



# Marin Local Agency Formation Commission

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

---

### NOTICE OF REGULAR MEETING AND AGENDA

#### Marin Local Agency Formation Commission

**Thursday, April 14, 2022 ▪ 7:00 PM**

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

Pursuant to the provisions of AB 361, this meeting will be held by teleconference only. No physical location will be available for this meeting. However, members of the public will be able to access and participate in the meeting.

#### PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS

##### PUBLIC ACCESS

Members of the public may access and watch a live stream of the meeting on Zoom at <https://us02web.zoom.us/j/4350473750/>. Alternately, the public may listen in to the meeting by **dialing (669) 900-6833** and entering **Meeting ID #** when prompted.

**WRITTEN PUBLIC COMMENTS** may be submitted by email to [staff@marinlafco.org](mailto:staff@marinlafco.org). Written comments will be distributed to the Commission as quickly as possible. Please note that documents will take some time to be posted to the agenda on the LAFCo website because of clerical processing requirements. Any comments received before 12 p.m. on the day of the meeting will be distributed to the Commission before the meeting. Comments received after 12 p.m. will still be shared with the Commission but may not be distributed until after the meeting.

**SPOKEN PUBLIC COMMENTS** will be accepted through the teleconference webinar meeting. To address the Commission, click on the link <https://us02web.zoom.us/j/4350473750/> to access the Zoom-based meeting.

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

##### CALL TO ORDER BY CHAIR

##### ROLL CALL BY 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 February 10, 2022 Regular Meeting
2. Commission Ratification of Payments from February 1, 2022, to March 31, 2022
3. Approval of Resolution 22-10 Allowing for Video and Teleconference Meetings during COVID-19 State of Emergency Under AB 361
4. Accept and File GASB 75 Report prepared by MacLeod Watts

**PUBLIC HEARING**

5. Presentation of the West Marin Region Municipal Service Review Public Draft [Information Only]
6. Adoption of Proposed Operating Draft Budget for Fiscal Year 2022-23

**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. Review and Approval of LAFCo Workplan for Fiscal Year 2022-23
8. Creation of a Disadvantage Unincorporated Community Ad Hoc Committee to review DUC's in Marin County
9. Authorize the Executive Officer to Enter Into an Agreement With Fort Point for IT Support Services
10. Discussion of June LAFCo Meeting Including Whether to Meet in Person and Possible Meeting Locations
11. Approval of Legislative Committee's Recommended Positions

**EXECUTIVE OFFICER REPORT (verbal report only)**

- a) Budget Update FY 2021-22
- b) Current and Pending Proposals

**ADJOURN TO CLOSED SESSION**

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

1. **Conference with Legal Counsel – Anticipated Litigation**  
**Initiation of Litigation per Government Code 54956.9(d)(4) - (1 case)**
2. **Public Employee Performance Evaluation**  
**Pursuant to Government Code Section 54957**  
**Title: Executive Officer**

**3. Conference with Labor Negotiators**  
**Pursuant to Government Code Section 54957.6**  
**Agency Designated Representative: Chair McEntee**  
**Unrepresented Employee: Executive Officer**

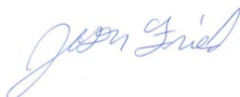
**RETURN TO OPEN SESSION**

The Chair or designee will report out of closed session.

**COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

**ADJOURNMENT TO NEXT MEETING**

June 9, 2022 | 7:00 P.M.



Attest: Jason Fried  
Executive Officer

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

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCo and continues until 3 months after a final decision is rendered by LAFCo. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

Separately, any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCo office at least three (3) working days prior to the meeting for any requested arraignments or accommodations.

For those using screenreaders, many documents are headed with the disclaimer that they have been set on Marin LAFCo letterhead. Although headers and footers have been marked as artifacts in order to maintain the flow of the documents it is of note that the footer includes contact information for Staff and information regarding the Commission's membership. That information is listed here to maintain accessibility of all information provided by this packet to members of the public:

LAFCo's Commission currently has 11 Commissioners, 7 are regular seats and 4 are alternates. The County commissioners are Supervisors Dennis Rodoni and Judy Arnold as regular seats and Supervisor Damon Connolly as alternate. The city commissioners are Sashi McEntee from City of Mill Valley (Chair) and Barbara Coler from the Town of Fairfax as regular seats and James Campbell from the City of Belvedere as alternate. The special district commissioners are Lew Kious from Almonte Sanitary District (Vice-Chair) and Craig Murray from Las Gallinas Valley Sanitary District as regular seats and Tod Moody from Sanitary District #5 as alternate. The public seat commissioners are Larry Loder as regular seat and Richard Savel as alternate.

