 is primarily composed of open space lands that connect to other Marin County Department of Parks and Open Space preserves and public lands. Warmer temperatures and longer drought periods increase the potential for wildfires in these areas that may threaten structures in the CSA. Currently planned fuel reduction projects will help decrease wildfire potential and provide better protection for CSA residents

<sup>81</sup> Jim Chayka, Marin County Department of Parks and Open Space, Personal Communication, June 13, 2019.

## 11.0 COUNTY SERVICE AREA NO. 25 (MOUNT BURDELL PARK AND OPEN SPACE)

### 11.1 OVERVIEW

County Service Area No. 25 (CSA No. 25) is a dependent, single-purpose special district organized to provide park and open space services pursuant to County Service Area Law (California Government Code Section 25210 et seq.). CSA No. 25 was formed in 1975 to fund acquisition and preservation of the Mount Burdell area. This area, identified in the Marin County Parks and Open Space Strategic Plan, is an important land conservation area and a major element of a proposed greenbelt extending from Rush Creek wetlands to Stafford Lake Park. Since its formation, the Marin Open Space District, now a part of Marin County Department of Parks, has managed the Mount Burdell Preserve. CSA No. 25 currently provides no services and has no budget, fund balance, funding sources, or expenditures. As such, CSA No. 25 is considered inactive.

Table 11-1: CSA No. 25 Overview

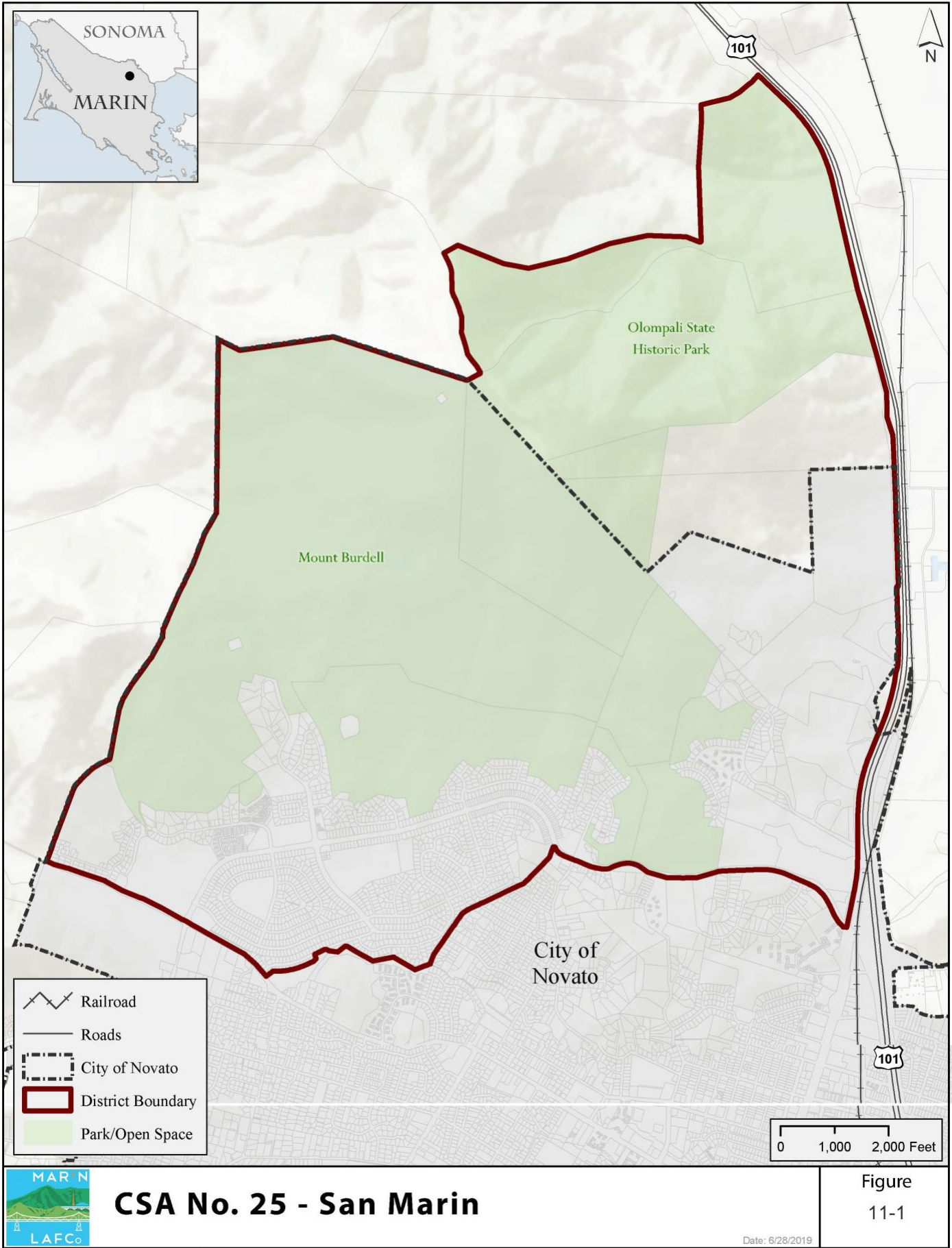
CSA No. 25 – Mount Burdell Park and Open Space			
<b>Primary Contact</b>	Jim Chayka, Superintendent Marin County Parks		
<b>Phone</b>	(415) 473-3795	<b>Email:</b>	jchayka@marincounty.org
<b>Office Location:</b>	3501 Civic Center Drive, Suite 260 San Rafael, CA 94903		
<b>Formation Date</b>	1975	<b>Services Provided</b>	Inactive

### 11.2 FORMATION AND DEVELOPMENT

CSA No. 25 was formed in July 1975 by Board Resolution 75-224 as a means to raise funds for the purchase of several properties around Mount Burdell. The types of services authorized at its formation were local park and recreation facilities and services. The property purchase funded by the CSA included Exxon, Great Western, Nunes, and Exeter Equity holdings around Mount Burdell. Acquisition of the properties took place from 1976 to 1978 with the last property, Exeter, being purchased in February 1978<sup>82</sup>. Purchase was funded by bond sales in the amount of \$700,000 for the acquisition of the 1,266 acres and sale of land banked property as discussed below. Upon acquisition of the properties, the land was immediately conveyed to the Marin County Open Space District<sup>83</sup>.

<sup>82</sup> Marin County Department of Public Works, Board of Supervisors Memorandum Re: Joint CSA #25/ Open Space District Purchase of Exeter Equities Property – Mt. Burdell, February 9, 1978.

<sup>83</sup> Marin County Open Space District, Joint Powers Agreement with County Service Area No. 25, January 18, 1977.





A portion of the Exxon property, approximately 49 acres, was to be used for land banking. This property was sold to private enterprise for development purposes to help offset the cost of the total land purchase for CSA No. 25. Sale of land was expected to total no less than \$250,000. Any excess funds from the sale of this property, which occurred in 1977, was to be used to offset the purchase of additional land, primarily the Exeter property, around Mount Burdell<sup>84</sup>.

### **11.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

CSA No. 25 was originally established with a boundary encompassing approximately 3,535 acres around Mount Burdell as shown in Figure 11-1. This includes the bond purchase area of 1,266 acres and additional land to the northeast which is now a portion of Olompali State Park.

### **11.4 MUNICIPAL SERVICES**

As discussed previously, CSA No. 25 was formed primarily as a funding mechanism to purchase open space parcels. In January 1977 the Marin County Open Space District and CSA No. 25 entered into a Joint Power Agreement which identified the funding commitments, ownership, and management functions for each participating agency. As part of the agreement, all lands purchased by the CSA were immediately conveyed to and managed by the Open Space District. Additionally, the Open Space District was to consult with the CSA Advisory Board on land stewardship activities<sup>85</sup>.

### **11.5 ORGANIZATIONAL STRUCTURE**

As a dependent special district, the Marin County Board of Supervisors serves as the CSA's governing body. The five-member Board of Supervisors meets the second and fourth Tuesday every month at 9:00 a.m. in the County of Marin Civic Building located at 3501 Civic Center Drive, Suite 260 in San Rafael. Upon the CSA's formation, an Advisory Board was created to consult with the Open Space District. However, that board has since been disbanded and there is no currently active Advisory Board. CSA functions would be carried out by various county departments, however, as mentioned previously, CSA No. 25 currently provides no services and is currently inactive.

### **11.6 FINANCIAL OVERVIEW**

Currently, CSA No. 25 provides no services and has no funding, no expenditures, and no fund balance. Marin County does not prepare an annual budget for this CSA. Originally, revenues generated from property taxes were used to pay off a \$700,000 general obligation bond that was used to acquire several properties for open space. Following the bond repayment, which was scheduled to be completed by 1997<sup>86</sup>, the CSA no longer has an operating budget and has since been inactive.

<sup>84</sup> Ibid, 3.

<sup>85</sup> Ibid, 4.

<sup>86</sup> Marin County Board of Supervisors, Resolution No. 77-40, February 1, 1977.

## 11.7 GOVERNANCE STRUCTURE OPTIONS

In 2017, Senate Bill 448 (Weickowski) was passed to streamline the process for LAFCOs to dissolve inactive special districts. The new legislation requires the State Controller's Office to create a list of inactive districts annually and to notify applicable LAFCOs in which the inactive special districts are located. In accordance with Government Code (G.C.) Section 56879, the Commission must adopt a resolution initiating dissolution of inactive districts meeting the above definition within 90 days of notice from the State Controller's Office. Following the adoption of the resolution, the Commission must then hold a public hearing on the dissolution within an additional 90 days. Unless evidence is provided that qualifies the district as being active, the Commission must dissolve the district.

An inactive district is defined as a district that meets all the following criteria as set forth in G.C. Section 56042, as follows:

- a) The special district is as defined in Government Code Section 56036, which specifies a special district as "an agency of the state, formed for general law or special act, for the local performance of governmental or proprietary functions..."
- b) The special district has no financial transactions in the previous fiscal year.
- c) The special district has no assets and liabilities.
- d) The special district has no outstanding debts, judgements, litigation, contracts, liens, or claims.

CSA No. 25 meets the above criteria but has not yet been listed by the State Controller as inactive. Based on the County Auditor's Office determination that CSA 25 is inactive, LAFCo, in coordination with the County and the State Controller's Office, should take the appropriate steps to dissolve the district pursuant to G.C. Section 56879. Further, because CSA No. 25 has no assets, liabilities, outstanding debts, judgments, contracts or claims, there is no need to designate a successor agency for the district.

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## APPENDIX A

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- CSA 20 Advisory Board, Meeting Minutes for April 13, 2015. [https://www.marincountyparks.org/~media/files/departments/pk/about-us/agendas-minutes/2015/csa-20/15\\_04\\_13\\_csa20\\_minutes.pdf?la=en](https://www.marincountyparks.org/~media/files/departments/pk/about-us/agendas-minutes/2015/csa-20/15_04_13_csa20_minutes.pdf?la=en).
- CSA 20 Advisory Board, Draft Meeting Minutes for September 11, 2017. No URL available, document may be viewed at Marin LAFCo Offices.
- Jim Chayka, Marin County Department of Parks and Open Space, Personal Communication, June 13, 2019.
- Marin County Department of Public Works, Board of Supervisors Memorandum Re: Joint CSA #25/ Open Space District Purchase of Exeter Equities Property – Mt. Burdell, February 9, 1978. No URL available, document may be viewed at Marin LAFCo Offices.
- Marin County Open Space District, Joint Powers Agreement with County Service Area No. 25, January 18, 1977. No URL available, document may be viewed at Marin LAFCo Offices.
- Marin County Board of Supervisors, Resolution No. 77-40, February 1, 1977. <https://pav.marincounty.org/publicaccessbosrecords/api/Document/AR0W1q57X4WFEhdVsqqegIMNKTN2SJ5FkA6Vo5Dywi8FGH%C3%8957ivKdadUOu1vA68BMPEmbExmMygHaku21kw%C3%89Q2A%3D/>

**2019 Draft Municipal Services Review**

**Novato Fire Protection District comments include but are not limited to:**

	Section and page #	Existing Draft Statement	Comment: Correction
	7.7 Financial Overview, Page 59	<p><b>7.7 FINANCIAL OVERVIEW</b>                      Almost all annual district revenue (84%), comes from property taxes. Additional revenue comes from service charges, State and Federal Government aid, sale of assets, California Office of Emergency Services reimbursements, ambulance billing, and other miscellaneous sources. The NFDP aims to provide a high level of community service while maintaining sustainable fiscal practices. As is shown in Table 7-4, the past three years of audits show budget surpluses that help build the general fund.</p>	<p><b>7.7 FINANCIAL OVERVIEW</b>                      Approximately 84% of the district's annual revenue comes from property taxes. Other revenue sources include ambulance service fees, state and federal reimbursements for mutual aid assistance, and fire inspection and plan check fees. The NFPD aims to provide a high level of community service while maintaining sustainable fiscal practices. As is shown in Table 7-4, the past three years of audits show budget surpluses that help build the general fund.</p>
	7.7 Financial Overview, Page 60	Other sources of revenue for the district include but are not limited to, service charges, capital grants and contributions, investment earnings, impact fees, and Office of Emergency Services reimbursements.	Other sources of revenue for the district include, but are not limited to, ambulance service charges, plan check and fire inspection fees, capital grants and contributions, investment earnings, and state and federal reimbursements for mutual aid.
	Table 7-4, Page 60	Dept Fiscal Charges Interest	Interest on Debt



	<p><b>7.5 Organization Structure,</b> <b>Page 57</b></p>		<p>The Novato Fire Protection District has a five-member board that is elected to a four-year term. Elections for Board members are now by division elections so that each Board member represents a specific defined area within the FPD.</p>	<p>The Novato Fire Protection District has a five-member board that is elected to a four-year term. Elections for Board members are now by <b>district</b> elections so that each Board member represents a specific defined area within the FPD.</p>
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**Subject:** LAFCo-- Novato Municipal Service Review

**Date:** Tuesday, January 7, 2020 at 6:48:11 PM Pacific Standard Time

**From:** Robert Jaret

**To:** Jason Fried

**CC:** 'Susanna Mahoney'

Mr. Fried:

As a resident of Black Point, I would like to officially object to any reference to Black Point or Green Point as unincorporated islands potentially subject to annexation to the City of Novato.

The statutory references that you provided (below) specifically state that action can only be taken if the change of organization or reorganization is proposed by resolution adopted by the affected city. Specifically, the City of Novato does not want to annex any communities, at least before 2037 due to the Urban Growth Boundary. Since there was no proposal by the City of Novato, the Municipal Services Review (MSR) report never should have been written. There is no basis or "jurisdiction" for you to even be commenting about potential annexation.

Further, there can only be a change of organization or reorganization of a city if the subject territory "**does not exceed 150 acres in area...**" Clearly, the affected territories do exceed 150 acres in area. This further demonstrates a lack of jurisdiction.

In addition to a lack of "jurisdiction", your explanation of when and why the reports are written is not sufficient. There seem to be no guidelines or requirements and instead this project was undertaken for political or other reasons. Further, the definition of "island" is not contained in this statute as was described to us and there is no statutory reference to its genesis.

We were also told that we are an "island" because there is a snippet of land on Atherton Avenue which is the City of Novato's property that defeats the notion that we have an egress to Highway 101 but we have seen no evidence of this. Please consider this communication as a formal request for you to provide documentation regarding your assertions.

It is my request that the MSR clearly indicate that there is no basis to annex the subject areas.

Please feel free to contact me should you feel that my comments are incorrect. Thank you.

Rob

**CALIFORNIA CODES**  
**CALIFORNIA GOVERNMENT CODE**  
**Title 5. LOCAL AGENCIES**  
**Division 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION**  
**ACT OF 2000**  
**Part 2. LOCAL AGENCY FORMATION COMMISSION**  
**Chapter 3. POWERS**  
*Current through 2019 Legislative Session*  
◆ **56375.3. Additional powers**

- (a) In addition to those powers enumerated in Section 56375, a commission shall approve, after notice and hearing, the change of organization or reorganization of a city, and waive protest proceedings pursuant to Part 4 (commencing with Section 57000) entirely, if all of the following are true:
- (1) The change of organization or reorganization is initiated on or after January 1, 2000.
  - (2) The change of organization or reorganization is proposed by resolution adopted by the affected city.
  - (3) The commission finds that the territory contained in the change of organization or reorganization proposal meets all of the requirements set forth in subdivision (b).
- (b) Subdivision (a) applies to territory that meets all of the following requirements:
- (1) It does not exceed 150 acres in area, and that area constitutes the entire island.
  - (2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
  - (3) It is surrounded in either of the following ways:
    - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
    - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
  - (4) It is substantially developed or developing. The finding required by this paragraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
    - (A) The availability of public utility services.
    - (B) The presence of public improvements.
    - (C) The presence of physical improvements upon the parcel or parcels within the area.
  - (5) It is not prime agricultural land, as defined by Section 56064.
  - (6) It will benefit from the change of organization or reorganization or is receiving benefits

from the annexing city.

- (7) This subdivision does not apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
  - (8) Notwithstanding any other law, at the option of either the city or the county, a separate property tax transfer agreement may be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.
- (c) Notwithstanding any other provision of this subdivision, this subdivision shall not apply to all or any part of that portion of the development project area referenced in subdivision (e) of Section 33492.41 of the Health and Safety Code that as of January 1, 2000, meets all of the following requirements:
- (1) Is unincorporated territory.
  - (2) Contains at least 100 acres.
  - (3) Is surrounded or substantially surrounded by incorporated territory.
  - (4) Contains at least 100 acres zoned for commercial or industrial uses or is designated on the applicable county general plan for commercial or industrial uses.
- (d) The Legislature finds and declares that the powers set forth in subdivision (a) for territory that meets all the specifications in subdivision (b) are consistent with the intent of promoting orderly growth and development pursuant to Section 56001 and facilitate the annexation of disadvantaged unincorporated communities, as defined in Section 56033.5.

+++++

**◆ 56375. Powers and duties**

The commission shall have all of the following powers and duties subject to any limitations upon its jurisdiction set forth in this part:

- (a)
  - (1) 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.
  - (2) The commission may initiate proposals by resolution of application for any of the

following:

- (A) The consolidation of a district, as defined in Section 56036.
  - (B) The dissolution of a district.
  - (C) A merger.
  - (D) The establishment of a subsidiary district.
  - (E) The formation of a new district or districts.
  - (F) A reorganization that includes any of the changes specified in subparagraph (A), (B), (C), (D), or (E).
  - (G) The dissolution of an inactive district pursuant to Section 56879.
- (3) A commission may initiate a proposal described in paragraph (2) only if that change of organization or reorganization is consistent with a recommendation or conclusion of a study prepared pursuant to Section 56378, 56425, or 56430, and the commission makes the determinations specified in subdivision (b) of Section 56881.
- (4) A commission shall not disapprove an annexation to a city, initiated by resolution, of contiguous territory that the commission finds is any of the following:
- (A) Surrounded or substantially surrounded by the city to which the annexation is proposed or by that city and a county boundary or the Pacific Ocean if the territory to be annexed is substantially developed or developing, is not prime agricultural land as defined in Section 56064, is designated for urban growth by the general plan of the annexing city, and is not within the sphere of influence of another city.
  - (B) Located within an urban service area that has been delineated and adopted by a commission, which is not prime agricultural land, as defined by Section 56064, and is designated for urban growth by the general plan of the annexing city.
  - (C) An annexation or reorganization of unincorporated islands meeting the requirements of Section 3.
- (5) As a condition to the annexation of an area that is surrounded, or substantially surrounded, by the city to which the annexation is proposed, the commission may

require, where consistent with the purposes of this division, that the annexation include the entire island of surrounded, or substantially surrounded, territory.

- (6) A commission shall not impose any conditions that would directly regulate land use density or intensity, property development, or subdivision requirements.
- (7) The decision of the commission with regard to a proposal to annex territory to a city shall be based upon the general plan and rezoning of the city. When the development purposes are not made known to the annexing city, the annexation shall be reviewed on the basis of the adopted plans and policies of the annexing city or county. A commission shall require, as a condition to annexation, that a city rezone the territory to be annexed or present evidence satisfactory to the commission that the existing development entitlements on the territory are vested or are already at build-out, and are consistent with the city's general plan. However, the commission shall not specify how, or in what manner, the territory shall be rezoned.
- (8)
  - (A) Except for those changes of organization or reorganization authorized under Section 3, and except as provided by subparagraph (B), a commission shall not approve an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community that is contiguous to the area of proposed annexation, unless an application to annex the disadvantaged unincorporated community to the subject city has been filed with the executive officer.
  - (B) An application to annex a contiguous disadvantaged community shall not be required if either of the following apply:
    - (i) A prior application for annexation of the same disadvantaged community has been made in the preceding five years.
    - (ii) The commission finds, based upon written evidence, that a majority of the registered voters within the affected territory are opposed to annexation.
- (b) With regard to a proposal for annexation or detachment of territory to, or from, a city or district or with regard to a proposal for reorganization that includes annexation or detachment, to determine whether territory proposed for annexation or detachment, as described in its resolution approving the annexation, detachment, or reorganization, is inhabited or uninhabited.
- (c) With regard to a proposal for consolidation of two or more cities or districts, to determine which city or district shall be the consolidated successor city or district.
- (d) To approve the annexation of unincorporated, noncontiguous territory, subject to the limitations of Section 56742, located in the same county as that in which the city is located, and that is

owned by a city and used for municipal purposes and to authorize the annexation of the territory without notice and hearing.

- (e) To approve the annexation of unincorporated territory consistent with the planned and probable use of the property based upon the review of general plan and rezoning designations. No subsequent change may be made to the general plan for the annexed territory or zoning that is not in conformance to the rezoning designations for a period of two years after the completion of the annexation, unless the legislative body for the city makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitate a departure from the rezoning in the application to the commission.
- (f) With respect to the incorporation of a new city or the formation of a new special district, to determine the number of registered voters residing within the proposed city or special district or, for a landowner-voter special district, the number of owners of land and the assessed value of their land within the territory proposed to be included in the new special district. The number of registered voters shall be calculated as of the time of the last report of voter registration by the county elections official to the Secretary of State prior to the date the first signature was affixed to the petition. The executive officer shall notify the petitioners of the number of registered voters resulting from this calculation. The assessed value of the land within the territory proposed to be included in a new landowner-voter special district shall be calculated as shown on the last equalized assessment roll.
- (g) To adopt written procedures for the evaluation of proposals, including written definitions consistent with existing state law. The commission may adopt standards for any of the factors enumerated in Section 56668. Any standards adopted by the commission shall be written.
- (h) To adopt standards and procedures for the evaluation of service plans submitted pursuant to Section 56653 and the initiation of a change of organization or reorganization pursuant to subdivision (a).
- (i) To make and enforce regulations for the orderly and fair conduct of hearings by the commission.
- (j) To incur usual and necessary expenses for the accomplishment of its functions.
- (k) To appoint and assign staff personnel and to employ or contract for professional or consulting services to carry out and effect the functions of the commission.
- (l) To review the boundaries of the territory involved in any proposal with respect to the definiteness and certainty of those boundaries, the nonconformance of proposed boundaries with lines of assessment or ownership, and other similar matters affecting the proposed boundaries.
- (m) To waive the restrictions of Section 56744 if it finds that the application of the restrictions would be detrimental to the orderly development of the community and that the area that would

be enclosed by the annexation or incorporation is so located that it cannot reasonably be annexed to another city or incorporated as a new city.