Marin LAFCo's Administrative office is managed by Executive Officer Jason Fried. LAFCo's location and contact information are listed below.

**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)

---





# Marin Local Agency Formation Commission

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

### AGENDA REPORT

April 14, 2022

Item No. 1 (Consent Item)

**TO:** Local Agency Formation Commission

**FROM:** Olivia Gingold, Clerk/Junior Analyst

**SUBJECT:** **Approval of Minutes for February 10, 2022, Regular Meeting**

---

### Background

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

### Discussion

The action minutes for the February 10 regular meeting accurately reflect the Commission's actions as recorded by staff. A video recording of the meeting is also available online for viewing at <https://www.marinlafco.org/meetings>

### Staff Recommendation for Action

1. Staff recommendation – Approve the draft minutes prepared for the February 10, 2022 meeting with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item to the next regular meeting and provide direction to staff, as needed.

### Procedures for Consideration

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

### Attachment:

- 1) Draft Minutes for February 10, 2022

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

**Dennis Rodoni, Regular**  
County of Marin

**Judy Arnold, Regular**  
County of Marin

**Damon Connolly, Alternate**  
County of Marin

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

**Barbara Coler, Regular**  
Town of Fairfax

**James Campbell, Alternate**  
City of Belvedere

**Lew Kiou, Vice Chair**  
Almonte Sanitary District

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

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

**Larry Loder, Regular**  
Public Member

**Richard Savel, Alternate**  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**DRAFT**

## NOTICE OF REGULAR MEETING MINUTES

### Marin Local Agency Formation Commission

**Thursday, February 10, 2022**

#### CALL TO ORDER

Chair McEntee called the meeting to order at 7:02 P.M.

#### ROLL CALL BY COMMISSION CLERK

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

Commissioners Present: Sashi McEntee, Chair  
Lew Kious, Vice-Chair  
Dennis Rodoni  
Barbara Coler  
Judy Arnold  
Larry Loder

Alternate Commissioners Present: Tod Moody (Seated as regular)

Marin LAFCo Staff Present: Jason Fried, Executive Officer  
Jeren Seibel, Deputy Executive Officer  
Olivia Gingold, Clerk/Junior Analyst

Marin LAFCo Counsel Present: Mala Subramanian

Commissioners Absent: Judy Arnold  
Craig K. Murray

Alternate Members Absent: Richard Savel  
Damon Connolly  
James Campbell

#### AGENDA REVIEW

Chairman McEntee called for any requests from the Commission to change the agenda, none were heard.

Chairman McEntee then opened public comment, hearing none, she closed public comment.

Approved: M/S by Commissioners Kious and Coler to approve the agenda as is.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

## PUBLIC OPEN TIME

Chair McEntee opened the public open time period.

A member of the public, Frances Nunez, wanted to know if her comments for Agenda Item 7 had been posted to the website. Staff confirmed that the comment had been received, shared with the Commission, and posted on the LAFCo website.

Seeing no further comment, Chair closed the public open time.

## CONSENT CALENDAR ITEMS

1. Approval of Minutes for December 9, 2021, Regular Meeting
2. Commission Ratification of Payments from December 1, 2021, to January 31, 2022
3. Approval of Resolution 22-02 Allowing for Video and Teleconference Meetings during COVID-19 State of Emergency Under AB 361

Chair McEntee asked if any Commissioners wanted to pull any items from the Consent Calendar, no requests were made.

Chairman McEntee opened the floor for the public to make any requests, hearing none, she closed public comment.

Approved: M/S by Commissioners Coler and Kious to approve the consent calendar.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

## PUBLIC HEARING ITEMS

4. Approval of Resolution 22-03, Sphere of Influence Update and Reorganization of the Lands of Marin County Open Space District (Portion of APN 033-200-01) Including Detachment from the City of Mill Valley and Annexation to the Town of Corte Madera and Sanitary District No. 2 (LAFCo File #1361) with Waiver of Notice, Hearing and Protest Proceedings for Eventual Addition of APN Portion to 800 Corte Madera Avenue.