- (n) To waive the application of Section 22613 of the Streets and Highways Code if it finds the application would deprive an area of a service needed to ensure the health, safety, or welfare of the residents of the area and if it finds that the waiver would not affect the ability of a city to provide any service. However, within 60 days of the inclusion of the territory within the city, the legislative body may adopt a resolution nullifying the waiver.
- (o) If the proposal includes the incorporation of a city, as defined in Section 56043, or the formation of a district, as defined in Section 2215 of the Revenue and Taxation Code, the commission shall determine the property tax revenue to be exchanged by the affected local agencies pursuant to Section 56810. If the proposal includes the disincorporation of a city, as defined in Section 56034, the commission shall determine the property tax revenue to be exchanged by the affected local agencies pursuant to Section 56813.
- (p) To authorize a city or district to provide new or extended services outside its jurisdictional boundaries pursuant to Section 56133.
- (q) To enter into an agreement with the commission for an adjoining county for the purpose of determining procedures for the consideration of proposals that may affect the adjoining county or where the jurisdiction of an affected agency crosses the boundary of the adjoining county.
- (r) To approve with or without amendment, wholly, partially, or conditionally, or disapprove pursuant to this section the annexation of territory served by a mutual water company formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code that operates a public water system to a city or special district. Any annexation approved in accordance with this subdivision shall be subject to the state and federal constitutional prohibitions against the taking of private property without the payment of just compensation. This subdivision shall not impair the authority of a public agency or public utility to exercise eminent domain authority.

Robert S. Jaret, Esq.

JARET & JARET

[REDACTED]  
[REDACTED]

Tel.: [REDACTED]

Fax: [REDACTED]

Bay Area Construction & Employment Lawyers

[REDACTED]

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**Potential Clients:** Please note that you are not considered a client of this law firm until you have signed a retainer agreement with this firm and your case is accepted by us. In the meantime, please keep in mind that there are deadlines, some very short, that could result in the loss of your claims forever if you do not take appropriate action within time.





*Serving Black Point and Green Point since 1954*

Marin Local Agency Formation Commission  
1401 Los Gamos Dr, Suite 220  
San Rafael, Ca 94903

RE: Novato Municipal Services Review

January 15, 2020

Dear Commissioners,

Thank you for considering public comments as you evaluate the latest Novato Municipal Services Review. The Black Point Improvement Club distributed the Revised Draft published 11/22/19 online to approximately 300 members of the community of Black Point & Green Point. Subsequently, at its regular meeting held January 10, 2020, the members in attendance discussed the revisions proposed.

Solicited feedback revealed the majority find the revisions adequate to address most of the community's earlier concerns. The language added to reflect our opposition to annexation is clear and accurate. The additional background information included on the Urban Growth Boundary and its authority to prevent annexation while in effect was also well-received by our community.

While some still object to the identification of our community as 'Unincorporated Islands', director Fried contends the definition fits our community and amending the definition is outside of LAFCo's authority. Should LAFCo indeed interpret the definition as such, BPIC members find it especially important to include in the MSR mention of section 56375.3.b.1 which indicates territories considered for annexation must not be over 150 acres in size as is the case with both Green Point and Black Point.

Finally, the draft includes two paragraphs discussing the formation of a Planning Area, specifically the last paragraphs of sections 3.0 and of 5.3. Because a local example for the structure of such a model is not available, the hypothetical implications do arouse some concern within our community, especially as the city of Novato could create such a program without the knowledge of or input by our unincorporated residents. While seemingly benign in its purpose, the limits of its reach are uncertain at this point.

The section 5.3 paragraph merely suggests Novato "could" form a planning area, while the paragraph in section 3.0 seems to recommend it "should" be done. Without more clear direction as to the design and authority of a formal Planning Area, BPIC members would take more comfort in the MSR with the stronger of the two paragraphs above (3.0) eliminated or made consistent with that of section 5.3.

We sincerely appreciate all the additional time and effort Director Fried and the commissioners have taken with this document. This latest draft is much improved and more reflective of the public's interests for which it serves. BPIC looks forward to engaging with LAFCo at the initiation of the next Novato MSR and hopes we can again be of service.

Very truly yours,

Susanna Mahoney, president

P.O. Box 267 Novato, Ca 94945

bpimprovementclub@gmail.com

**Subject:** RE: Updated language for Novato MSR  
**Date:** Friday, January 24, 2020 at 5:46:52 PM Pacific Standard Time  
**From:** R. Craig Knowlton  
**To:** Jason Fried  
**CC:** talbert@marincounty.org, 'Jonell O'Day', 'BPIC'

Hi Jason,

My apologies for the long delay in responding, I wish I was able to dedicate all of my time to Indian Valley matters, but that is not the case.

We do not agree with your assessment of our being surrounded by at least 70%, it's obvious that Planwest is not familiar with Marin County and/or Indian Valley. Our own assessment is that we border the City of Novato by approximately 50%.

While "surrounded or substantially surrounded" appears vague on purpose in the CKH Act, California PRC Code Section 21159.25 (a)(2) does indeed define "substantially surrounded" to mean "at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses". 56375.3 (b) is not applicable to Indian Valley or Black Point and does not define "surrounded or substantially surrounded".

While it may be a foregone conclusion for LAFCo staff and Planwest to automatically designate Indian Valley and other neighborhoods as "unincorporated islands", this designation within CKH actually requires LAFCo to approve an annexation initiated by the City of Novato. This is clear in Gov Code section 56375 (a)(4). The only thing stopping a forced annexation at that point is the UGB which can be changed by voters IN the City. The residents of Indian Valley, Black Point, Green Point, Bel Marin Keys and others will not get a say in this forced annexation.

56375 (a) (4):

(4) A commission shall not disapprove an annexation to a city, initiated by resolution, of contiguous territory that the commission finds is **any** of the following:

(A) Surrounded or substantially surrounded by the city to which the annexation is proposed or by that city and a county boundary or the Pacific Ocean if the territory to be annexed is substantially developed or developing, is not prime agricultural land as defined in Section 56064, is designated for urban growth by the general plan of the annexing city, and is not within the sphere of influence of another city.

(B) Located within an urban service area that has been delineated and adopted by a commission, which is not prime agricultural land, as defined by Section 56064, and is designated for urban growth by the general plan of the annexing city.

(C) An annexation or reorganization of unincorporated islands meeting the requirements of Section 56375.3.

The LAFCo Commission, not staff, has the authority to designate our areas as "surrounded or substantially surrounded" and thereby trigger 56375 (a) (4). Is the Commission aware they are doing this when they

approve the Novato MSR?

We request that this email be included as part of the public comments for the Novato MSR.

Regards,  
R. Craig Knowlton  
Indian Valley Associates

[REDACTED]  
Novato, CA 94948

[REDACTED]  
[REDACTED]

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## MARIN LAFCO CHECKLIST FOR NOVATO AREA MSR

These following items will be added to Marin LAFCo workplan.

- Reaffirm SOI for City of Novato; Novato Sanitary District; Novato Fire Protection District; Bel Marin Keys CSD (small correction needed); CSA's 1 and 20.
  - Currently planned for April 2020 meeting.
  
- Dissolve CSA 25
  - Get on State Controller's list for inactive districts.
  - Once letter received from State Controller's office, go through process.
  
- Have the LAFCo Policy Committee review our island annexation policy and suggest update, if needed, to the full commission.

## MARIN LOCAL AGENCY FORMATION COMMISSION

### RESOLUTION NO 20-07

#### ADOPTION OF THE NOVATO AREA MUNICIPAL SERVICE REVIEW

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

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

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

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

**WHEREAS** Marin LAFCO issued a Draft Service Review on August 8, 2019 and a revised draft on November 25, 2019; and

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

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

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

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission, on February 13, 2020, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jason Fried, LAFCO Executive Officer

\_\_\_\_\_  
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-07

- 1) Exhibit “A”

## EXHIBIT A

### NOVATO REGIONAL STUDY

#### MUNICIPAL SERVICE REVIEW DETERMINATIONS GOVERNMENT CODE SECTION 56430

- 1. Growth and population projections for the affected area.**
  - a) Projected near-future growth is expected to be moderate. According to the Association of Bay Area Governments, the Novato population is expected to increase to a total population of 53,900 by 2025 with an estimated annual growth rate of 0.3 percent.
  
- 2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.**
  - a) There are no identified DUCs within the Study Area.
  
- 3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.**
  - a) As noted above, there are no unincorporated communities within the Study Area that have been identified as disadvantaged.
  - b) There is adequacy and quality of the services provided by each agency, including sufficient infrastructure and capital are in place (or planned for) to accommodate planned future growth and expansions.
  
- 4. Financial ability of agencies to provide services.**
  - a) The City of Novato, Novato Sanitary District, Novato Fire Protection District, Bel Marin Keys CSD, and the County Service Areas all prepare annual budgets and prepare financial statements in accordance with established governmental accounting standards. The City Council, NSD, FPD, and CSD Boards, and County Board of Supervisors may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.
  - b) The City Manager, Chief Engineer, Fire Chief, CSD General Manager, and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments or funds under certain circumstances, however; the City Council, NSD, FPD, and CSD Boards, and County Board of Supervisors must approve any increase in the operating

expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for the City, NSD, FPD, CSD, and County by independent certified public accounting firms.

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

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

- a) The Marin County Department of Parks and Open Space provides shared services for CSA Nos. 1 and 20 by managing open space areas and preserves within the CSAs' boundaries.
- b) The Novato Sanitary District is able to provide recycled water to the region that is distributed by the North Marin Water District.
- c) The Novato Fire Protection District operates an Emergency Operations Center jointly with the City of Novato and participates in multiple regional agreements for aid and operations.

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

- a) CSA No. 20 may consider a long-term planning document outlining special project needs within the boundaries of the CSA that include fuel reduction, trail realignment, and parking solutions along with other projects as deemed appropriate by the Advisory Board.

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

- a) No other matters relating to the effective or efficient service delivery have been identified.





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2020

Item No. 5 (Public Hearing)

**TO:** Local Agency Formation Commission

**FROM:** Jeren Seibel, Policy Analyst

**SUBJECT:** **Municipal Service Review Presentation– Eastern Peninsula Area Municipal Service Review (Information Only)**

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### Background

On January 9, 2020 staff released the draft (attached) of the Eastern Peninsula Area Municipal Service Review (MSR) for public comment. Upon release, staff sent the draft to staff for all LAFCo jurisdictions, to multiple County staff, and sent a PSA to the Marin Independent Journal. In addition, the report was sent to individuals who represent citizen groups or a coalition of groups across the MSR study area. These people then help get this distributed to others within their group.

LAFCo is accepting public comment on this draft through the end of the day on February 25. As of the writing of this staff memo, LAFCo has received official comment from 1 group. For items that pertain to language in the draft, staff has already started to review and make edits to the draft in preparation for a final version.

During the February meeting the Commission will hear from staff about what is in the draft report's recommendation of what, if anything, each agency should make an effort to address moving forward. Commissioners will be able to ask questions to staff. In addition, the public will be given time to make comments on the draft MSR.

No action is needed for this item at this time.

#### Attachment:

- 1) Public Draft of Eastern Peninsula Area MSR

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# Marin Local Agency Formation Commission

Municipal Service Review

**Eastern Peninsula Region**

Public Review Draft January 10, 2020

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## PREFACE

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

### Context

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

### Commissioners, Staff, Municipal Services Review Preparers

#### Commissioners

Sashi McEntee, Chair	City	City of Mill Valley
Craig Murray, Vice Chair	Special District	Las Gallinas Valley Sanitary District
Damon Connolly	County	District 1 Supervisor
Judy Arnold	County	District 5 Supervisor
Sloane Bailey	City	Town of Corte Madera
Lew Kious	Special District	Almonte Sanitary District
Larry Loder	Public	Commission
Chris Skelton	Public Alternate	Commission
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## 1.0 INTRODUCTION

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### 1.1 ROLE AND RESPONSIBILITY OF LAFCO

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

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

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

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

#### Regulatory Responsibilities

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

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

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

**Table 1-1: LAFCo's Regulatory Powers**

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

## Planning Responsibilities

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

### 1.2 MUNICIPAL SERVICE REVIEWS

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

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

**Table 1-2: Mandatory Determinations**

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

### **1.3 MARIN LAFCO COMPOSITION**

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

**Table 1-3: Marin LAFCo Commission Membership**

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

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

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## 2.0 EXECUTIVE SUMMARY

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

### 2.1 AFFECTED PUBLIC AGENCIES

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

**Table 2-1: Eastern Peninsula Regional MSR Agencies**

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

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

#### Water

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

#### Wastewater

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

### **Fire Protection and Emergency Services**

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

### **Parks and Recreation Services**

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

### **Open Space Management**

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

### **Channel Maintenance**

Channel maintenance includes periodic dredging of creek channels.

### **Roadway Services**

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

## **2.2 PLANS, POLICIES, STUDIES**

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

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

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

## 2.3 AGENCY AND PUBLIC PARTICIPATION

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

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

**Table 2-2: Eastern Peninsula Regional Agencies’ Meeting Information**

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

## 2.4 WRITTEN DETERMINATIONS

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

### 1. Growth and Population

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

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

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

### 3. Capacity and Infrastructure

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

### 4. Financing

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

### 5. Shared Facilities

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

### 6. Government Structure and Local Accountability

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

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

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

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

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



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## 3.0 DETERMINATIONS

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### 1. Growth and population projections for the affected area.

a) Projected growth in the study area is expected to be minimal. The Tiburon population is expected to increase to a total population of 9,500<sup>2</sup> by 2030, a .32% annual growth rate. The Belvedere population is expected to increase to a total population of 2,200<sup>3</sup> by 2030, a .47% annual growth rate.

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

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

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

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

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

### 4. Financial ability of agencies to provide services.

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

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<sup>2</sup> [Town of Tiburon General Plan, Pg. 34](#)

<sup>3</sup> [City of Belvedere General Plan, Pg. 11](#)

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

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

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

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

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

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

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

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

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

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

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

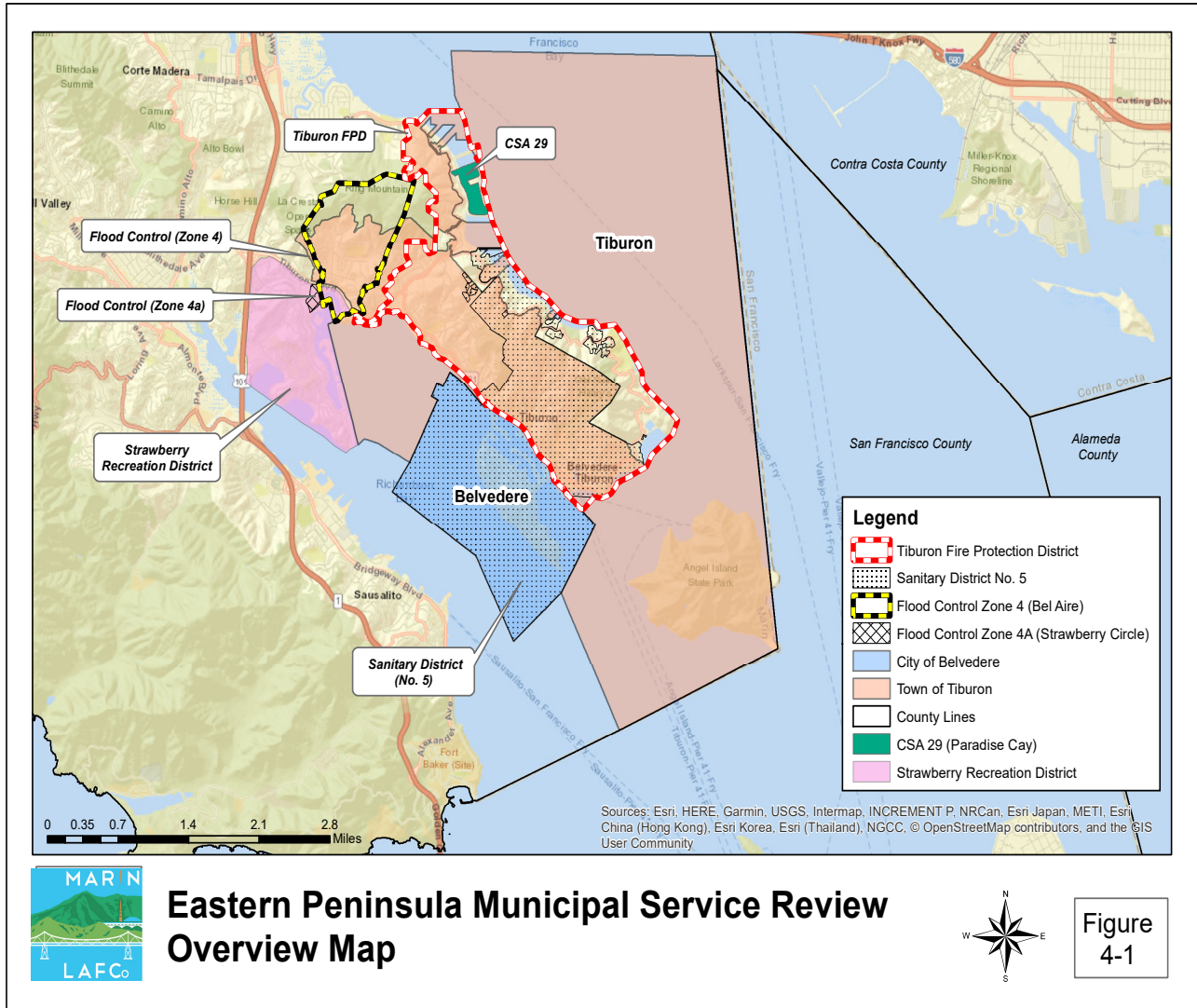
a) Within and adjacent to the Town of Tiburon are areas completely surrounded by Town jurisdiction and therefore considered to be “unincorporated islands”. Marin LAFCo encourages unincorporated island annexations to the Town of Tiburon when there is resident interest. Whenever applicable, Marin LAFCo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

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

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

## 4.0 REGIONAL SETTING

**Figure 4-1: Eastern Peninsula Municipal Service Review Overview Map**



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

Many distinct communities lie within and adjacent to the Eastern Peninsula study area. These communities are served by a number of municipal service providers that have been established over time to meet local conditions and needs. While jurisdictional boundaries define the geographical extent of an agency's authority and responsibility to provide services, there are several instances of overlapping boundaries and service responsibilities in the study area. These service arrangements and relationships for providing fire protection, parks and recreation, open space management, and other municipal services within the study area are described in this report.

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

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

#### **4.1 UNINCORPORATED ISLANDS**

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

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

## Paradise Drive

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

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

The area is served by one narrow winding two-lane road, Paradise Drive. There are steep slopes on either side of the road. The residential areas on both sides of Paradise Drive are served by narrow, steep, rural roadways, some of which are maintained by the County of Marin or the Town of Tiburon and some of which are private roads and driveways. According to Marin County's Paradise Drive Visioning Plan<sup>4</sup>, residents would like to limit the bulk and mass of new structures and encourage a rural style of design. They also want to preserve the rural wooded environment, visual access to the Bay, and a pattern of rural residential development.

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

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## 5.0 CITY OF BELVEDERE

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### 5.1 OVERVIEW

The City of Belvedere is located 11 miles north of San Francisco in Marin County and is surrounded by the Richardson Bay, San Francisco Bay, and the Town of Tiburon. Seated just across the Richardson Bay from Sausalito, Belvedere maintains a comfortable temperate climate throughout the year. The City encompasses 2.4 Square Miles and has a population of 2,126, making it the 11<sup>th</sup> most populous city<sup>5</sup> (not including census designated places) in Marin County.

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

**Table 5-1: City of Belvedere Overview**

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

### 5.2 JURISDICTIONAL BOUNDARY

#### Incorporation and City Boundary

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

This allowed for the expansion of housing sites directly on the water of the Lagoon. With the close proximity to San Francisco and its desirable temperate climate, Belvedere was relatively quickly built out within its boundaries. Today, the City of Belvedere's jurisdictional boundary is 2.4 square miles, with roughly 20% of this being land and 80% being the Richardson Bay and San Francisco Bay<sup>6</sup>.

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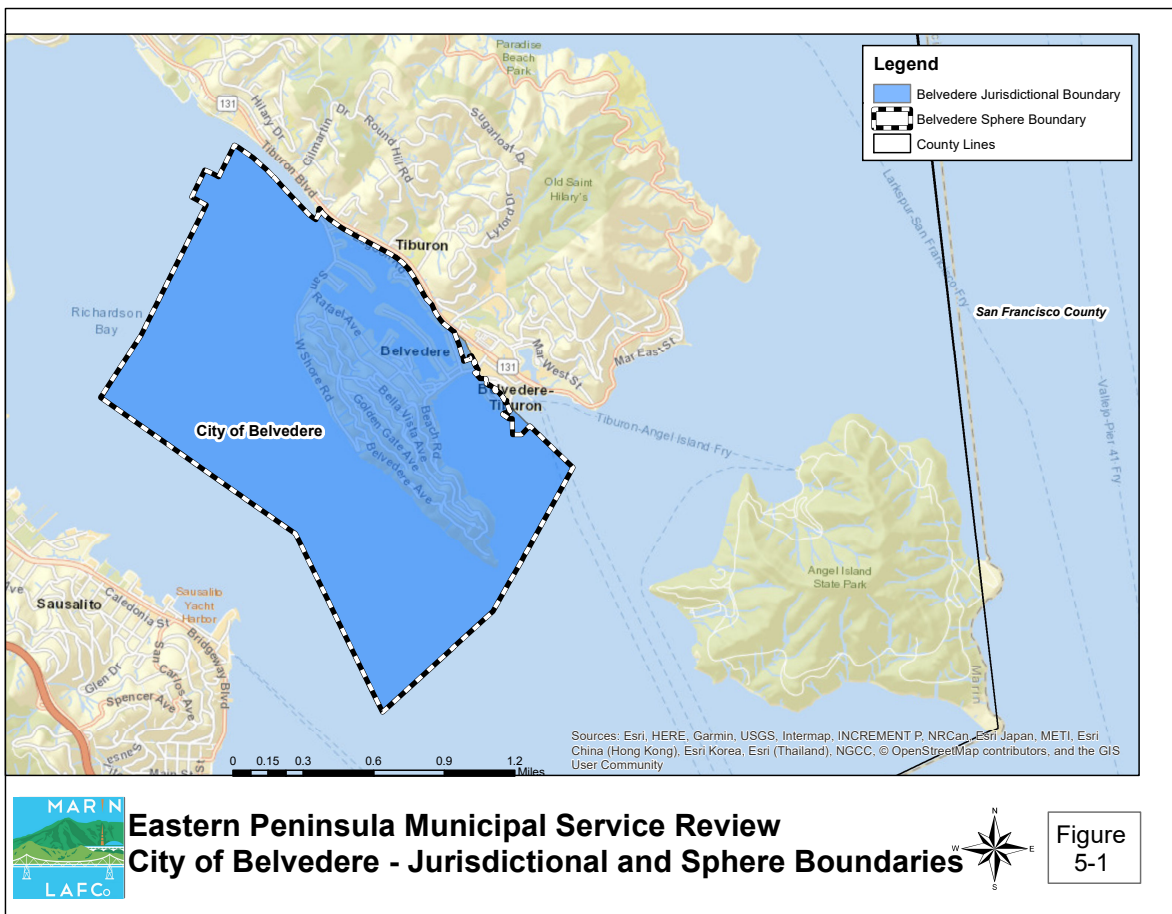
<sup>5</sup> [Bay Area Census, Decennial Census Data](#)

<sup>6</sup> [Marin Map Viewer, Cities](#)

## Sphere of Influence

The City of Belvedere’s Sphere of Influence (SOI) is coterminous to its jurisdictional boundary. The SOI was last updated by LAFCo in 2004. The boundary between the City of Belvedere and the Town of Tiburon splits through the shopping area on the Boardwalk, as well as through Corinthian Island. The boundary in this area has been acknowledged as disorderly<sup>7</sup> and recommendations to correct the boundary were originally made in a 1971 independent study done by the consulting firm of Livingston and Blaney. The recommendations to amend both the jurisdictional boundary and the sphere of influence were made again in 2004 by Marin LAFCo staff. The negotiations to correct the boundary between the City of Belvedere and the Town of Tiburon have not been successful up to this point, and there is no record of any recent discussions on the matter.