EO Fried gave the staff report, providing background information on the application. There was an encroachment on open space area as part of development done by 800 Corte Madera. This application is a clean-up item to resolve the boundaries so they better align with land being used by 800 Corte Madera rather than MCOSD. The clean-up includes a detachment from the City of Mill Valley and annexations to Corte Madera and Sanitary District No. 2. An arrangement has been made between MCOSD and the property owner for exchange of land. The only two outstanding items are the approval of the tax exchange agreement by the Town of Corte Madera and pre-zoning of the property by the Town as well. Staff is requesting a conditional approval for this item conditioned upon those two outstanding items.

Craig Richardson, the applicant on behalf of MCOSD, provided some more comments on the context of the land exchange.

EO Fried asked the Commission if they had any questions, none were heard.

Chair McEntee opened the public hearing. Seeing no public comment, Chairman McEntee closed public comment.

She asked the Commission if they had any deliberative comments or questions, none were heard.

Approved: M/S by Commissioners Coler and Rodoni to approve the requested reorganization and attached resolution with the two conditions noted in the resolution for approval.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

5. Approval of Resolution 22-04, Request for Outside Sewer Service from the City of Mill Valley for 11 Brighton Blvd., Mill Valley. (APN 045-193-16) (LAFCo File #1362)

EO Fried provided the report for this item, noting that the owner of 11 Brighton needed to move off of septic and was close enough to Mill Valley to connect to the City's sanitary district. Although the property is adjacent to Mill Valley's boundary, the roads that access do not directly lead to the City and annexation would create an island. The City has asked for an OSA instead of annexation; this OSA is compliant with the requirements of State Government Code. The City signed the application and was the official applicant, the authorized agent was landowner John Grabham.

Some clarifying questions about the OSA were asked by Chairman McEntee to which EO Fried responded.

Commissioner Rodoni wanted to know if the OSA would allow anyone else to connect to the lateral. EO Fried clarified that the lateral would go across one other property owner's property directly into the main sewer line in the street. Vice-Chair Kious clarified the question asking if this application would allow other parcels on septic to connect to the sewer, to which EO Fried is saying "No, that is not the case."

Commissioner Rodoni wanted to know if there was a way to cut off service if needed. EO Fried noted that disconnecting from wastewater would require going back to septic, so cutting off service is difficult to do.

Chairman McEntee opened public hearing, hearing no comments she closed the public hearing.

Approved: M/S by Commissioners Moody and Kious to approve staff's recommendation.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

6. Approval of Resolution 22-05, Annexation of 1203 Simmons Lane (APN 141-090-45) to Novato Sanitary District (File #1364) with Waiver of Notice, Hearing and Protest Proceedings

Jr. Analyst Gingold gave the staff report, noting the highlights of this application. The parcel is an incorporated parcel requesting annexation to Novato Sanitary District to move off of septic. Agency comment had been sent out, all comments received were positive or neutral, and there are no issues with the Urban Growth Boundary because the parcel is within the City of Novato's boundaries.

The landowner was given the opportunity to comment, he affirmed everything that Clerk/Jr. Analyst Gingold had shared with the Commission.

Chairman McEntee opened the public hearing, hearing no public comment, she closed the public hearing and brought the item back to the Commission for deliberation or a motion.

Approved: M/S by Commissioners Rodoni and Kious to approve staff's recommendation.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

7. Approval of Resolution 22-06, Approving a Sphere of Influence Amendment and Reorganization of County Service Area #18 Including Detachment of 2753 Parcels and Divestiture of Power to Provide Certain Service with Marin County Open Space District (LAFCo File #1363)

EO Fried gave the staff report, given the historical context of this application dating back to Marin LAFCo's 2019 San Rafael area Municipal Service Review. He also clarified some of the elements of the application that have been most confusing. There has been some concern that CSA 18 would maintain medians, but CSA 18 is not authorized by LAFCo to maintain street medians. CSA 18 has never spent any money on street medians. Street medians have been discussed at the CSA 18 Advisory Board meeting but no money has ever been spent on street medians, nor is the CSA authorized to spend money on medians. Castro Park is also going to be an island because it is maintained by CSA 18, but none of the parcels around Castro Park pay into CSA 18 and it is preferable to keep only parcels that pay into CSA 18 in its jurisdictional boundary. He noted that there has been a lot of public participation and comment on this item, and that a supplemental agenda item was released with those comments received, and that Staff met with the CSA 18 advisory board six separate times when determining which properties to remove from the CSA. Finally, he made a comment that a divestiture of powers was not approved by the County and this divestment of powers could not be made without approval from the County. An amended resolution was presented to the Commission with corrected language.