**Figure 5-1: City of Belvedere Boundaries**



## 5.3 POPULATION AND GROWTH

The City of Belvedere is essentially built out at this time. The City population has seen a slight decline each year from 2014-2017<sup>8</sup> (2140 – 2126). With the City having averaged less than 2 new

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

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



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

## **5.4 LAND USE AND GEOGRAPHIC FACTORS**

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

### **Land Use**

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

### **Open Space**

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

## **5.5 ORGANIZATION STRUCTURE**

### **Governance**

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

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

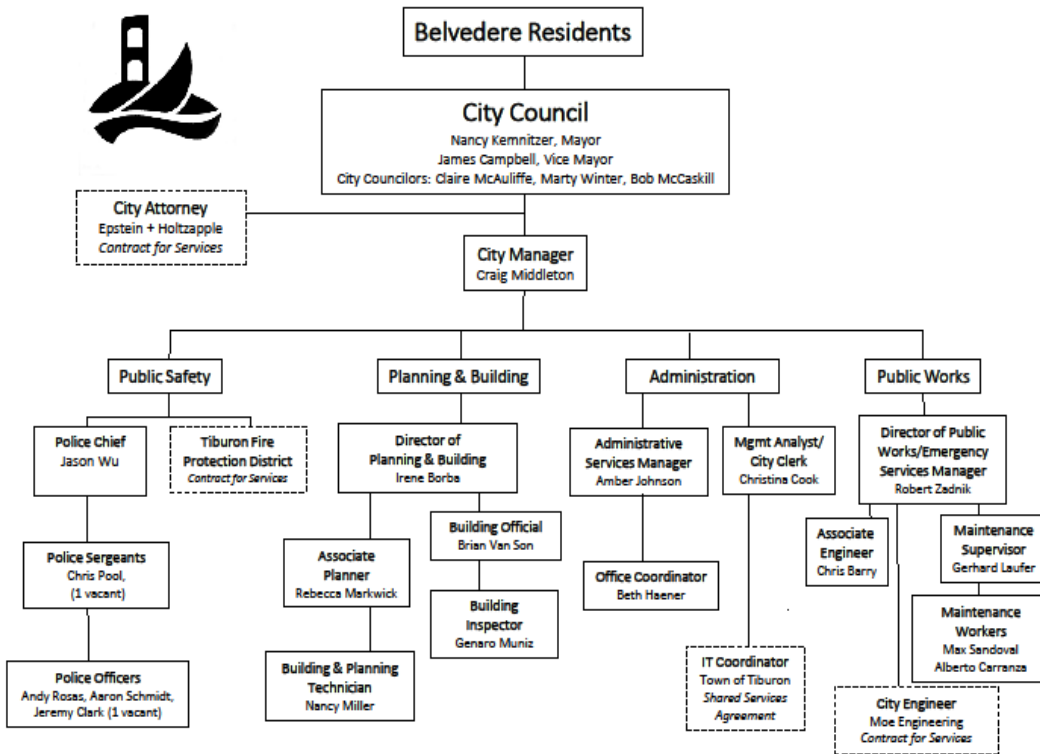
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<sup>9</sup> [City of Belvedere. General Plan 2030, Land Use Element. 2010. Pg. 17](#)

## Administration

The City Manager is appointed by the City Council and is responsible for City operations management and policy implementation on behalf of the City Council. The City Manager is an at-will employee and administers the City of Belvedere’s departments. The Current staffing level is 21 Full-Time Equivalent (FTE) employees. The City’s organization chart<sup>10</sup> can be seen below.

Figure 5-2: City of Belvedere Organization Chart



## 5.6 ACCOUNTABILITY AND TRANSPARENCY

When conducting service reviews and reviewing proposals, LAFCo considers an agency’s accountability for community service needs, including governmental structure, operational efficiencies, financial resources, and promoting public access. The City offers multiple ways to keep citizens informed about services, meetings, finances, and decision-making processes. Public notices are posted on the website. Past meeting agendas and meeting minutes can be found in the

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

Agenda and Minutes section of the City’s website. The public may also provide verbal comments or concerns by phone or in person at City Hall during business hours and/or at City Council meetings during the public comment period.

## 5.7 MUNICIPAL SERVICES

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

### Fire and Emergency Response

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

### Law Enforcement

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

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

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

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

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

## **Public Works**

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

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

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

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

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

## **Parks and Recreation**

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

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

the City of Belvedere; four appointed by the Town of Tiburon; one member appointed by and a member of the Reed Union School District

Both the City of Belvedere and the Town of Tiburon annually contribute agreed upon amounts towards the department’s main building at 600 Ned’s Way in Tiburon, known as Dairy Knoll. For FY 2019-20, the City of Belvedere has made appropriations totaling \$57,800 towards liability insurance and building maintenance for the facility. The construction of the facility was completed in 2014, thanks in part to a Recreation Needs and Existing Condition Assessment Study performed by the independent firm of Godbe Research in 2011. This assessment pointed to multiple recommendations of the building of a community center in order to better accommodate the recreation needs of the greater peninsula area. In addition to the Dairy Knoll facility, The Ranch has facility use agreements for programming at multiple locations throughout Belvedere, including Belvedere Community Center, Belvedere Park, Lagoon Tennis Courts, and Point Tiburon Tennis Courts.

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

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

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

## Water

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

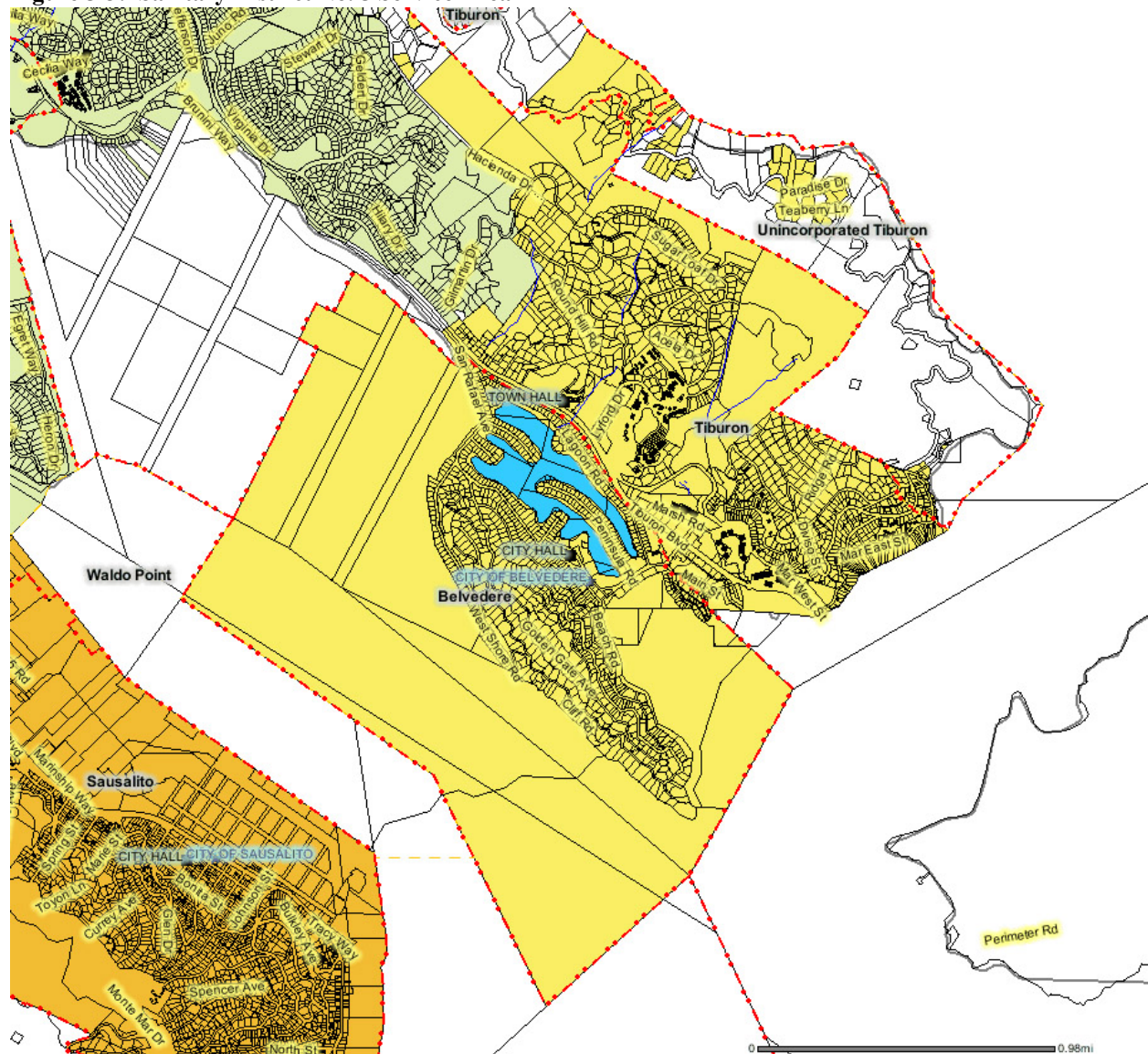
MMWD’s jurisdictional boundary spans 148 square miles, of which Belvedere makes up roughly one-third of one percent. 61% of this area is unincorporated and the additional 39% lies in 10 cities/towns, including the entirety of Belvedere. MMWD is currently authorized to provide three specific services within its jurisdictional boundary: (1) domestic water; (2) non-potable water; (3) and recreation. The district’s governing board is comprised of 5 members who are elected by

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

## Wastewater

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

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



## **5.8 FINANCIAL OVERVIEW**

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

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

### **Revenues and Expenditures**

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

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

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

**Table 5-4: City of Belvedere Major Fund Summary**

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

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

### General Fund

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

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

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



## Debt

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

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

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

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

## Reserves

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

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

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

## 5.9 SUSTAINABILITY

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

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

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

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

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## 6.0 TOWN OF TIBURON

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### 6.1 OVERVIEW

The Town of Tiburon is situated in the south-eastern area of Marin County to the east of Highway 101. It is bordered by Corte Madera to the north and Belvedere for a small apportionment to the south, but a majority of its area is surrounded by the waters of the Richardson Bay and San Francisco Bay. Located just a few miles north of San Francisco, the Town enjoys a very temperate climate year-round. The Town covers a total area of 15.2 square miles, a vast majority being water. With an estimated 2018 population of 9,115, Tiburon ranks as the 6th<sup>15</sup> largest City/Town in Marin County.

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

**Table 6-1: Town of Tiburon Overview**

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

### 6.2 JURISDICTIONAL BOUNDARY

#### Incorporation and City Boundary

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

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

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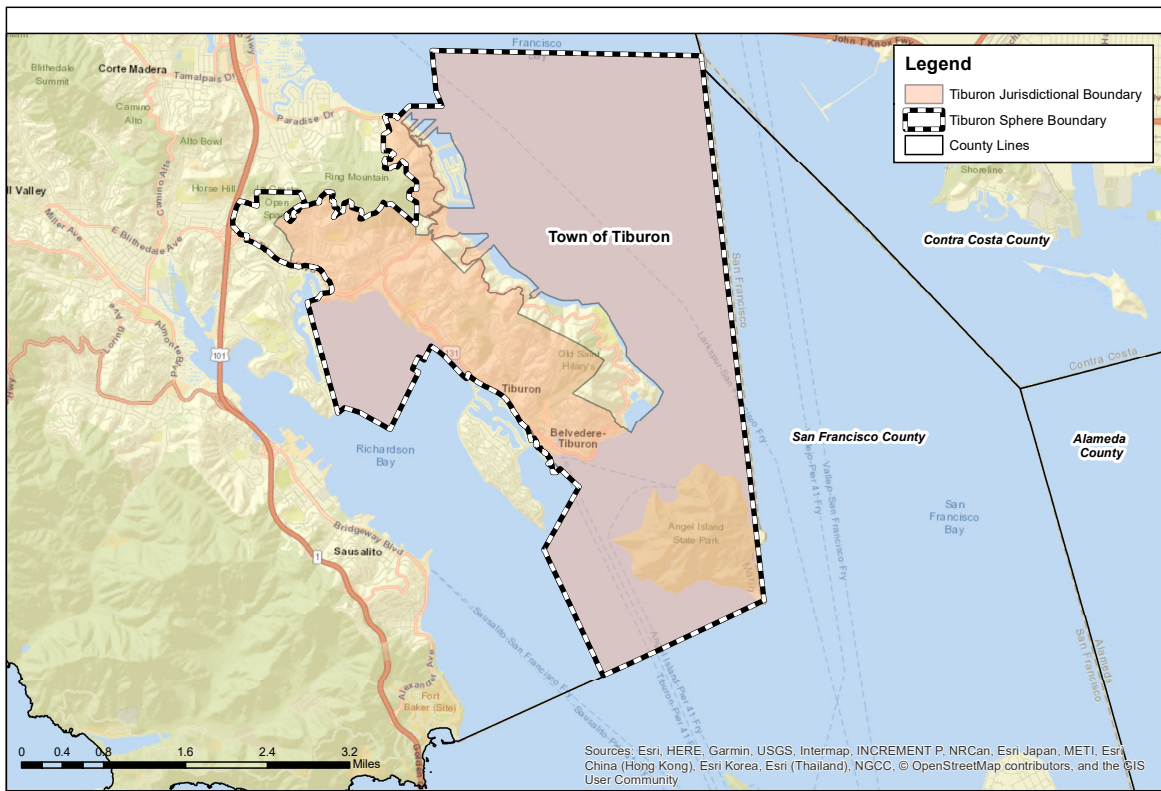
<sup>15</sup> [Bay Area Census, Decennial Census Data](#)

<sup>16</sup> [Landmarks Society, Timeline.](#)

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

With the first official census data following incorporation coming in 1970 (total population 6,209), it would appear that Tiburon’s most notable growth period came during the 1990s. In that decade, the population of the Town grew by over 1,100 residents. Despite the Town’s close proximity to San Francisco, moderate climate conditions, and relative rural character, the population total has seen a slight decline since peaking in 2014. Today, the Town of Tiburon’s jurisdictional boundary is 15.2 square miles<sup>17</sup> (9741 acres), 67% of which is water and 33% is land.

**Figure 6-1: Town of Tiburon Boundaries**



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



**Figure 6-1**

**Sphere of Influence**

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

<sup>17</sup> [Marin Map Viewer, Cities/SOI](#)

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

The boundary between the Town of Tiburon and the City of Belvedere splits through the shopping area on the Boardwalk, as well as through an apartment complex and parts of Corinthian Island. The boundary in this area has been acknowledged as disorderly<sup>18</sup> and recommendations to correct the boundary were originally made in a 1971 independent study done by the consulting firm of Livingston and Blaney. The recommendations to amend both the jurisdictional boundary and the sphere of influence were made again in 2004 by Marin LAFCo staff. The negotiations to correct the boundary between the Town of Tiburon and the City of Belvedere have not been successful up to this point, and there is no record of any recent discussions on this matter.

### 6.3 POPULATION AND GROWTH

As discussed in the Jurisdictional Boundary, the most significant population growth for Tiburon that is captured by census data took place in the 1990s, with the population total ballooning by over 1,100 people. From 2000 – 2014, the population saw an estimated<sup>19</sup> slow but steady tick upwards but has started to see a slight regression in the past 5 years. Despite the recent slight regression, the Association of Bay Area Governments (ABAG) projects that Tiburon will see some modest growth in the future. ABAG estimates the Town’s population will increase by approximately 50 to reach a projected 2030 population of 9,235.

### 6.4 LAND USE AND GEOGRAPHIC FACTORS

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

#### Land Use

Tiburon’s General Plan 2020 serves as the key visioning document for the Town’s desired land use and related management policies. The primary land use designations within town limits include<sup>20</sup> Residential (52%), Open Space (22%), and Parks (22%). The Parks designation is inclusive of the space that Angel Island State Park holds within the Town’s boundary. A land use map is provided in figure 6-2.

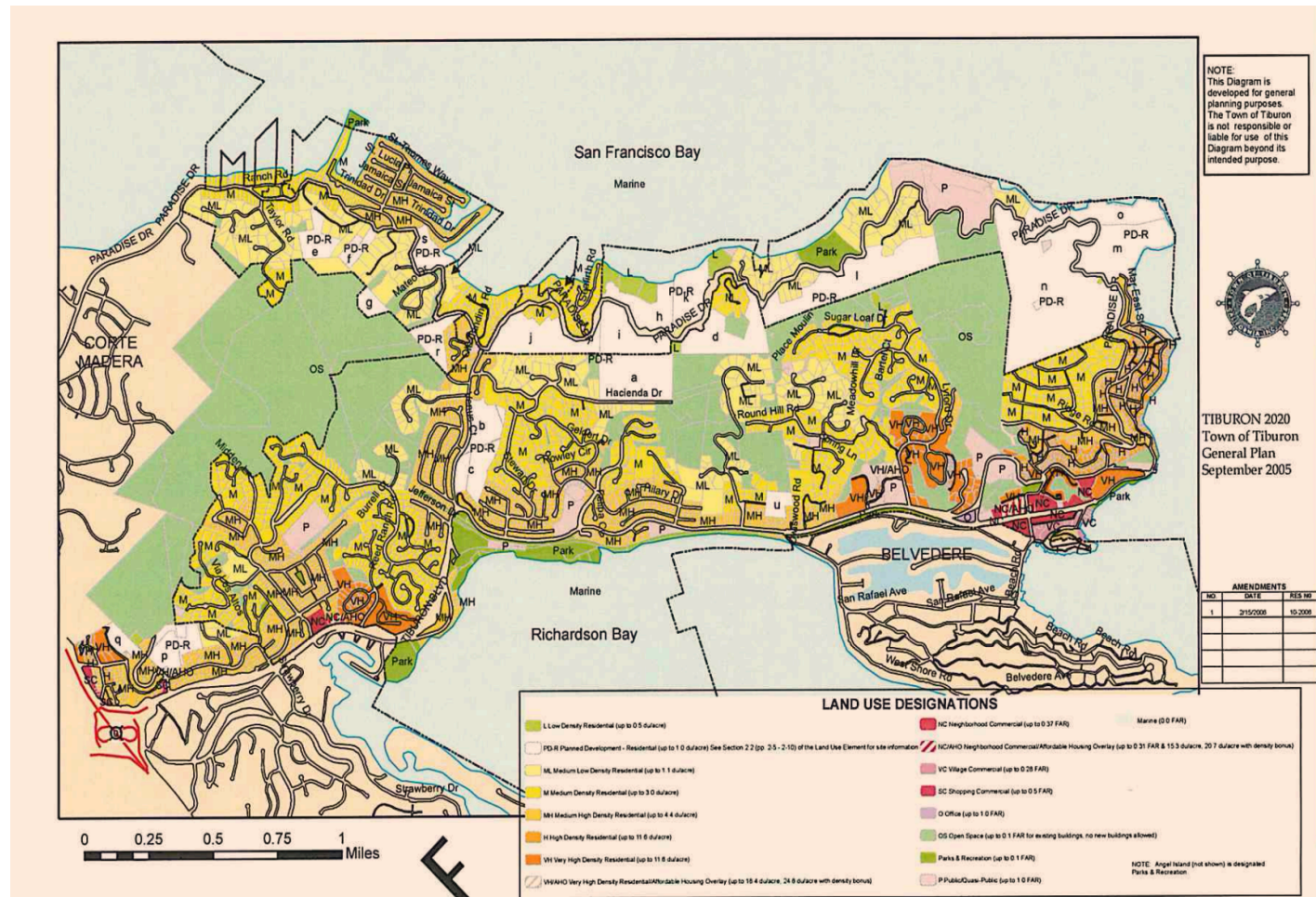
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<sup>18</sup> [Marin LAFCo. \*Southern Marin Service Review and Sphere of Influence Update\*. April 26, 2004. Pg. 75](#)

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

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

Figure 6-2: Town of Tiburon Land Use Designations

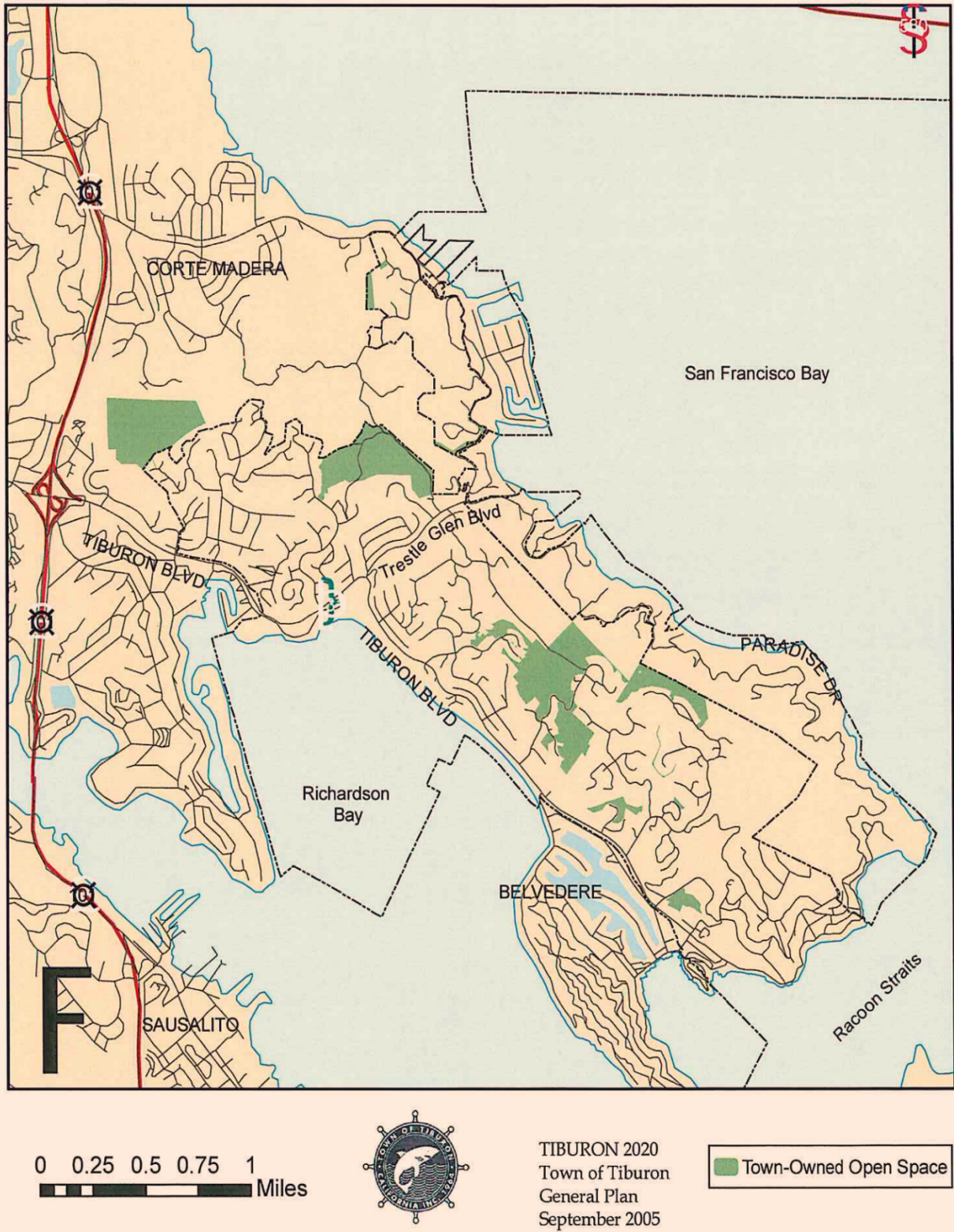


### Open Space

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

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

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



## 6.5 ORGANIZATION STRUCTURE

### Governance

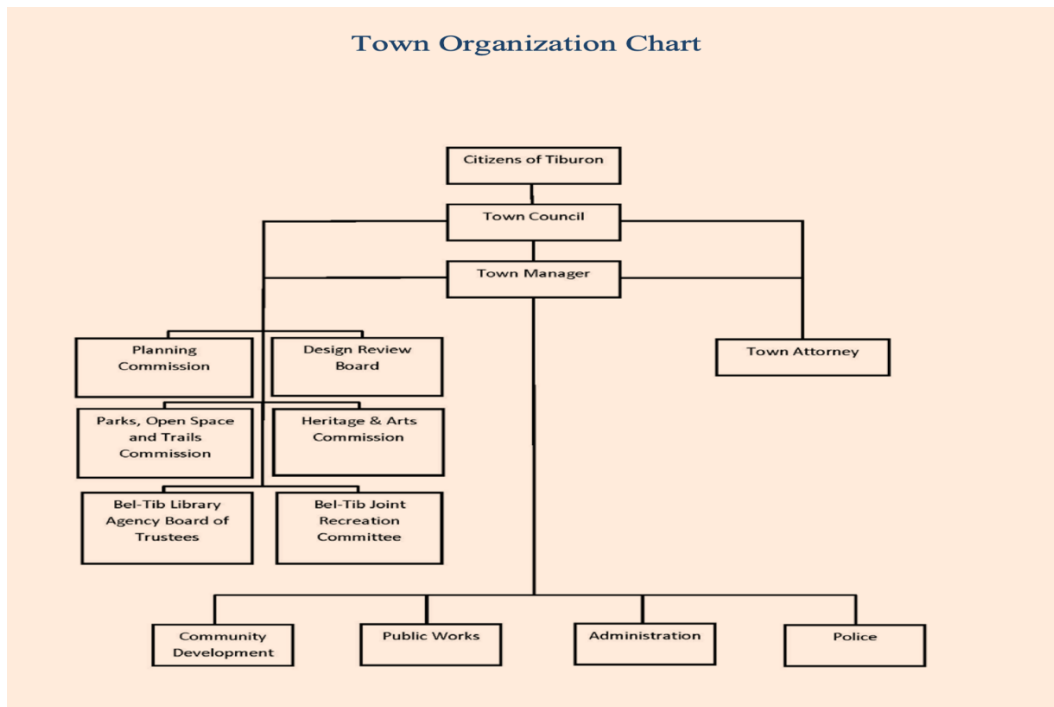
The Town of Tiburon is a general law city operating under a council-manager form of government, in which legislative and policy functions are vested in the Town Council, while the Town Manager conducts the day-to-day city business. There are 5 councilmembers who are elected for staggered, 4-year terms.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

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

### Administration

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

Figure 5-4: Town of Tiburon Organization Chart



<sup>21</sup> Town of Tiburon Staff Correspondence, September 19, 2019



## 6.6 ACCOUNTABILITY AND TRANSPARENCY

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

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

## 6.7 MUNICIPAL SERVICES

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

### Fire and Emergency Response

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

### Law Enforcement

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

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

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

Over the last ten years<sup>23</sup>, the Tiburon police calls for service have increased by 28%, while physical arrests (adult) have decreased by 49%. Traffic and parking violations are also down for the same time period, by 53% and 56% respectively. See Table 6-2 below for further calls for service and law violation details.

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

**Table 6-2: Tiburon Police Department Service Indicators**

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

## Public Works

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

Projected departmental expenditures for 2019-20 are projected to be \$2.2 million<sup>24</sup> (17% of the General Fund expenditures), a slight increase from the \$2.05 million in the 2018-19 adopted budget. Projects completed by the Department as a part of their Capital Improvement Program are

<sup>23</sup> Town of Tiburon Staff Correspondence, September 4<sup>th</sup>, 2019

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

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

Recent Projects completed by the Department include:

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

Major new projects identified for FY 2019-20 include:

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

## **Parks and Recreation**

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

Both the City of Belvedere and the Town of Tiburon annually contribute agreed upon amounts towards the department's main building at 600 Ned's Way in Tiburon. For FY 2019-20, the Town of Tiburon has made appropriations for \$10,000<sup>25</sup> toward's the facility's property insurance and \$30,000 towards maintenance. The construction of the facility was completed in 2014, thanks in part to a Recreation Needs and Existing Condition Assessment Study performed by the independent firm of Godbe Research in 2011. This assessment pointed to multiple recommendations of the building of a community center in order to better accommodate the

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

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

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

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

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

## Water

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

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

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

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

## **Wastewater**

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

### *Richardson Bay Sanitary District*

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

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

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

### *Sewerage Agency of Southern Marin*

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

### *Sanitary District No. 2*

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

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

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

#### *Sanitary District No. 5*

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

## **6.8 FINANCIAL OVERVIEW**

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

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

### **Revenues and Expenditures**

The FY 2019-2020 expenditure budget<sup>26</sup> for the Town of Tiburon is \$12,610,252. This reflects all funds and operations for the Town, not including capital improvement. The expenditure budget is supported predominantly by a projected revenue of \$12,737,688. For the FY 2019-20, the Town reports that funds for general operations are projected to be \$238,429, or 1.9% higher than those of the previous year, however operating uses are projected to grow by a marginally larger amount:

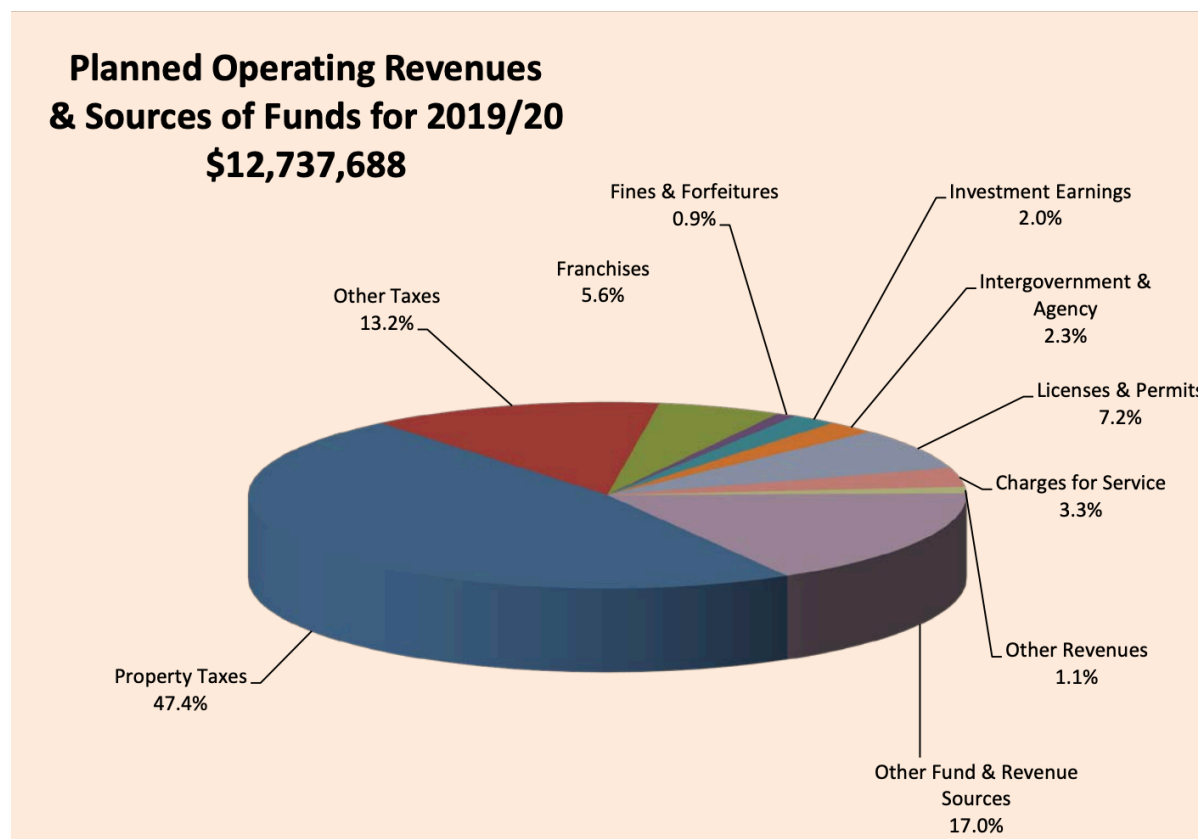
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<sup>26</sup> [Town of Tiburon Municipal Budget FY 2019-20, Pg. 2](#)

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

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

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



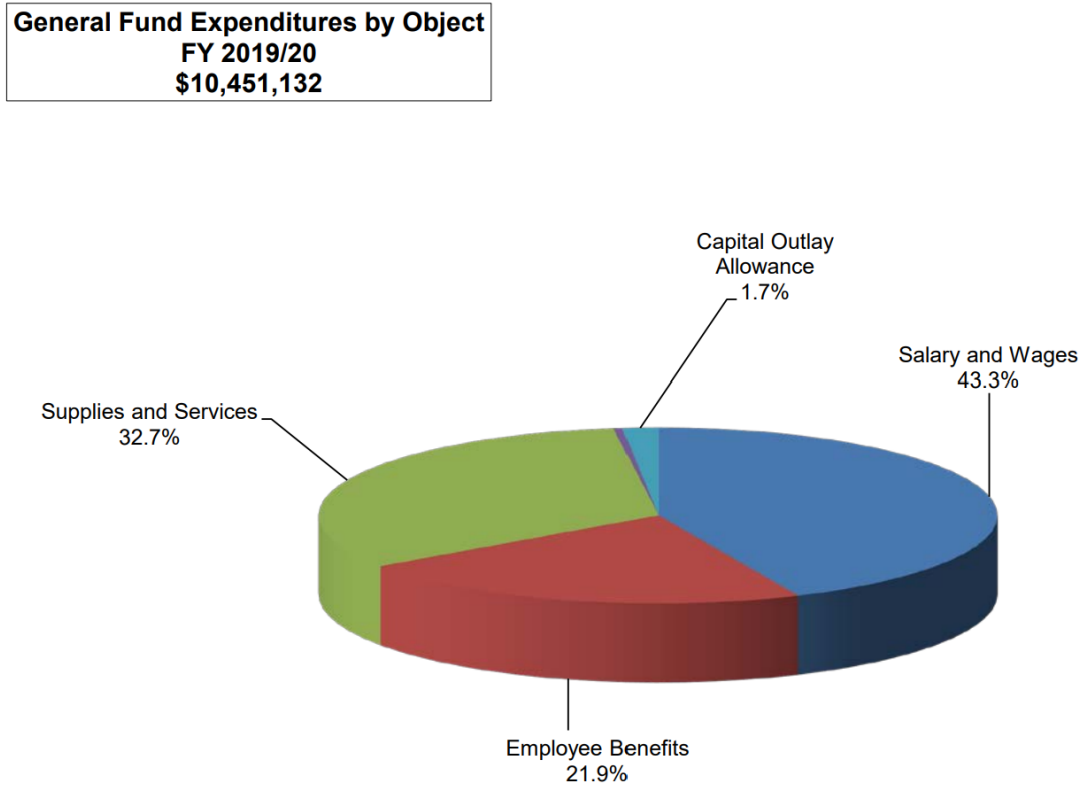
### General Fund

The General Fund spending for the current fiscal year<sup>27</sup> is estimated to be \$10,451,132. This fund accounts for most of the general operations of the Town and major services to residents and businesses (such as police, planning, building, library, parks, streets, engineering, traffic

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

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

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



## Debt

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

The Town also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the Town's Net Pension Liability<sup>28</sup> was \$8,168,481. The Town's pension funded ratio is

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



currently 39.45%. In addition to the pension plan, the Town provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2018, the Town carried a net OPEB liability<sup>29</sup> of \$2,128,177. The Town currently has 58 employees<sup>30</sup>, both active and inactive, in its OPEB plan.

## Reserves

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

## 6.9 SUSTAINABILITY

In April 2011, the Town of Tiburon adopted a Climate Action Plan assessing its greenhouse gas footprint and proposed policies and programs to reduce greenhouse gas emissions citywide by 15% from 2005 levels by 2020. The plan outlines specific programs for attaining sustainable lifestyles, building standards, environmental protection, and economic development with the town. As of 2015, the Town had already not only met, but exceeded its goal<sup>31</sup> by dropping greenhouse gas emissions by 21%.

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

Other noteworthy sustainability efforts of the Town include:

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

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

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

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

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

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

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

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

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## 7.0 SANITARY DISTRICT #5

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### 7.1 OVERVIEW

Sanitary District No. 5 of Marin County (SD5) has roots in Southern Marin County that date back nearly 100 years<sup>32</sup>. The independent special district provides wastewater collection and treatment to the southern half of the Town of Tiburon, all of the City of Belvedere, and parts of the unincorporated eastern side of the Tiburon Peninsula.

Covering approximately 2550 acres<sup>33</sup>, SD5 shares a boundary with the Richardson Bay Sanitary District as well as Sanitary District No. 2. SD5 currently has the largest service area boundary of all of the independent sanitary districts in Southern Marin County and shows the potential for continued growth into the unincorporated areas of Paradise Drive as parcels in that area continue to move off of septic systems.

Table 7-1: Sanitary District No. 5 Overview

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

### 7.2 FORMATION AND DEVELOPMENT

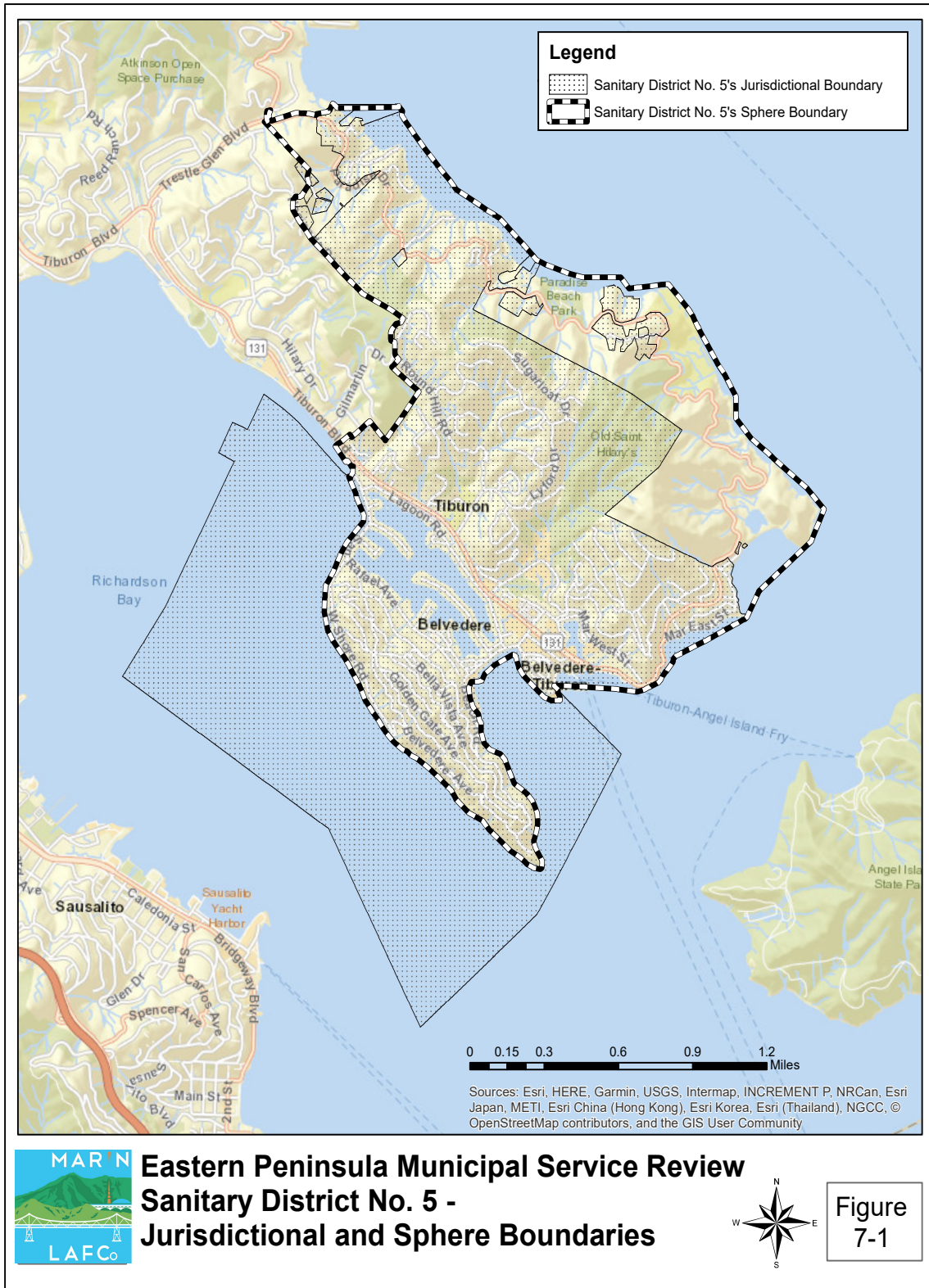
SD5 was originally formed on March 22, 1922, as a garbage collection agency for the southern Tiburon Peninsula. In the early 1940s, sewer systems were constructed throughout the peninsula, however, many of these pipelines dumped directly into the bay. In the early 1960s, the main treatment plant was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

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<sup>32</sup> Sanitary District No. 5 Staff Correspondence, September 19, 2019

<sup>33</sup> [Marin Map Viewer, Sanitation Districts](#)

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



### 7.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

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

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

### 7.4 MUNICIPAL SERVICES

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

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

#### Rates

Residential rates for sewer service are calculated using Equivalent Dwelling Units (EDU). Rates had annual increases from 2010-2015, but have remained constant since 2015. Tiburon sewer service charge is \$1,034 per EDU, and Belvedere Sewer Service Charge is \$1985 per EDU<sup>35</sup>. Non-Residential rates are calculated by using an "EDU Factor" to

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

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

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

## 7.5 ORGANIZATIONAL STRUCTURE

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

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

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

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

## 7.6 ACCOUNTABILITY AND TRANSPARENCY

### Meetings and Agendas

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

### Annual Budget Review

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

## 7.7 FINANCIAL OVERVIEW

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

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

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

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

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

## Revenue

SD5's primary revenue source is service fees. As discussed above, there is a structured fee schedule calculated using Equivalent Dwelling Units (EDU). In FY 2017-18 sewer service fees totaled over \$5.1 million combined between Tiburon and Belvedere accounting for 82% of SD5's total revenue. Fees for sewer services are billed on the County of Marin's property tax bills in two equal installments on December 10, and April 10. An additional 13% of SD5's total revenue comes from property taxes<sup>36</sup> which in FY 2017-18 totaled \$901,056.

## Debt

In February of 2012, SD5 was issued \$10,935,000 of revenue bonds at a premium of \$1,076,031 by the Tiburon/Belvedere Wastewater Financing Authority<sup>37</sup>. The bonds were issued in order to provide financing for the rehabilitation and renovation of the District's main treatment plant. As

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

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

of June 30, 2018, this is the only long-term debt that the District is bound to. The future debt service<sup>38</sup> on the loan and interest is shown below in table 7-5.

Additional SD5 liabilities include pension plans and other post-employment benefits (OPEB) for retirees. SD5 contributes to the California Public Employees Retirement System (CalPERS) which provides various retirement to members and beneficiaries. Contributions to the pension plans from the District were \$847,033 for the year ended June 30, 2018, of which \$740,733 was a one-time payment to reduce overall pension liabilities<sup>39</sup>. As of June 30, 2018, the District reported a total net pension liability of \$583,347. In 2018 there were a total of 9 active place members and 5 inactive employees or beneficiaries currently receiving benefits.

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

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

## Capital Improvement

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

As of 2017, the Tiburon Collection system has an estimated \$4,300,000 of capital work identified in the CIP<sup>40</sup>. The Belvedere Collections system has an estimated \$6,500,000 of capital work identified in the CIP. The Main Plant has an estimated \$2,000,000 of capital work. The Paradise Cove Plant has an estimated \$200,000 of capital work identified.

## 7.8 SUSTAINABILITY

Local agencies play a critical role in protecting natural resources and the environment through land conservation, water recycling, preserving open space, and renewable energy projects. In 2010, SD5 pursued the possibility for the agency to recycle water. Ultimately, the tabulated data showed that the District simply did not have enough end-users and

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

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

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



that the total expense would not be justified. As a result, the Board made the decision not to pursue this path at that time. This possibility will be revisited in future assessments.