Commissioner McEntee asked if that would be a clean-up item brought to LAFCo later, EO Fried noted that it was a possibility but not likely.

Jim Chayka, the agent for the application, introduced himself to the Commission and noticed that both he and Marin Parks director, Max Korten, were available for questions if needed.

Chair McEntee wanted to clarify that reducing the size of CSA 18, and that parcels being removed from CSA 18 would receive their park and rec services from Marin County Open Space District (MCOSD). EO Fried agreed for the most part, clarifying that the Zone of Benefit is not being changed at all, and that parcels being detached would receive service from either MCOSD or the City of San Rafael.

Commissioner Coler noted that she had not seen the proposed changes on the screen and wanted to know if the matter should be continued to the next hearing.

Legal Counsel Subramanian noted that it was by no means a necessity to continue the item, and also clarified that she did not feel that the removal of the divestiture of power was a significant language change.

Commissioner Coler asked a handful of other clarifying questions to which EO Fried replied, she finally noted that she did not want to delay the item but did have reservations about the fact that the change was not noticed in advance.

EO Fried re-shared the changes on the screen and clarified that LAFCo's resolution was consistent with the County's actions, so the public would be aware of the item.

Chair McEntee clarified the difference between a change of organization versus a reorganization and the specific power that would or would not be divested from CSA 18, there was a bit more clarifying discussion about this aspect of the application between Chair McEntee and EO Fried.

Chair McEntee asked what the effect would be if CSA 18 decided to spend money on street medians without activating a latent power for street median maintenance. EO Fried responded that LAFCo could and would take action against CSA 18 if the CSA did spend money on street medians.

She also asked some clarifying questions about the Castro Park Island, including who the responsibility for Castro Park would fall to if it were not part of CSA 18 and that CSA's responsibility. EO Fried responded that it would likely be Marin County, although he also clarified that LAFCo is not suggesting this takeover in responsibility nor is that anything the County has shown interest in doing.

Commissioner Moody noted he had never seen this many comments about an item. He wanted to know if any parcels would be annexed who were receiving benefit but not paying into the CSA. EO Fried replied, including some historical context on the Zone of Benefit and Castro Park and some comments on ideals versus reality.

Hearing no additional questions from the Commission, Chairman McEntee opened the public hearing and reminded the public that comment time would be limited to two minutes and that staff would call upon members one by one and give them the

Ron Ford spoke first, noting that he was formally on the board of CSA 18's advisory board who helped acquire Castro Park. He also noted that he was a director at LGVSD but was not representing LGVSD that evening. Ron Ford clarified that none of the parcels around Castro Park pay into Castro Park's maintenance. If Castro Park were absorbed into the Zone of Benefit, taxes would not increase; everyone pays 1%. Taxes would only rise if the parcels approved an assessment. He then noted that he does not understand why the tail on the map is there and that he opposes this tail.

Frances Nunez spoke next, she noted that Gallinas Village CSD was created in 1959 and that North San Pedro Road had never been within that boundary. This CSD does not have money to spend on medians, the CSD predates the CSA, and Gallinas Village also pays for open space but now only pays for parks. She asks: "Will this proposal change the boundaries of the Zone of Benefit?" She wants an answer to that question. She also noted that the Board of Supervisor's resolution detached 549 parcels, the Gallinas Village Zone of Benefit, while LAFCo's proposal detaches 2753. Detaching parcels does not change the boundary of Gallinas Village, and Gallinas Village did not get to comment on the detachment because the Board of Supervisors Resolution was for 549 parcels.

Linda Stein commented that the application is a complicated issue because of the CSA boundaries and she does not feel the community has had the understanding to comment on the application or voice the community's opinion.