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

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## 8.0 TIBURON FIRE PROTECTION DISTRICT

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### 8.1 OVERVIEW

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

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

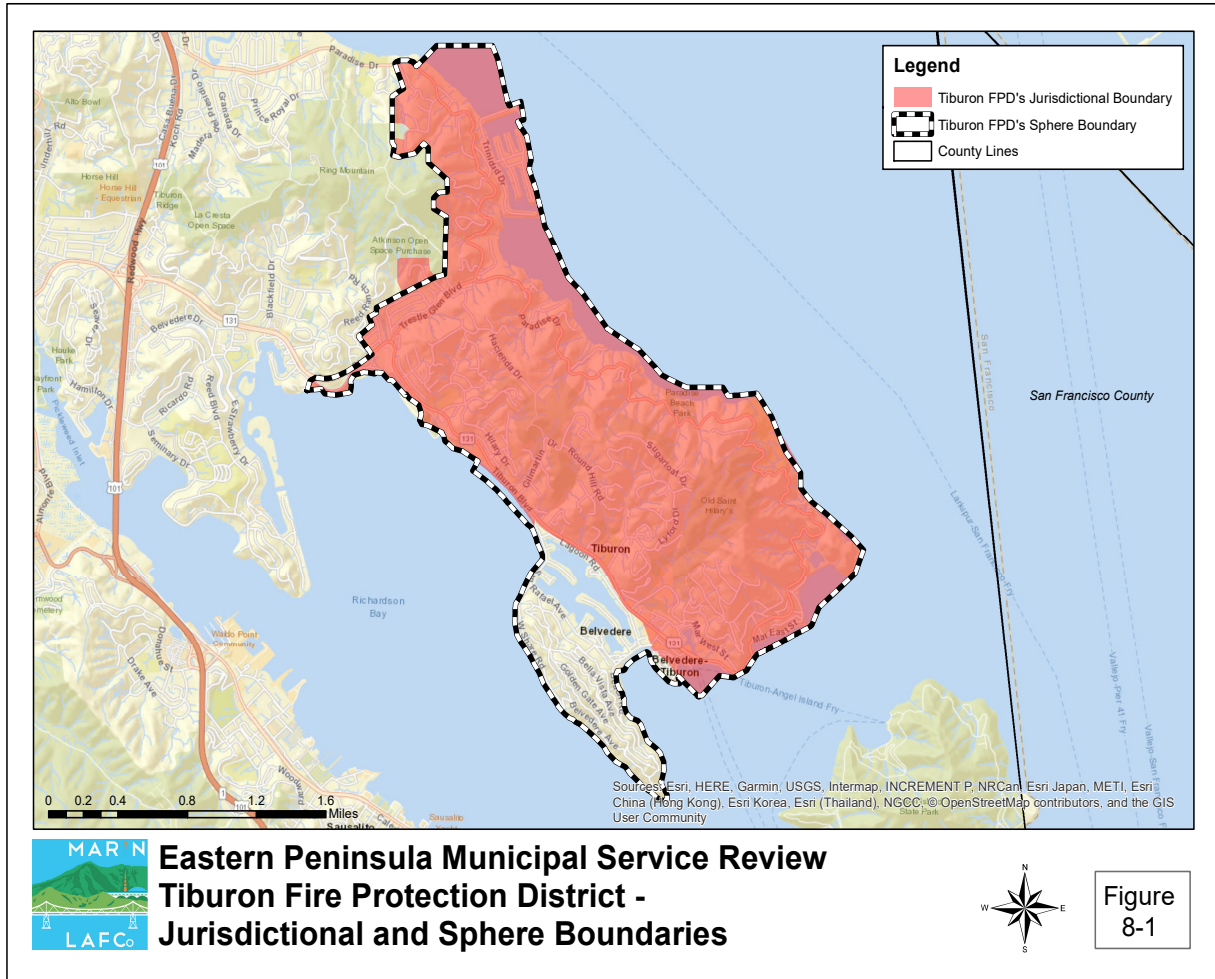
**Table 8-1: Tiburon Fire Protection District Overview**

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

### 8.2 FORMATION AND DEVELOPMENT

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

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



### 8.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Tiburon Fire Protection District’s service boundary, which currently encompasses just over 4 square miles, includes all of the incorporated area of Tiburon that lies south of Turtle Rock Court as well as all of the space to the east, both incorporated and unincorporated, along Paradise Drive. The current Sphere of Influence<sup>41</sup> encompasses 4.65 square miles. The Sphere of Influence includes all of the City of Belvedere, with which the District contracted for services beginning in 1981. In 2004 Marin LAFCo designated<sup>42</sup> an “interim” sphere of influence that included the TFPD jurisdictional boundary and the City of Belvedere. The “interim” title was given due to the open discussions at the time of the possible reorganization to form a larger fire protection district, while still allowing annexations prior to said reorganization. To this point, no official negotiation for the annexation of the City of Belvedere into the service boundary of TFPD has taken place.

<sup>41</sup> [Marin Map Viewer, Fire Services](#)

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

Additionally, despite the area being outside of the District’s service boundary, TFPD finds itself regularly being the agency tasked with the initial response for both fire protection and medical emergencies on Angel Island. While a majority of the island is within the jurisdictional boundary of the Town of Tiburon, it also has the designation of State Park Land. At the same time, the land technically falls under the jurisdiction of the Marin County Fire Department (CSA 31) for fire protection, however, the burden of response regularly falls to TFPD simply as a matter of its staff’s physical proximity to the area. At this time, TFPD receives no funding from either the State of California, Marin County, or the Town of Tiburon for extending its services outside of its current boundary to Angel Island. Since 2007, the District has carried an average cost annually<sup>43</sup> for Angel Island service call responses of \$173,370.

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

## **8.4 MUNICIPAL SERVICES**

### **Fire Protection and Emergency Response**

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

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

The TFPD receives an average<sup>44</sup> of 1,466.2 calls per year (2008-2018) with the majority being for Rescue/Emergency Medical. The call volume increased by approximately 15% during the past

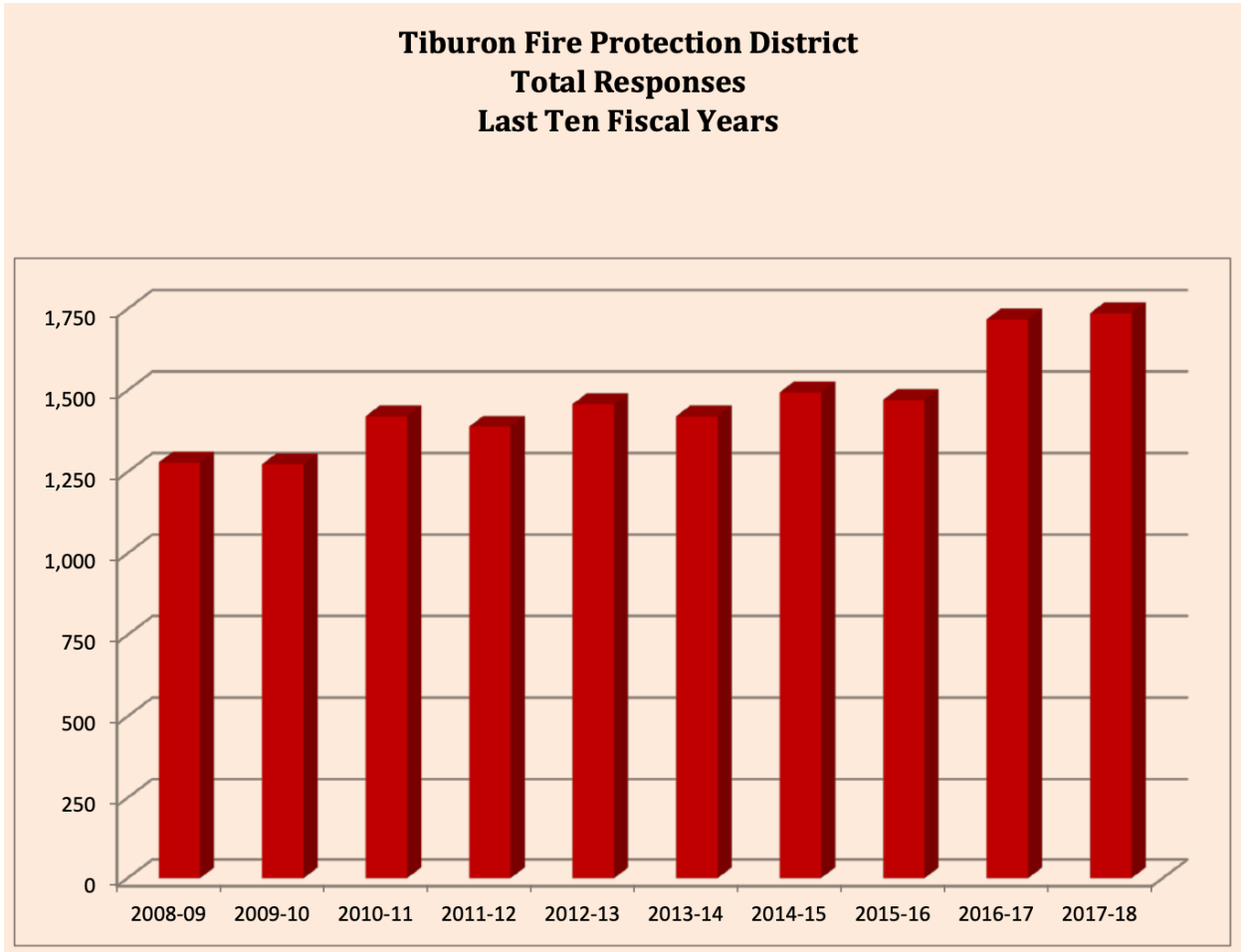
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<sup>43</sup> Staff Correspondence, October 3, 2019

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

two years from 1,471 calls in 2015/16 to 1,737 in 2017/18. A summary of call numbers over the last 10 years is shown below in Figure 8-2.

**Figure 8-2: Tiburon Fire Protection District Total Responses**



During FY 2017-18 the TFPD responded<sup>45</sup> to 1,737 incidents. Of these, 68 percent were for emergency medical services and 2 percent were for fires. The average reported response time was 4 minutes 56 seconds for emergency medical services and 10 minutes 56 seconds for fires. A summary of incidents and response times is provided below in figures 8-3 and 8-4.

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

Figure 8-3: Tiburon Fire Protection District Response Times

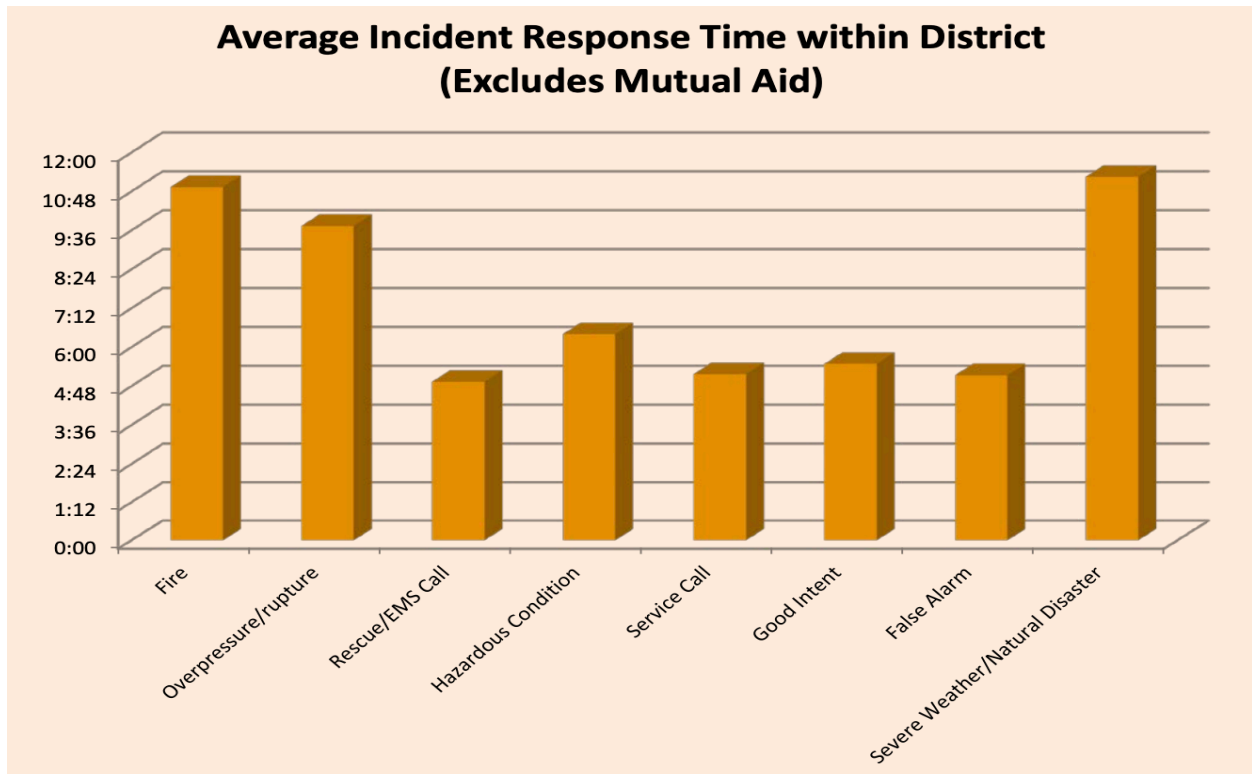
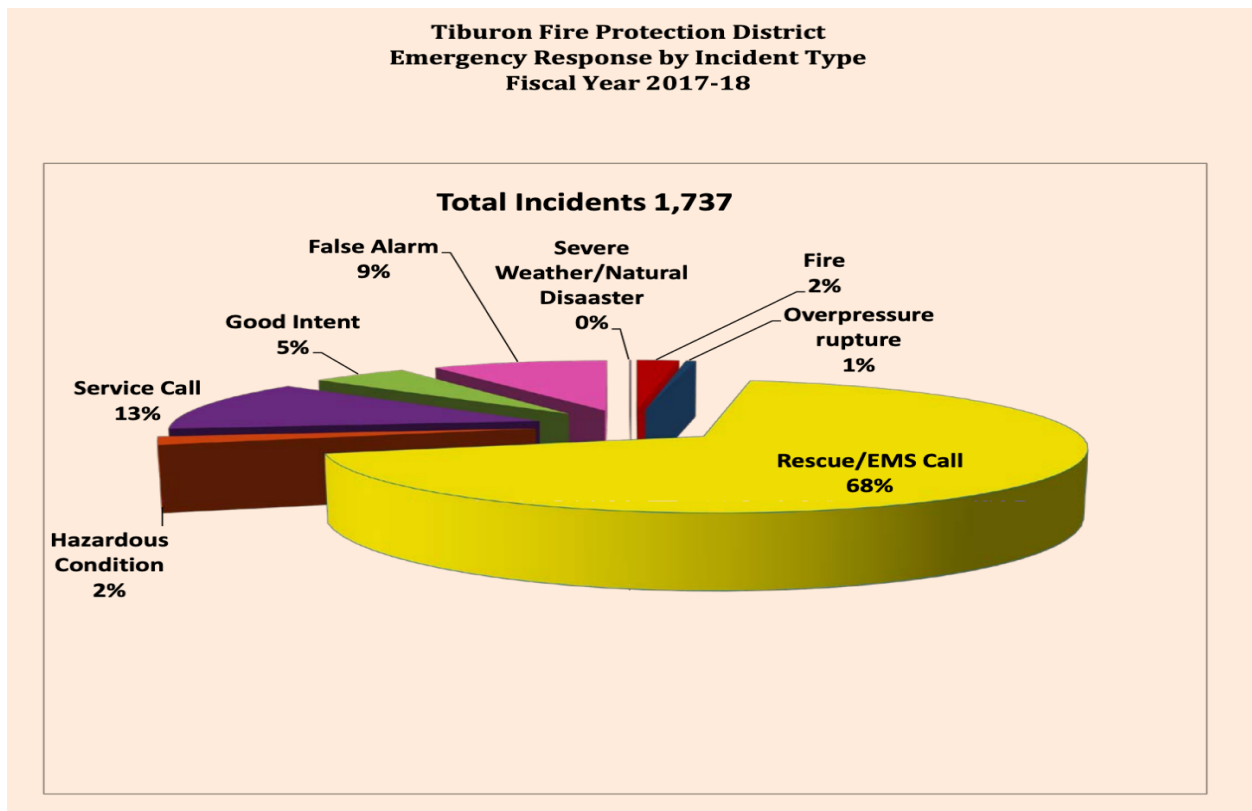


Figure 8-4: Tiburon Fire Protection District Response by Incident Type



## Facilities and Apparatuses

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

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

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

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

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

*Waterfront:* 1 Type 2 Fireboat

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

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

## Other Service Providers

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

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

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

## 8.5 ORGANIZATION STRUCTURE

### Board of Directors

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

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

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

## 8.6 ACCOUNTABILITY AND TRANSPARENCY

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

### Meeting and Agendas

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

### Annual Budget Review

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

## 8.7 FINANCIAL OVERVIEW

Approximately 72% of all annual district revenue<sup>46</sup> comes from property taxes. Additional revenue comes from the District’s contract with the City of Belvedere (19%), strike teams and other reimbursements and fees (7%), and Southern Marin Emergency Paramedic Service (2%).

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



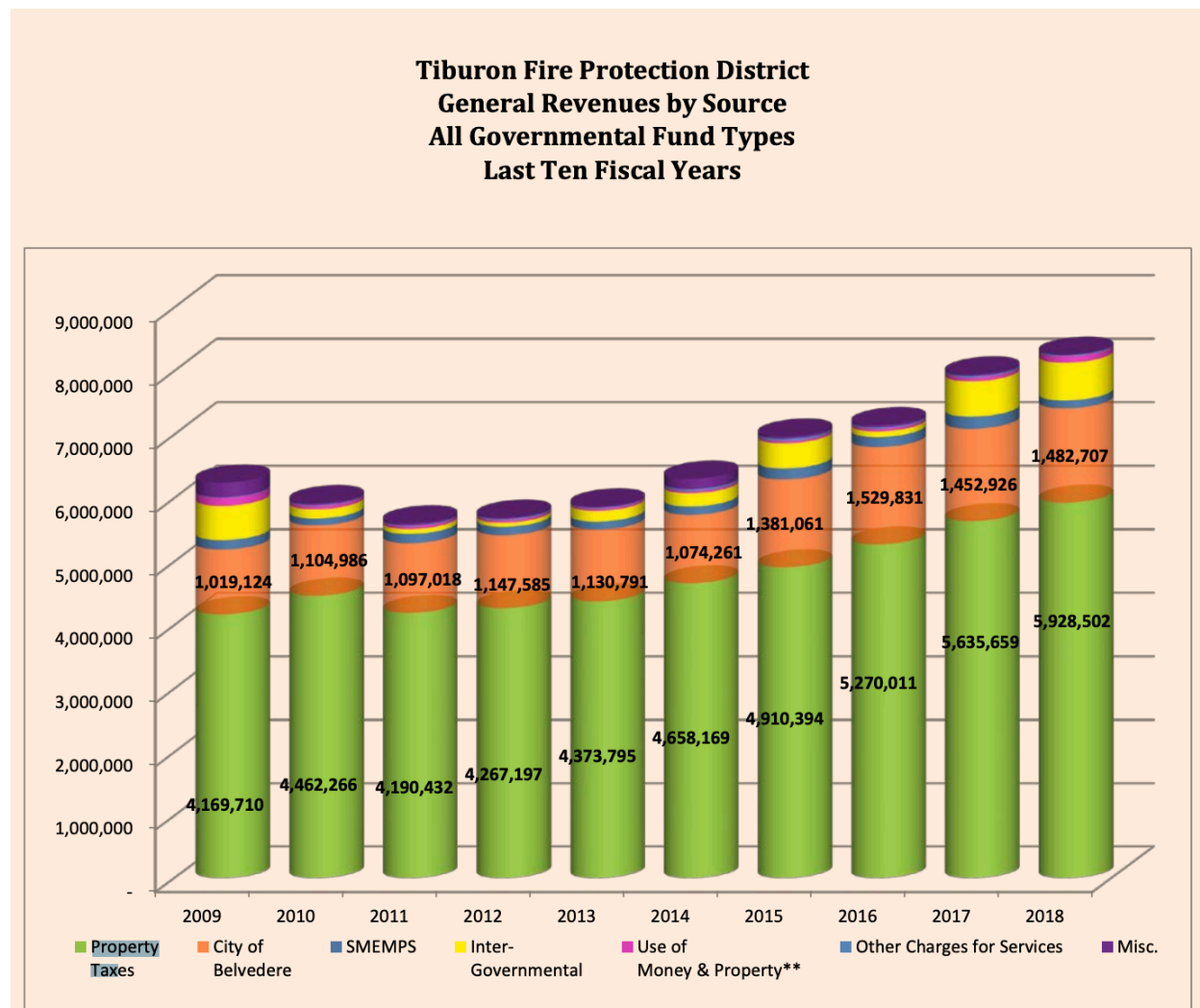
The Tiburon Fire Protection District maintains a goal of providing a high level of community service while maintaining sustainable fiscal practices. Over the past three years, the District has ended with budget surpluses that have helped to bolster the general fund reserves.

## Revenue

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

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

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



## Debt

The TFPD expends approximately \$122,000 per year on debt service including principal and interest payments. Current debt obligations include the lease of a Type 1 engine as well as payments to the Marin Emergency Radio Authority (MERA). As of June 30, 2018, the Tiburon Fire Protection District had approximately \$237,824 in outstanding debt<sup>47</sup>.

The TFPD also provides a pension plan for employees and is part of the California Public Employees Retirement System (CalPERS). CalPERS provides retirement, disability, and death benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the TFPD Net Pension Liability<sup>48</sup> was \$8,504,463. The TFPD pension funded ratio is 80% which is well above average for fire districts. In addition to the pension plan, the TFPD provides post-retirement health care benefits to its retirees. As of June 30, 2018, the District carried a Net OPEB liability<sup>49</sup> total of \$843,908 and is 85% funded. The District currently has 49 employees, both active and inactive, in their OPEB plan.

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

## Financial Audit

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

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

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

<sup>47</sup> [TFPD Comprehensive Annual Financial Report for the Year Ended July 30<sup>th</sup>, 2018. Pg. 66](#)

<sup>48</sup> TFPD Staff Correspondence, November 12, 2019

<sup>49</sup> TFPD Staff Correspondence, November 12, 2019

<sup>50</sup> TFPD Staff Correspondence, October 3, 2019

Expenditures	FY 2017-2018 Audit
Salaries and Benefits	\$6,495,379
Material and Services	\$684,570
Capital Outlay	\$745,906
Debt Service	\$294,496
<b>Total Expenditures</b>	<b>\$8,220,351</b>

## 8.8 WILDLAND FIRE PREPAREDNESS

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

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

## 9.0 STRAWBERRY RECREATION DISTRICT

### 9.1 OVERVIEW

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

Strawberry Recreation District is located between the Town of Tiburon’s western boundary and Highway 101. Despite sharing a zip code with the City of Mill Valley, the community is, in fact, a census-designated place. The District is approximately 862 acres<sup>51</sup> in size with a population of approximately 6,000 residents. The Marin Municipal Water District provides municipal water service and the Richardson Bay Sanitary District provides wastewater service to the District’s residents. The County of Marin provides police, community development, library, and road maintenance services. Fire protection services are provided by the Southern Marin Fire Protection District.

**Table 9-1: Strawberry Recreation District Overview**

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

### 9.2 FORMATION AND DEVELOPMENT

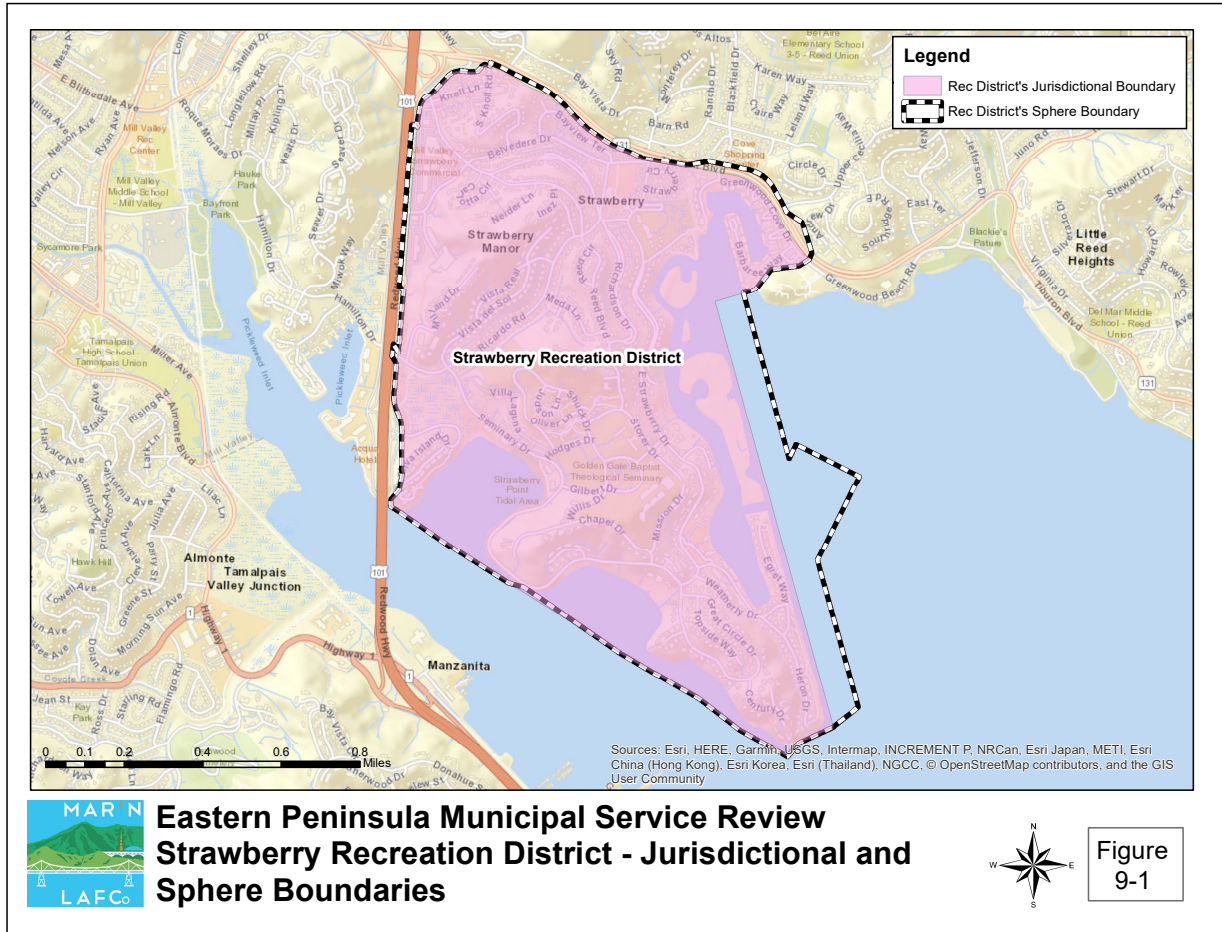
The first subdivision in the community of Strawberry was built in 1947, and by 1948 there were approximately 20 families living on the Strawberry peninsula. On March 7, 1949, Strawberry Recreation District was formed as a County Recreation District and conducted its business in the Red Barn, which was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

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

<sup>51</sup> [Marin Map Viewer, Recreation Districts](#)

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

**Figure 9-1: Strawberry Recreation District Boundary and SOI**



### 9.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

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

### 9.4 POPULATION AND GROWTH

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

Census<sup>52</sup> was 5,393, which was an increase from 5,302 in 2000. While there is still some room for development in the northern pocket of the CDP, within the District boundary the area is essentially built out and shows little growth potential.

## 9.5 MUNICIPAL SERVICES

### Parks, Recreation, and Open Space

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

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

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

### Dredging

On<sup>53</sup> June 27<sup>th</sup>, 1989, Strawberry Recreation District held a special election to establish Zone IV. Zone IV was created in order for SRD to be able to oversee and administer dredging operations along the waterway east of Strawberry Drive in order to provide boating access for waterfront properties. Dredging consists of removing built-up sediment from the main channel and disposing of the sediment at a designated disposal site. Based on anecdotal information from community members, siltation begins impeding boat passage within 8-9 years of dredging.

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

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

<sup>53</sup> Resolution No. 362, Strawberry Recreation District

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

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

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

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

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

## 9.6 ORGANIZATION STRUCTURE

### Board of Directors

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

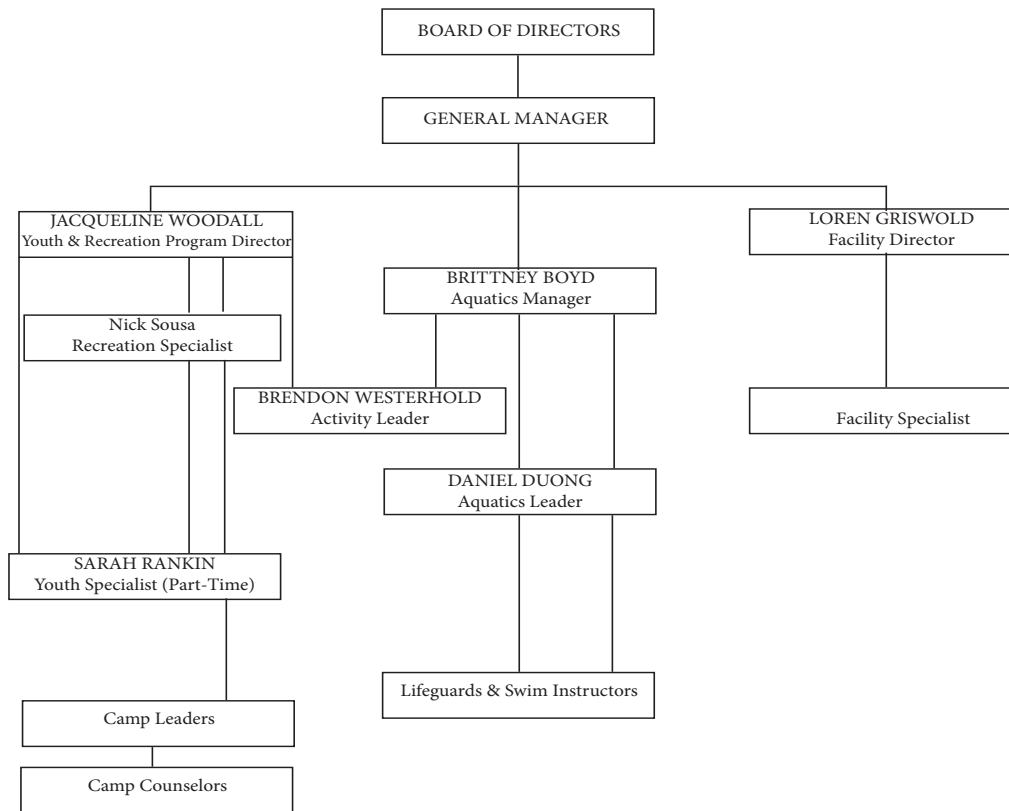
**Table 9-3: Strawberry Recreation District Board of Directors**

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

### Staffing and District Operations

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

**Figure 9-2: Strawberry Recreation District Organization Chart**





## 9.7 ACCOUNTABILITY AND TRANSPARENCY

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

### Meetings and Agendas

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

### Annual Budget Review

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

## 9.8 FINANCIAL OVERVIEW

The District’s Fiscal Year (FY) 2019-20 operating budget<sup>54</sup> is \$1,833,228, an increase of \$348,000 from FY 2018-19. It received a majority of its revenue from fees generated from recreational programs such as day camps and swim lessons, as well as from facility rentals for the swimming pool and the main building use. The other major source of revenue for the District comes from property taxes. The majority of SRD’s expenditures are for staffing, both full time and part-time/seasonal, as well as facility maintenance and repairs. The most recent available report on the District’s financial statements (FY ending June 30, 2017) was a “qualified” or clean audit. Table 9-4 shows an abbreviated budget for the District.

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<sup>54</sup> [Strawberry Recreation District Operating Budget FY 2019-20](#)

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

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

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

## Financial Audit

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

## Debt

The District's only long-term debt obligation at this time is the product of a 2004 General Obligation Bond used for the dredging of Zone IV. On June 9, 2004, the District issued General Obligation Bonds in the principal amount of \$1,800,000 in 2004 Series A Bonds. The Bonds bear interest at 4.5%-5.5% and are due semi-annually on February 1 and August 1. The final payment was scheduled for August 1, 2019. As of June 30, 2018, the District's remaining debt<sup>55</sup> on the bonds were \$353,505.

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

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

benefits based on the employee's years of service, age, and final compensation. As of June 30, 2018, the District's Net Pension Liability<sup>56</sup> was \$164,318.

## **9.9 SUSTAINABILITY**

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

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

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## 10.0 COUNTY SERVICE AREA NO. 29 – PARADISE CAY

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### 10.1 OVERVIEW

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

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

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

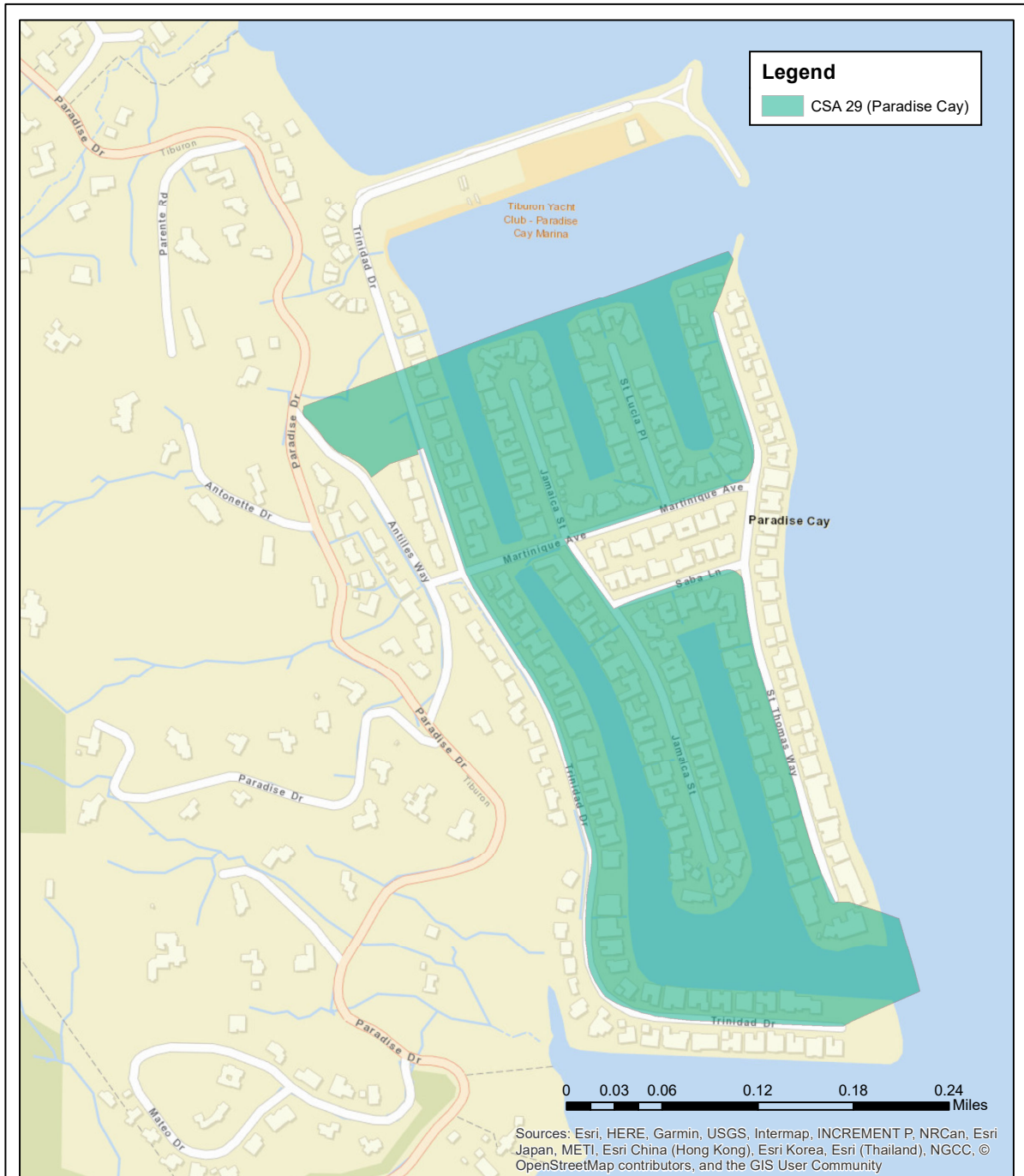
**Table 10-1: County Service Area No. 29 Overview**

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

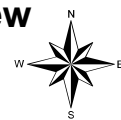
### 10.2 FORMATION AND DEVELOPMENT

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

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



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



**Figure  
10-1**

### 10.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

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

### 10.4 POPULATION AND GROWTH

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

### 10.5 MUNICIPAL SERVICES

#### Dredging

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

Marin County staff have been working with property owners to remove 6 parcels from the CSA and add 1 parcel. 5 of the 6 parcels to be removed are not contiguous to any of the waterways being serviced by dredging operations and have no need to be included moving forward. The parcel targeted to be added to the CSA is both contiguous to the current jurisdictional boundary of the CSA as well as being on the water and requiring the dredging service to ensure watercraft ingress and egress to the residence. At this time, County staff plans to delay the proposed boundary adjustment<sup>57</sup> until after the 2020 dredging episode.

The previous 5 dredging episodes have averaged approximately 26,868 cubic yards<sup>58</sup> of silt removal from the CSA, and the proposed 2020 episode is targeted to remove a similar amount. As is agreed upon in the dredging permit, CSA 29 had disposal sites designated both in the San Pablo Bay as well as Alcatraz Island. The proposed dredging episode for 2020 will increase channel depth to 8 feet below the Mean Lower Low Water (MLLW) level in channels A-E, and will increase channel depth to 9 feet below MLLW level for the north and south waterways and entrance channels. A summary of prior dredging volumes is provided below in Table 10-2.

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<sup>57</sup> Marin County Staff Correspondence, October 14, 2019

<sup>58</sup> [Marin County CSA 29 Documents](#)

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

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

## 10.6 ORGANIZATIONAL STRUCTURE

### Board of Supervisors

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

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

**Table 10-3: County of Marin Board of Supervisors**

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

### Advisory Board

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

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

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

### **Staffing and District Operations**

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

## **10.7 ACCOUNTABILITY AND TRANSPARENCY**

### **Meetings and Agendas**

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

### **Annual Budget Review**

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

## **10.8 FINANCIAL OVERVIEW**

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



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

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

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

## **10.9 SUSTAINABILITY**

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

## 11.0 FLOOD CONTROL ZONE NO. 4

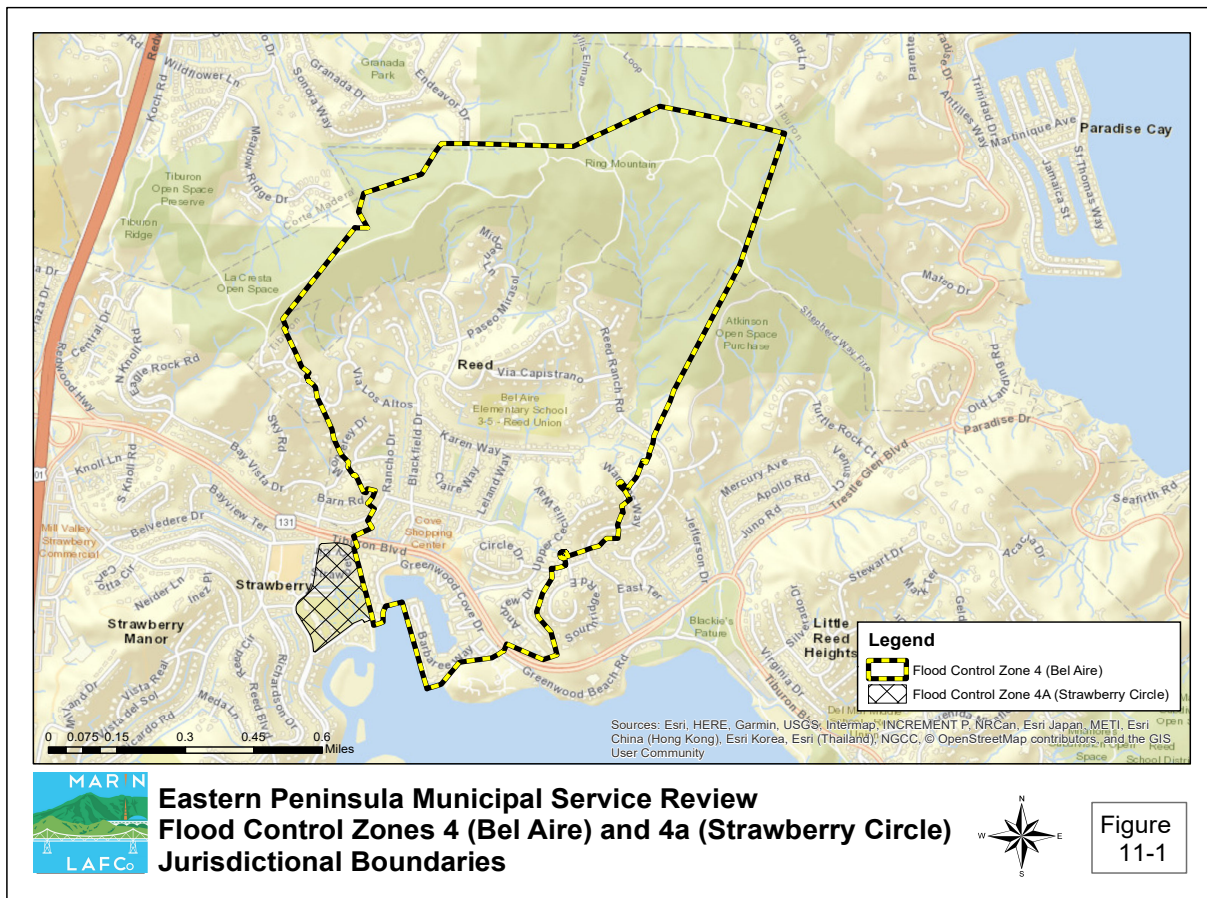
### 11.1 OVERVIEW

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

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

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

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



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

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

## **11.2 FORMATION AND DEVELOPMENT**

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

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

## **11.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

FZ4’s sphere of influence is contiguous with its jurisdictional boundary and includes a total of 890 parcels. Land uses within the zone boundary include single-family residential, multiple-residential, Planned Bayfront Zone, planned development, commercial, and agriculture. The majority of the residential lots within the zone have been developed.

## **11.4 POPULATION AND GROWTH**

The FZ4 is within the community of Bel Aire which is Census Tract 1060.02. In 2010, the US Census reported a population of 5,625 which is a decrease from the year 2000. All developable parcels within the boundary have been developed and increased growth is unlikely.

## 11.5 MUNICIPAL SERVICES

### Flood Control

In the early 1980's multiple years of devastating floods in FZ4 required a Timber-Reinforced Berm (TRB) to be built and completed in 1984<sup>59</sup>. The TRB was mainly constructed on private property along Gallinas Creek to protect the larger community who were also impacted by the floods. The type of TRB built has a normal life span of about 20 years. Since its construction staff for the Flood Control Zone have done needed patch work. In 2015-2016 staff did a review of all parts of the TRB they could get access to. Due to the TRB being on private land they were not able to properly inspect 8 parcels. FZ4 staff then created a list of the sections that were in the worst shape and needed immediate attention. To date about half of the TRB has been replaced. Staff is working to finish this project but is running into funding issues.

In addition to the TRB FZ4 has 5 pump stations. The original pump station was constructed in 1957. With the additional pump station was built in 1963, 1979, 1980 and 1986. In addition to the pump stations in 1975 the La Pasada Bypass Drain was constructed. Following the floods of the early 1980's and the completion of the TRB improvements were made to the Santa Venita Marsh Levee.

Marin County in 2016 joined the Federal Emergency Management Authority (FEMA) Community Rating System (CRS). Currently the County is in CRS class 7, which can get a homeowner a 15% discount on flood insurance<sup>60</sup>. In 2017 the Average premium, before discount, per policy was \$2,117. With the CRS Class 7 discount of 15% that means the average policy was \$1,799 or an average saving of \$318<sup>61</sup>. The CRS is a countywide program so work in any part of the county can impact which class the County as a whole qualifies for.

## 11.6 ORGANIZATION STRUCTURE

### Board of Supervisors

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

**Table 11-2: County of Marin Board of Supervisors**

Member	Position	Experience	Term
<b>Damon Connolly</b> (District 1)	Supervisor	Government	Expires January 2023
<b>Katie Rice</b> (District 2)	Vice-President	Government	Expires January 2021
<b>Kate Sears</b>	President	Attorney	Expires January 2022

<sup>59</sup> [2017 Town Hall PowerPoint](#)

<sup>60</sup> [FEMA Flood Insurance Rating System](#)

<sup>61</sup> [2017 Town Hall PowerPoint](#)

(District 3)			
<b>Dennis Rodoni</b> (District 4)	2 <sup>nd</sup> Vice-President	Construction	Expires January 2021
<b>Judy Arnold</b> (District 5)	Supervisor	Government	Expires January 2023

## Advisory Board

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

## Staffing and District Operations

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

## 11.7 ACCOUNTABILITY AND TRANSPARENCY

### Meetings and Agendas

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

### Annual Budget Review

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

## 11.8 FINANCIAL OVERVIEW

FCZ 4 is funded by an apportionment of the property tax on the properties served. Additionally, subzone 4A has a special tax that was enacted in 2002 (Measure F) for \$220 annually per parcel. This special tax was raised in order to fund the future costs of a new underground pump for the subzone. This tax sunsets in 2022 and will need to be revisited at that time in order to address the necessity of renewing and/or increasing the cost per parcel. Every year county staff prepares a

proposed budget for Advisory Board recommendation and Board of Supervisors’ approval. Details of three current years are provided below in Table 11-3.

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

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

## 11.9 SUSTAINABILITY

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



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
February 13, 2020  
Item No. 6 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Reorganization of 70 Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to the Alto Sanitary District (File #1345)

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## Background

Marin LAFCo has received an application from Vikrum Nijjar (“applicant”) requesting approval to annex a lot that is being planned for a single-family home, approximately 6.74 acres, to the Alto Sanitary District. The affected territory is in unincorporated Marin County within the Town of Tiburon Sphere of Influence (SOI) with a situs address of 70 N Knoll Road (APN 034-012-26 and 034-061-09).

The proposal, as stated by the applicant, is for connection to a sewer district. Currently these two parcels are within Richardson Bay Sanitary District’s (RBSD) SOI but is not located in the district. According to the applicant, based on future development on the parcel it is more cost effective to connect to Alto Sanitary District (ASD). The parcel also is directly adjacent to the ASD boundary. ASD has been working with the applicant on plans for a connection and is willing to take this parcel into its service territory. LAFCo staff has checked with RBSD staff and was informed they are fine with letting the parcels move to ASD given it seems to be arranged for the applicant. Upon review of the provided information, LAFCo staff concurs with ASD and RBSD staff.

LAFCo has a dual annexation policy for parcels with City/Town SOI. However, given this parcel is not adjacent to the Town of Tiburon, at this time it does not make sense to annex this parcel into the Town of Tiburon. LAFCo staff has already asked the applicant and they agreed to sign a document stating that in the future, should the area they live in be annexed to Tiburon, they will not oppose the matter.

Staff has requested comments from Alto Sanitary District, along with other interested agencies, that were due on Monday, February 3, 2020. All impacted or interested agencies were supportive or neutral on this application.

## Staff Recommendation for Action

1. Staff recommendation – Approve the requested change in Sphere of Influence and reorganization as described and approved in attached Resolution No. 20-08.

### Administrative Office

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

Damon Connolly, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Dennis Rodoni, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Sloan Bailey, Regular  
Town of Corte Madera

Barbara Coler, Alternate  
Town of Fairfax

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kious, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

2. Alternative Option 1 – Deny the request.
3. Alternative Option 2 – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachments:

- 1) Resolution #20-08
- 2) Application Packet



**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION NO. 20-08

**RESOLUTION MAKING DETERMINATIONS AND APPROVING REORGANIZATION INCLUDING DEATCHMENT FROM RICHARDSON BAY SANITARY DISTRICT AND ANNEXATION TO ALTO SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING AND ELECTION**

“Reorganization of 70 Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to the Alto Sanitary District (File #1345)”

**WHEREAS** a proposal for the reorganization of certain territory including detachment from Richardson Bay Sanitary District to be annexed to the Alto Sanitary District in the County of Marin has been filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

**WHEREAS** said proposal was made in the form of a petition filed by the property owner; and

**WHEREAS** pursuant to Government Code Section 56663, when a resolution is accompanied by written consent signed by all owners of land within the territory proposed to be annexed, this Commission may make determination with respect to said annexation without notice and hearing; and

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

**WHEREAS** the Executive Officer has reviewed the application and prepared a report, including a recommendation thereon, the application and report having been presented to and considered by this Commission.

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

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

1. Amend the sphere of influence of the Alto Sanitary District to include APN 034-012-26 and 034-061-09 and the sphere of influence of Richardson Bay Sanitary District to exclude these parcels and makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit "C" attached hereto and incorporated herein by reference.

- 2. Approve the proposed Reorganization of 70 Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to the Alto Sanitary District (File #1345) as shown and described on Exhibits "A" and "B".
- 3. Proceedings for the annexation shall not be completed until the applicant an agreement with the Marin Local Agency Formation Commission wherein:
  - a. The property owner agrees on behalf of himself, his heirs, successors and assigns that, in the event any future proceedings for the annexation of the property to the Town of Tiburon shall be initiated by the Town, the owner shall neither directly nor indirectly oppose or protest such annexation; and
  - b. That the owner agrees that his obligations under the agreement shall run with the property and that the property shall be held, conveyed, hypothecated, encumbered, leased, rented, used and occupied subject to the provisions of the agreement and that the obligations undertaken by the owner shall be binding on all parties having or acquiring any right, title, or interest in the property.

Section 2. The territory includes 6.74 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Reorganization of 70 Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to the Alto Sanitary District (File #1345)".

Section 3. The proposal is consistent with the adopted spheres of influence of the Alto Sanitary District and the Richardson Bay Sanitary District, as amended.

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

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 13<sup>th</sup> day of February 2020 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

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Sashi McEntee, Chair  
Marin LAFCo

**ATTEST:**

**APPROVED AS TO FORM:**

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Jason Fried, LAFCo Executive Officer

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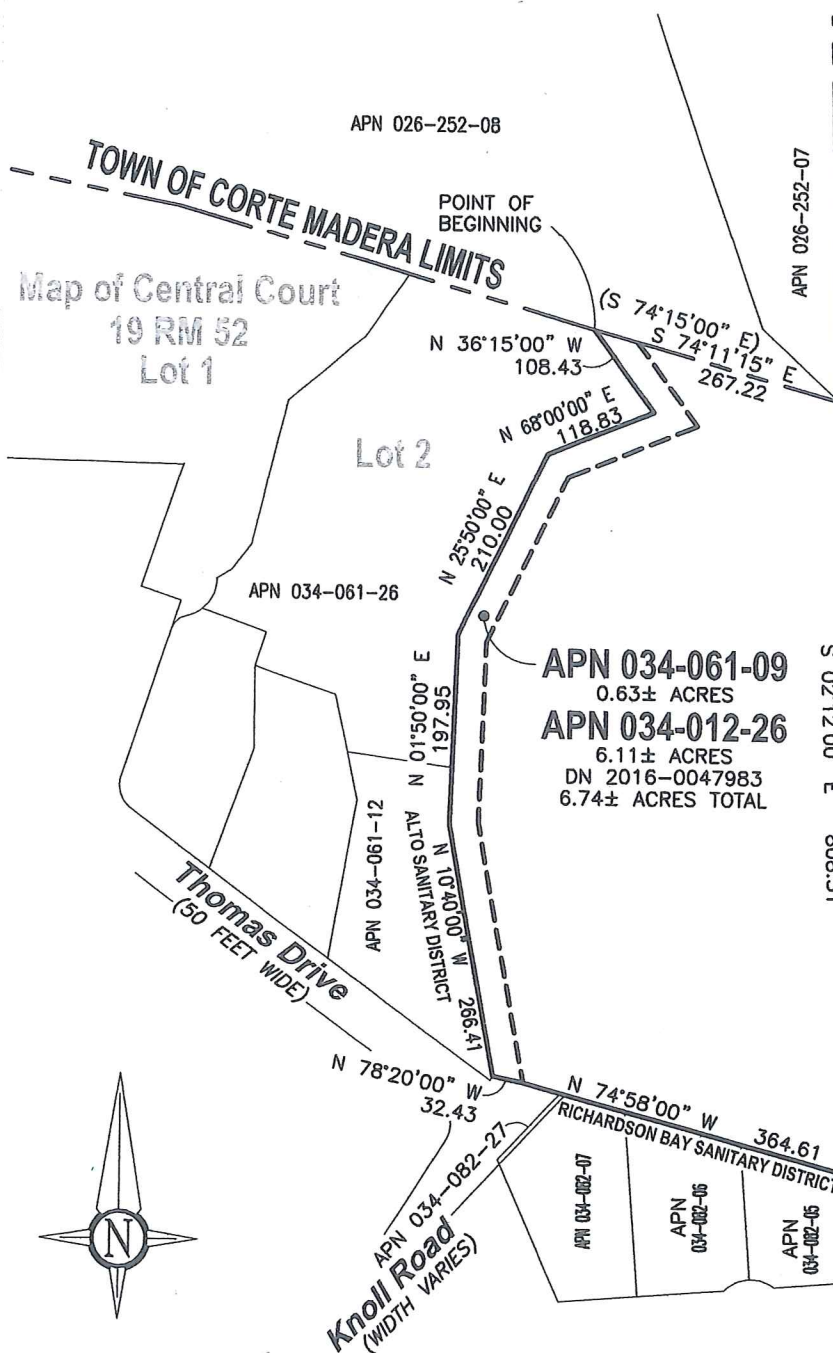
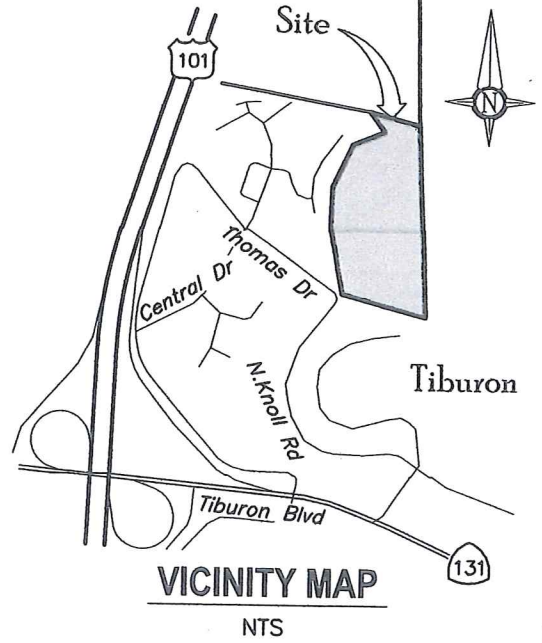
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 20-08

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

**LEGEND**

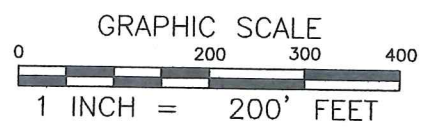
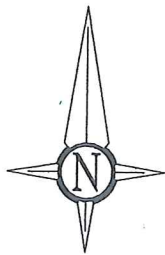
APN ASSESSOR PARCEL NUMBER  
 DN DOCUMENT NUMBER  
 NTS NOT TO SCALE  
 - - - - - CITY LIMIT LINE



OPEN SPACE  
 APN 034-012-50



BEING A PORTION OF RANCHO  
 CORTE MADERA DEL PRESIDIO  
 TOWNSHIP 1 NORTH, RANGE 6  
 WEST, SECTION 27  
 (PROJECTED) MDB&M



**1031Survey, Inc.**  
 HIGH DEFINITION SURVEYING  
 1857 Rainier Circle, Petaluma, California 94954  
 415-827-6370 www.1031survey.com

**REORGANIZATION OF  
 APN 034-061-09 & 034-012-26  
 LAFCO# 1345**

JOB #: 19178LAFCO-EX  
 DATE: 2019.12.19  
 CREATED BY: \_\_\_\_\_  
 SHEET NO. 1 OF 1


Reorganization of APN 034-061-09 & 034-012-26  
LAFCO # 1345 - Legal Description

BEING A PORTION OF THE RANCHO CORTE MADERA DEL PRESIDIO AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2016-0047983, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE STATE DIVISION OF HIGHWAYS MONUMENT M-85 AS SHOWN ON THAT CALIFORNIA STATE HIGHWAY MONUMENT MAP 4-MRN-101-P.M.5.8, S-182.6, AND ALSO AS SHOWN ON THAT CERTAIN "MAP OF CENTRAL COURT" FILED IN BOOK 19 OF RECORD MAPS, AT PAGE 52, MARIN COUNTY RECORDS, THENCE NORTH 14°42'10" EAST, 534.409 FEET TO M-84 AS SHOWN ON SAID MAP OF CENTRAL COURT; THENCE ALONG THE TIE LINE AS SHOWN THEREON, NORTH 27°21'28" EAST, 156.03 TO A POINT ON THE EASTERLY LINE OF THE U.S. HIGHWAY NO. 101 RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY NORTH 28°28'22" EAST, 340.596 FEET TO THE NORTHWEST CORNER OF LOT 1, ALSO BEING A POINT ON THE TOWN OF CORTE MADERA LIMITS; THENCE ALONG SAID LIMITS SOUTH 78°31'44" EAST, 219.54 FEET; THENCE CONTINUING SOUTH 74°11'15" EAST, 455.066 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID MAP AND THE **POINT OF BEGINNING**; THENCE CONTINUING, COURSE 1 - SOUTH 74°11'15" EAST (SOUTH 74°15'00" EAST PER DEED), 267.22 FEET TO THE NORTHEAST CORNER OF SAID DEED, ALSO BEING AN ANGLE POINT IN THE TOWN LIMITS; THENCE COURSE 2 - SOUTH 02°12'00" EAST, 808.31 FEET; THENCE COURSE 3 - NORTH 74°58'00" WEST, 364.61 FEET; THENCE COURSE 4 - NORTH 78°20'00" WEST, 32.43 FEET; THENCE COURSE 5 - NORTH 10°40'00" WEST, 266.41 FEET; THENCE COURSE 6 - NORTH 01°50'00" EAST, 197.95 FEET; THENCE COURSE 7 - NORTH 25°50'00" EAST, 210.00 FEET; THENCE COURSE 8 - NORTH 68°00'00" EAST, 118.83 FEET; THENCE COURSE 9 - NORTH 36°15'00" WEST, 108.43 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 6.74 ACRES MORE OR LESS.

THE BASIS OF BEARING OF THIS DESCRIPTION IS THE ABOVEMENTIONED MAP OF CENTRAL COURT.

  
GJ HARMINA, III PLS 7950

December 18, 2019  
DATE



## EXHIBIT C

Reorganization of 70 Knoll Road (APN 034-012-26 and 034-061-09), Including Detachment from the Richardson Bay Sanitary District and Annexation to the Alto Sanitary District (File #1345)

### SPHERE OF INFLUENCE DETERMINATIONS

#### GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
  - This is currently 2 undeveloped lots in unincorporated Marin County. Future plans for these parcels are to develop a single-family home.
- 2) The present and probable need for public facilities and services in the area.
  - This parcel is just outside of both Alto Sanitary District and Richardson Bay Sanitary District boundaries. Since this parcel has not been developed no sanitary services have been connected to either parcel. Future planned development will require connection to a sanitary system.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
  - Alto Sanitary District based on the 2017 Central Marin Wastewater Services Study has capacity for the current future plans of this parcel.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
  - These parcels do not reside in any social or economic communities of interest.
- 5) For an update of a sphere of influence for a city that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
  - There are no unincorporated communities within the Study Area that have been identified as disadvantaged.

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

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

**I. GENERAL INFORMATION**

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

- Resolution of Application
- Petition

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

3. A. Application is submitted for the following boundary change:

(BE SPECIFIC; i.e., "annexation," "reorganization".)  
Reorganization in to Alto Sanitary district.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. The reason the proposed action(s) has been requested:

(BE SPECIFIC; i.e., "annexation to sewer district for construction of three homes")  
Reorganization to sewer district for construction of one single family home.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. State general location of proposal:  
Thomas Drive in Mill Valley, CA.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Yes  . Which city? \_\_\_\_\_  
No  . If the proposal is adjacent to a city, provide city name: Mill Valley, Tiburon, Corte Madera

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

\_\_\_\_\_

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

8. Provide the following information regarding the area proposed for annexation:  
(Attach list if necessary.)

A. Assessor's Parcel Number(s)	Site Address(es)
034-012-26	70 N Knoll Rd / 55 Thomas Dr, Mill Valley, CA
034-061-09	
_____	_____
_____	_____

B. Total number of parcels: 2.

9. Total land area: ~6.2 acres.

## II. LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns: \_\_\_\_\_  
n/a  
\_\_\_\_\_  
\_\_\_\_\_

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

3. Indicate the current zoning (either city or county) title and densities permitted:  
RMP - 0.2  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Has the area been rezoned? No  N/A  Yes   
What is the rezoning classification, title and densities permitted? \_\_\_\_\_  
RMP - 0.2  
\_\_\_\_\_  
\_\_\_\_\_

5. Describe the specific development potential of the property:  
(Number of units allowed in zoning.)  
1 unit per 5 acres, Residential Multiple Planned.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



III. ENVIRONMENT

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

Yes  No

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

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

Yes  No

If yes, explain: \_\_\_\_\_  
\_\_\_\_\_

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

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

4. State general description of site topography: \_\_\_\_\_  
0%~30% slope.  
\_\_\_\_\_  
\_\_\_\_\_

5. Indicated Lead Agency for this project: \_\_\_\_\_  
Marin County, Alto Sanifary.  
\_\_\_\_\_

6. Indicate Environmental Determination by Lead Agency: <sup>N/A</sup>  
with respect to (indicate project) N/A - Single family home categorically exempt from EIR.  
dated \_\_\_\_\_.

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

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

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

Name and Address of Applicant: Vikrum Nijjar, 134 Chesapeake Ln, Novato, CA 94949

Email: vsnijjar@gmail.com

Telephone Number: H ( 510 ) 378-0916 W (          ) \_\_\_\_\_

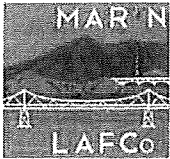


\_\_\_\_\_  
Signature

11-01-2019  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



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

**III. INDEMNIFICATION AGREEMENT**

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys' fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo's review and/or approval of the Application (collectively, "Indemnification Costs"). Applicant's obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant's obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant's sole expense and using counsel selected or approved by LAFCo in LAFCo's sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs ("Reserve"), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo's sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo's request. The Reserve shall be applied against LAFCo's final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo's bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

  
\_\_\_\_\_  
Applicant Signature

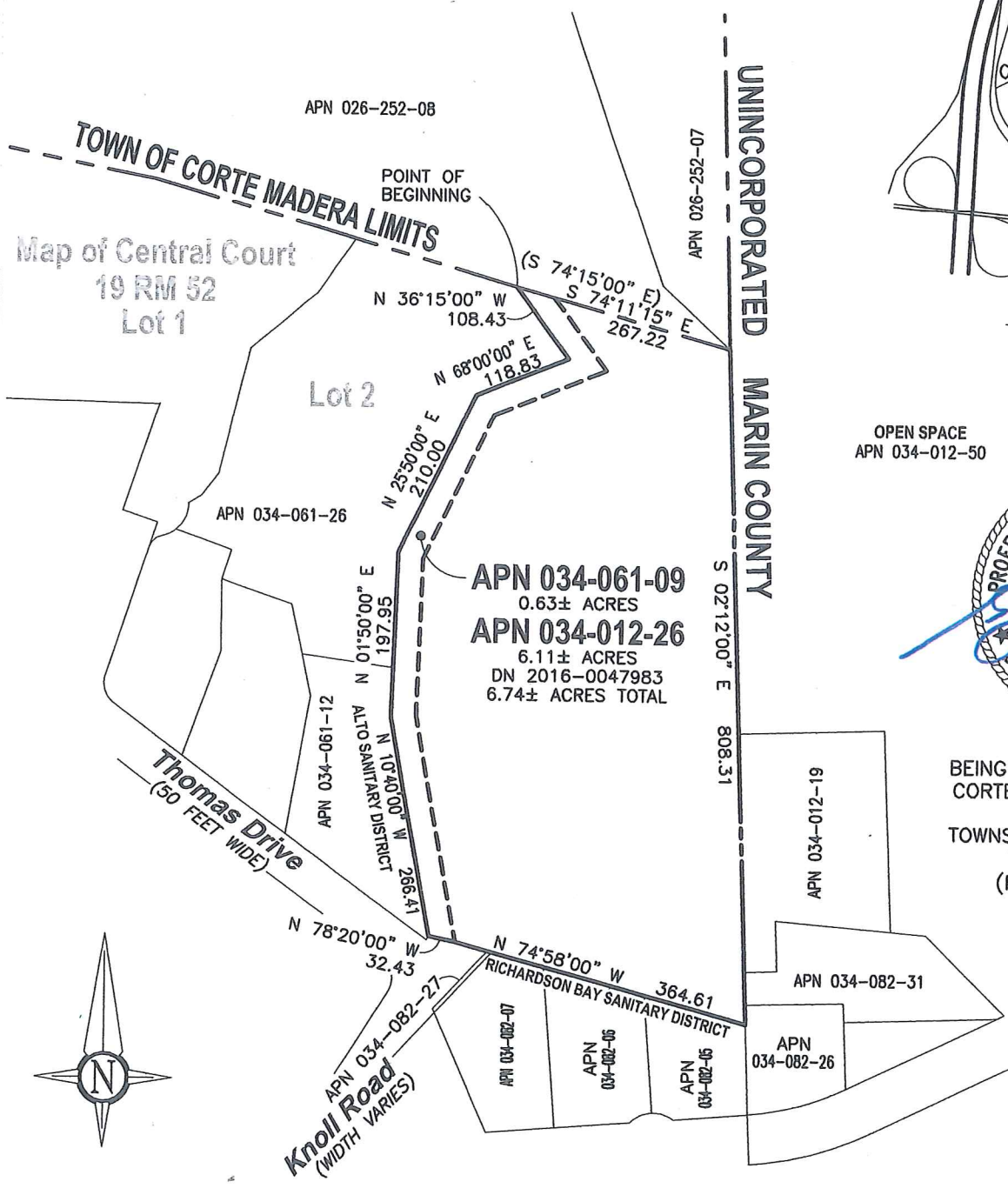
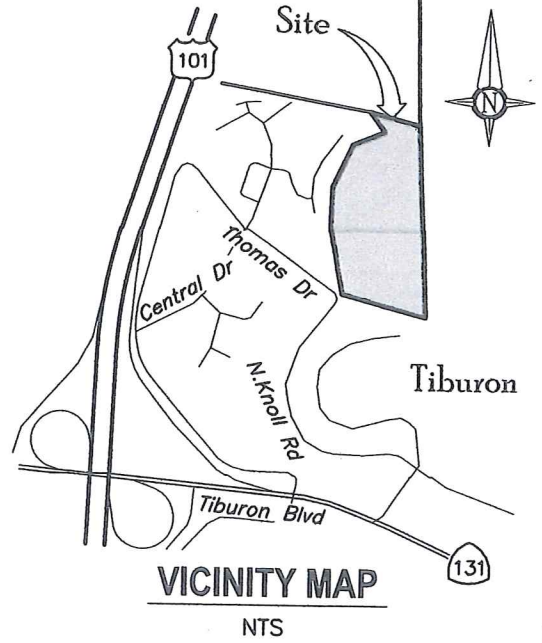
11-01-2019  
\_\_\_\_\_  
Date

Vikrum Nijjar  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

**LEGEND**

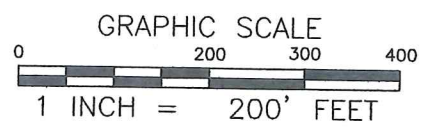
APN ASSESSOR PARCEL NUMBER  
 DN DOCUMENT NUMBER  
 NTS NOT TO SCALE  
 - - - - - CITY LIMIT LINE



OPEN SPACE  
APN 034-012-50



BEING A PORTION OF RANCHO CORTE MADERA DEL PRESIDIO  
 TOWNSHIP 1 NORTH, RANGE 6 WEST, SECTION 27  
 (PROJECTED) MDB&M



**1031Survey, Inc.**  
 HIGH DEFINITION SURVEYING  
 1857 Rainier Circle, Petaluma, California 94954  
 415-827-6370 www.1031survey.com

**REORGANIZATION OF  
 APN 034-061-09 & 034-012-26  
 LAFCO# 1345**

JOB #: 19178LAFCO-EX  
 DATE: 2019.12.19  
 CREATED BY: \_\_\_\_\_  
 SHEET NO. 1 OF 1


Reorganization of APN 034-061-09 & 034-012-26  
LAFCO # 1345 - Legal Description

BEING A PORTION OF THE RANCHO CORTE MADERA DEL PRESIDIO AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2016-0047983, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE STATE DIVISION OF HIGHWAYS MONUMENT M-85 AS SHOWN ON THAT CALIFORNIA STATE HIGHWAY MONUMENT MAP 4-MRN-101-P.M.5.8, S-182.6, AND ALSO AS SHOWN ON THAT CERTAIN "MAP OF CENTRAL COURT" FILED IN BOOK 19 OF RECORD MAPS, AT PAGE 52, MARIN COUNTY RECORDS, THENCE NORTH 14°42'10" EAST, 534.409 FEET TO M-84 AS SHOWN ON SAID MAP OF CENTRAL COURT; THENCE ALONG THE TIE LINE AS SHOWN THEREON, NORTH 27°21'28" EAST, 156.03 TO A POINT ON THE EASTERLY LINE OF THE U.S. HIGHWAY NO. 101 RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY NORTH 28°28'22" EAST, 340.596 FEET TO THE NORTHWEST CORNER OF LOT 1, ALSO BEING A POINT ON THE TOWN OF CORTE MADERA LIMITS; THENCE ALONG SAID LIMITS SOUTH 78°31'44" EAST, 219.54 FEET; THENCE CONTINUING SOUTH 74°11'15" EAST, 455.066 FEET TO THE NORTHEAST CORNER OF LOT 2 OF SAID MAP AND THE **POINT OF BEGINNING**; THENCE CONTINUING, COURSE 1 - SOUTH 74°11'15" EAST (SOUTH 74°15'00" EAST PER DEED), 267.22 FEET TO THE NORTHEAST CORNER OF SAID DEED, ALSO BEING AN ANGLE POINT IN THE TOWN LIMITS; THENCE COURSE 2 - SOUTH 02°12'00" EAST, 808.31 FEET; THENCE COURSE 3 - NORTH 74°58'00" WEST, 364.61 FEET; THENCE COURSE 4 - NORTH 78°20'00" WEST, 32.43 FEET; THENCE COURSE 5 - NORTH 10°40'00" WEST, 266.41 FEET; THENCE COURSE 6 - NORTH 01°50'00" EAST, 197.95 FEET; THENCE COURSE 7 - NORTH 25°50'00" EAST, 210.00 FEET; THENCE COURSE 8 - NORTH 68°00'00" EAST, 118.83 FEET; THENCE COURSE 9 - NORTH 36°15'00" WEST, 108.43 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 6.74 ACRES MORE OR LESS.

THE BASIS OF BEARING OF THIS DESCRIPTION IS THE ABOVEMENTIONED MAP OF CENTRAL COURT.

  
GJ HARMINA, III PLS 7950

December 18, 2019  
DATE





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2020

Item No. 7 (Public Hearing)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Approval of Workplan for Fiscal Year 2020-2021

---

### Background

At the January 2020 Marin LAFCo workshop, the Commission discussed what it would like to see worked on in Fiscal Year 2020-2021. Based on items mentioned during the workshop staff has created the attached workplan for the next fiscal year. Staff also included items that still remain from the current workplan so we have a complete list of items to be working on. In some cases, it is possible that LAFCo will complete an item on this list prior to the end of current fiscal year, such as approval of the Novato Area SOI, but think it best to keep all items listed in one spot. Past practice is to have our workplan be a living document that changes as needed so items can be added or changed as needed. For example, once each MSR is completed, item(s) may be added to the work plan based on needs mentioned in the MSR.

### Staff Recommendation for Action

1. Staff Recommendation – Approve the attached workplan for Fiscal Year 2020 - 2021.
2. Alternate Option - Do not approve the workplan and give staff instruction on what the Commission would like to do.

### Attachment:

1. Workplan for FY 2020-2021

#### Administrative Office

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1401 Los Gatos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: staff@marinlafco.org  
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Damon Connolly, Regular  
County of Marin

Judy Arnold, Regular  
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Dennis Rodoni, Alternate  
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Sashi McEntee, Chair  
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Las Gallinas Valley Sanitary

Lew Kiou, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

Project	Responsible for work	Basic Description	Status
Personnel Handbook	Policy and Personnel Committee	It has been several years since the Personnel Handbook has been reviewed and updated. The Commission is looking to completely overhaul the current handbook and update to fit the needs of our new HR protocols.	Staff preparing handbook for Committee to review and discuss.
Island Annexation Policy Update	Policy and Personnel Committee	During the review of the Novato Area MSR, discussion occurred around how the current Marin LAFCo policy is written. The Policy and Personnel Committee should review and suggest any changes to the full Commission for approvals.	Will be added to future agenda of committee.
Eastern Peninsula Area MSR	Staff	MSR for region.	Public Comment Due by Feb 25th.
Ross Valley Area MSR	Staff	MSR for region.	Staff in process of producing draft.
Twin Cities Area MSR	Staff	MSR for region.	To be started mid 2020.
Western Marin MSR	Staff	MSR for region.	To be started after Twin Cities draft is released, expected late 2020 or early 2021.
Countywide Fire Study	Commissioner McEntee and Staff	To do a phased review of fire services in Marin County. First step will be to see what information is already there to determine information is already known.	Some basic work has already started to be done.
Countywide Police Study	TBD	TBD	Once more is known on the fire study, work will start on this item.
CSA 23 and 25 Dissolution	Staff	Based on San Rafael Area and Novato Area MSRs, both districts no longer meet. LAFCo has requested that the State Controller's Office put the districts on its list of district to dissolve.	Expect to get letter from Controller Office in late 2020.
SQVSMD consolidation with RVSD	Staff	Based on the Central Marin Wastewater MSR, work with district staff on the possibility of consolidating services with RVSD.	Staff has already started to set up meeting on this matter.

County of Marin transfer of support services to LAFCo	Staff	County has been the provider of some back office services, such as HR and payroll, for LAFCo for many years. In 2016, the County started a process to stop providing those services and now LAFCo must create alternate ways to have those services provided.	Once current transfer is complete on Payroll and more is know on benfitis side staff will review and if needed bring alternate opitions for doing these services.
San Rafael Area Fire Working group	Staff	Based on San Rafael Area MSR the concept of merging fire services was mentioned. This working group will determine if it is possible and in the best interest of the public and all agencies providing services.	Working group has already started meeting and doing early research.
Boundary Change for CSA 18	Staff	Based on San Rafael Area MSR, the boundaries of the CSA need to be adjusted.	CSA 18 CAC is meeting in late Feb. to discuss boundaries.
Reaffirm Novato Area SOI's	Staff	Based on Novato Area MSR all the SOI's for that area need to be reaffirmed.	Scheduled to occur at April meeting.
Property Tax review for special districts	Staff	This is a low level item for staff to work on. Currently when parcels are annexed into district they get zero of the current ad valorem so staff will research if there are options, without changing the Master Tax Exchange Agreement, for district to get additional revenue to cover the cost of service that they get from current parcels from the 1% ad valorem.	Will be worked on as time permits.
Pension and OPEB in MSR's	Commissioners Kious and McEntee	Review metric that can be added to future MSR's around how each jurisdiction in Marin County is doing on future Pension and OPEB costs .	
Special District Appointment Process to LAFCo	Commissioner Kious, Murray and Staff	With the formation of the Marin CSDA Chapter, it is not possible to get the Special District Selection Committee to take over the election of Special District members to LAFCo.	Working on process for approval by special districts.





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
February 13, 2020  
Item No. 8 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Candice Bozzard, Commission Clerk

**SUBJECT:** **Retiring of Commissioner Sloan Bailey**  
Commendation of the Marin Local Agency Formation Commission honoring Sloan Bailey on the occasion of his retirement from Marin LAFCo.

---

## Background

The Commission will recognize the contributions of Commissioner Sloan Bailey whose service began in November 2018 as the City Member.

Mr. Bailey dedicated much of his time and effort to furthering the goals of Marin LAFCo and he will surely be missed.

## Staff Recommendation for Action

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

Attachment:

1. Resolution

**RESOLUTION OF COMMENDATION**  
**FOR**  
**SLOAN BAILEY**

**BY THE MARIN LOCAL AGENCY FORMATION COMMISSION**  
**EXPRESSING ITS GRATITUDE FOR HIS SERVICE**

***WHEREAS** Sloan Bailey served the citizens of Marin County from November 2018 to February 2020, as the City Member of the Marin Local Agency Formation Commission; and*

***WHEREAS** during his service as City Member of this Commission, Sloan Bailey's dedicated sense of responsibility toward the people of Marin County and the mission of the Marin Local Agency Formation Commission contributed greatly to the effectiveness of this Commission; and*

***WHEREAS** his ability to take the measure of a public issue from competing points of view and sum up central issues with clarity and plain-spoken analysis; and*

***WHEREAS** a member of this Commission, Sloan Bailey earned the respect of his colleagues, representatives of other public agencies, and the general public due to the keen sense of objectivity, integrity and humanity with which he discharged his responsibilities; and*

***WHEREAS** his work with the Local Agency Formation Commission has provided the cities of Marin County with excellent representation; and*

***NOW, THEREFORE, BE IT RESOLVED** that the members of this Commission, wish to express its deep appreciation and sincere thanks for Sloan Bailey's service on the Marin Local Agency Formation Commission and lasting contributions to the people of Marin County.*

***PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on this 13<sup>th</sup> day of February, 2020.*

---

*Sashi McEntee, Chairperson*

Attest:

---

*Jason Fried, Executive Officer*



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2020

Executive Officer Report – Section A

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Budget Update for FY 2019-2020

---

### Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2019-2020 totaling \$647,927.78. This budget includes unspent funds from last FY in order to pay for the completion of the work in the current FY. From July 1, 2019, through January 31, 2020, LAFCo has spent \$346,052.02 or about 53% of the FY 2019-2020 budget. This report covers 7 months, that is about 58% of the year.

#### Attachment:

- 1) FY 2019-2020 Budget Report as of 10/02/19

#### Administrative Office

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

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Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

## Marin Local Agency Formation Commission

## 2019/20 BUDGET REPORT

July 2019 through June 2020

02/06/20

Accrual Basis

	Jul '19 - Jun 20	Budget	\$ Over Budget	% of Budget
<b>Income</b>				
4410125 · Interest Earnings	2,479.59	5,000.00	-2,520.41	49.6%
4700000 · Prior Year Carryover	6,889.61	83,405.27	-76,515.66	8.3%
4710510 · Agency Contributions	559,522.53	559,522.51	0.02	100.0%
<b>Total Income</b>	<b>568,891.73</b>	<b>647,927.78</b>	<b>-79,036.05</b>	<b>87.8%</b>
<b>Expense</b>				
5111000 · Salary and Benefit Costs				
5110109 · Salaries	165,575.59	305,553.00	-139,977.41	54.2%
5130120 · County of Marin - Group Health	17,293.71	61,110.60	-43,816.89	28.3%
5130500 · MCERA / Pension	29,434.46	56,911.23	-27,476.77	51.7%
5130525 · Retiree Health	0.00	16,000.00	-16,000.00	0.0%
5140115 · Workers Compensation	-723.39			
5140145 · Unemployment Insurance	434.00			
<b>Total 5111000 · Salary and Benefit Costs</b>	<b>212,014.37</b>	<b>439,574.83</b>	<b>-227,560.46</b>	<b>48.2%</b>
5210110 · Professional Services	48,501.52	70,000.00	-21,498.48	69.3%
5210131 · Legal Services	22,221.00	35,000.00	-12,779.00	63.5%
5210525 · General Insurance	6,391.28	4,000.00	2,391.28	159.8%
5210710 · Communications Services	9,764.02	14,000.00	-4,235.98	69.7%
5210935 · Office Equipment Purchases	0.00	4,500.00	-4,500.00	0.0%
5211215 · Rent - Storage	372.46	500.00	-127.54	74.5%
5211270 · Office Lease/Rent	21,716.80	32,652.95	-10,936.15	66.5%
5211325 · Conferences	2,380.54	4,000.00	-1,619.46	59.5%
5211330 · Memberships & Dues	14,707.00	15,000.00	-293.00	98.0%
5211340 · Training	0.00	1,700.00	-1,700.00	0.0%
5211440 · Travel - Mileage	1,329.80	4,000.00	-2,670.20	33.2%
5211510 · Misc Services	881.34	2,000.00	-1,118.66	44.1%
5211520 · Publications/Notices	221.48	3,500.00	-3,278.52	6.3%
5211533 · Commissioner Per Diems	3,375.00	13,500.00	-10,125.00	25.0%
5220110 · Office Supplies & Postage	2,175.41	4,000.00	-1,824.59	54.4%
<b>Total Expense</b>	<b>346,052.02</b>	<b>647,927.78</b>	<b>-301,875.76</b>	<b>53.4%</b>
<b>Net Income</b>	<b>222,839.71</b>	<b>0.00</b>	<b>222,839.71</b>	<b>100.0%</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2020

Executive Officer Report – Section B

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** **Current and Pending Proposals**

---

### Background

The Commission is invited to discuss the item and provide direction to staff on any related matter as needed for future discussion and/or action.

On today's agenda, File #1345 is being discussed as a separate item. Updates on this item can be found as part of item #6 in the agenda packet.

### Items of Note

LAFCo File #1324 (Annexation of 1501 Lucas Valley Road to MMWD) did not complete terms needed by the 12/13/19 deadline so it has now been deemed terminated. Since then, the applicant has since removed his consultant as the main point of contact and has resubmitted an application thereby creating LAFCo File #1347. File #1347 is out for comment to impacted and interested agencies now with a deadline to reply by February 14, 2020. They are working with MMWD to get the needed agreements in place that held up the first application. The question staff has for the Commission is does the Commission want to hold the hearing at the next meeting and possibly do approvals based on agreements yet to be reached or have staff hold this item until the agreements are reached?

LAFCo File #1342 (Reorganization of 4576 Paradise Drive) was originally filed as both an annexation into the Town of Tiburon (Tiburon) and Sanitary District #2 (SD2). At the December 2019 meeting the Commission divided the matter and approved the annexation into SD2 and separately approved the annexation into Tiburon with the condition that Tiburon have time to do the pre-zoning of the parcel. Due to the splitting of the matter we now have two different files for this parcel. File #1342 is now just the annexation into SD2 and is awaiting the return of the Certificate of Completion from the County Recorders Office. File #1346 is just the annexation into Tiburon and is awaiting the completion of the pre-zoning process by Tiburon.

### Attachment:

1) Chart of Current and Pending Proposals

#### Administrative Office

Jason Fried, Executive Officer  
1401 Los Gatos Drive, Suite 220  
San Rafael, California 94903  
T: 415-448-5877 E: staff@marinlafco.org  
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Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1345	Under Review	Reorganization of 55 Thomas Drive/70 N Knoll Road	Vikrum Nijjar (applicant) requesting approval to annex a lot that is being planned for a single-family home, approximately 6.74 acres, to the Alto Sanitary District. The affected territory is in unincorporated Marin County within the Town of Tiburon Sphere of Influence (SOI) with a situs address of 70 N Knoll Rd./55 Thomas Dr (APN 034-012-26 and 034-061-09). The applicant is also asking to move from Richardson Bay SD SOI to Alto SD SOI.	Alto Sanitary District	On today's agenda
1347	Under Review	Annexation of 1501 Lucas Valley Road	This is a resubmittal of File 1324 that had been terminated due to not completing conditions of approval. Landowner (Andre Souang) requesting approval to annex approximately 61.3 acres of unincorporated/improved territory (164-280-35) located at 1501 Lucas Valley Road to Marin Municipal Water District (MMWD). The applicant requested annexation to MMWD to provide a reliable source of domestic water service given concerns regarding the continued use of an onsite well.	Marin Municipal Water District	Currently under review by impacted and interested agencies. Maybe on April 2020 Commission agenda
1337	Approved by Commission and Awaiting Completion of Terms	Reorganization of Mesa Road	Landowner (Brad Drury) requesting annexation approval of 276 Mesa Road (188-170-54) in the unincorporated coastal community of Bolinas to the Bolinas Community Public Utility District. The affected territory is approximately 20.6 acres in size and is currently undeveloped. The stated purpose of the proposal is to provide water service to the affected territory in order for the development of a single-family residence. The Commission approved the proposal with amendments to include the entire public right-of-way extending to 276 Mesa Road on October 12, 2017, with additional terms. Terms remain outstanding as of date and therefore the proposal remains active.	Bolinas Community Public Utility District	Terms must be completed by 8/9/20.
1346	Approved by Commission and Awaiting Completion of Terms	Reorganization of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requesting approval to annex one lot totaling 9.575 acres to the Town of Tiburon. The affected territory is near the Town of Tiburon with a situs address of 4576 Paradise Drive (038-142-02.)	Town of Tiburon	Terms must be completed by 12/12/20

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1341	Emergency OSA and Future Application	Emergency OSA and awaiting application to annex into San Rafael Sanitation District	32 Fairway Dr, San Rafael, had a failed septic tank which they reported to Marin County Environmental Health Services Division and needs an OSA to connect into SRSD. The applicant also plans to annex permanently into SRSD but first needs to get all needed materials, such as legal description and legal maps produced. They should be submitting application in the near future.	San Rafael Sanitation District	On 3/28/19 SRSD informed LAFCo the basic plans had been approved for OSA.
	Possible Future Item	San Quentin Village Sewer Maintenance District consolidation with Ross Valley Sanitary District	Based on past action of Marin LAFCo, discussion of possible consolidation between SQVSMD with RVSD has been deemed as seemingly in the best interest of the community of San Quentin Village customers.	SQVSMD and RVSD	Staff is currently reviewing outstanding issues with the staffs from both SQVSMD and RVSD.
	Possible Future Item	Boundary Adjustment	The County Service Area No. 29, which provides dredging for properties located within the District, has conveyed interest on a potential proposal to detach at least six parcels that do not benefit from the municipal service and the addition of one parcel that is currently outside of CSA 29's jurisdictional boundary and does benefit from the dredging. The proposal would essentially match public services to the appropriate service area.	County Service Area No. 29 - Paradise Cay	This item will be looked at as part of its MSR occurring now.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1335	Completed	Reorganization of 400 Upper Toyon Road	Landowner (Raphael de Balmann) requesting approval to reorganize one incorporated parcel totaling 2.5 acres located at 400 Upper Toyon Drive (012-121-28) in the City of San Rafael. The proposed reorganization involves the detachment of the affected territory and concurrent annexation therein to the Town of Ross. The affected territory is developed to date with a four-bedroom single family residence and accessible through a privately-owned and maintained road located atop a ridge at approximately 520 feet. The stated purpose of the proposal is to match the affected territory with the applicant's preferred municipality given the communities of interests with Ross. Concurrent sphere of influence amendments would be needed to accommodate the request. The application is currently under administrative review and is deemed incomplete at this time.	City of San Rafael and Town of Ross	Approved at Aug 2019 meeting.
1342	Completed	Reorganization of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requesting approval to annex one lot totaling 9.575 acres to Corte Madera Sanitary District #2. The affected territory is near the Town of Tiburon with a situs address of 4576 Paradise Drive (038-142-02.)	Sanitary District #2	SD#2 was approved at the Dec. Meeting
1343	Completed	Reorganization of 2260 Vineyard Rd	Patrick and Erin Sheedy ("applicant") requesting approval to annex one lot to Novato Sanitary District. The affected territory is in City of Novato with a situs address of 2260 Vineyard (132-311-61.)	Novato Sanitary District	Approved at Aug 2019 meeting.
1344	Completed	Murray Park Sewer Maintenance District consolidation with Ross Valley Sanitary District	Based on past action of Marin LAFCo, discussion of possible consolidation between MPSMD with RVSD has been deemed as seemingly in the best interest of the community of Murray Park customers.	MPSMD and RVSD	Approved at Dec. 2019 meeting



Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1324	Deemed Terminated	Annexation of 1501 Lucas Valley Road	Landowner (Andre Souang) requesting approval to annex approximately 61.3 acres of unincorporated/improved territory (164-280-35) located at 1501 Lucas Valley Road to Marin Municipal Water District (MMWD). The applicant requested annexation to MMWD to provide a reliable source of domestic water service given concerns regarding the continued use of an onsite well. The Commission approved the proposal without amendments and with additional terms at its December 14, 2017 meeting. Terms remain outstanding as of date and therefore the proposal remains active.	Marin Municipal Water District	Deemed Terminated but applicant has refiled see File # 1347
1328	Deemed Terminated	Annexation of 255 Margarita Drive	Landowner (Paul Thompson) requesting annexation approval of 255 Margarita Drive (016-011-29) in the unincorporated island community of Country Club to the San Rafael Sanitation District. The affected territory is approximately 1.1 acres in size and currently developed with a single-family residence. It has also established service with the SRSD as part of a LAFCo approved outside service extension due to evidence of a failing septic system. The outside service extension was conditioned – among other items – on the applicant applying to LAFCo to annex the affected territory to the San Rafael Sanitation District as a permanent means to public wastewater service. The application remains incomplete at this time and awaits consent determination by SRSD.	San Rafael Sanitation District	Application is now deemed terminated and staff is working to get SRSD to disconnect.



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

February 13, 2020

Executive Officer Report – Section D

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Committee Assignments

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### Background

In the Marin Local Agency Formation Commission (LAFCo) Policy Handbook section 3.5 (A)(iii) (Selection and Duties of the Chair) gives the LAFCo Chair the ability to, “Make appointments to committees as needed.”

In addition, LAFCo Policy Handbook section 3.9 (A) states “Marin LAFCo shall maintain the following four standing committees on an annual basis with appointments and/or reappointments made at the beginning of each calendar year.”

Chair McEntee has made the following 2020 committee assignments:

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

Commissioner Barbara Coler  
Commissioner Lew Kious  
Commissioner Dennis Rodoni

#### **Legislative Committee:**

Commissioner Judy Arnold  
Commissioner Larry Loder  
Commissioner Craig Murray

#### **Policy and Personnel Committee:**

Commissioner Sloan Bailey  
Commissioner Damon Connolly  
Commissioner Tod Moody

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

At this time there does not seem to be a need for this committee. In the future, if the need arises, then the chair will make appointments.

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#### Administrative Office

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Dennis Rodoni, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Sloan Bailey, Regular  
Town of Corte Madera

Barbara Coler, Alternate  
Town of Fairfax

Craig K. Murray, Vice Chair  
Las Gallinas Valley Sanitary

Lew Kious, Regular  
Almonte Sanitary District

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Chris Skelton, Alternate  
Public Member