Linda Levy of the public stated that she has lived in Santa Venetia for a long time and volunteered on the Santa Venetia Board of Directors and CSA 18 Advisory Board, the Advisory Board has worked for the last two years on this application and noted that the decisions to broaden the sphere and include the medians

and Castro Park within the boundary were all conscious and intentional decisions. She also noted that the dream for the future is to create a new CSA for street median maintenance, not to use CSA 18 for that purpose. Finally, she noted that the people signing the petition that was circulated were not in the zone of benefit and did not necessarily understand what they were signing. She asked the Commission to approve the resolution.

There was a discussion between Chairman McEntee, Clerk/Jr. Analyst Gingold, and Legal Counsel Subramanian on comments submitted by email.

Commissioner Coler asked about some of the issues that one of the public commenters stated and asked EO Fried to clarify.

Chairman McEntee also wanted to see the map that had been mentioned by some commenters.

EO Fried clarified that there has been significant exchanges between himself and one public commenter, including an email of his that directly responds to a question of Ms. Nunez's that she felt had not been answered. He confirmed that the Zone of Benefit is not impacted by this application, nor will any money be spent by CSA 18 on street medians now or in the future. EO Fried also replied that CSA 18's money comes from ad valorem and changing this ad valorem would require a tax exchange agreement. Otherwise, another agency would have to give up some of their ad valorem for CSA 18 and that is not likely to occur.

Chairman McEntee clarified what EO Fried was saying in respect to what the public commenter was saying as well.

Finally, EO Fried noted the number of meetings at community forums that have been available to the public, that sufficient opportunity to comment has been given, and that he continues to endorse the staff recommendation which is to approve the application.

Jim Chayka shared the map on the screen for clarification. There was an explanation of this map, and a discussion of the "tail" of North San Pedro Road that some public commenters had noted, including clarification, explanation, and justification of this tail.

Chairman McEntee wanted to know if LAFCo could do a detachment or annexation that was different from a Zone of Benefit? Is there anything in LAFCo law that requires congruency? EO Fried replied that LAFCo does not have jurisdiction over Zone of Benefit, but that he would take issue with making a boundary smaller than a Zone of Benefit and he takes no issue with making a boundary larger than a Zone of Benefit.

Chairman McEntee made some summarizing and clarifying comments of the high-level points and points of contention for this application, which EO Fried affirmed.

He also made a clarifying comment on an error in the BOS resolution that was mentioned by a public commenter and stressed that LAFCo has corrected this error and the final documents that will be approved by the Commission are correct.

Approved: M/S by Commissioners Coler and Kious to approve resolution 22-02 as amended and presented by the Executive Officer.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

8. Approval of Resolution 22-07, Approving a Comprehensive Update to the Fee Schedule

EO Fried made summarizing comments on the context and motivation of this proposed amendment. This amendment would allow a one-time application fee waiver to fix the boundaries for parcels that have been receiving service from a district without being within a district's boundaries. The intention is to help clean up district boundaries.

Chair McEntee opened public comment. Hearing none, she closed public comment.

There were no questions or deliberative comments from the Commission.

Approved: M/S by Commissioners Coler and Moody to approve the proposed item.

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

## **BUSINESS ITEMS**

9. Approval of Policy Handbook Amendments

EO Fried gave summarizing comments of all of the proposed amendments before giving the Commission the opportunity to comment on the individual items. He noted that all items had been approved unanimously by the Policy & Personnel Committee.

Chairman McEntee opened public comment, hearing no comments, she closed public comment.

Commissioner Rodoni expressed hesitation over authorizing the EO to approve OSAs without any Commission review because of the insight that the Commission Board has into the politics and sensitivities of the County. He asked for at minimum notification to the Commission.

EO Fried expressed concern about Brown Act violations if he sent notification to the Commission, Legal Counsel Subramanian clarified what instances would or would not be Brown Act violations.

Commissioner Rodoni noted that there was a difference between practice and policy and that making this policy could pose issues in the future if someone's practices were to be different from EO Fried's. Vice-Chair Kious expressed a similar concern.

Chair McEntee asked a question about Neg. Decs. (Negative Declarations) to which Legal Counsel Subramanian replied.

Chair McEntee wondered if language on Neg. Dec. should be clarified in the handbook as well.

Commissioner Coler noted that 4.9(D)(i) stated that the EO could defer a decision if they determine a high level of controversy surrounding the OSA or the OSA to be precedent-setting. Commissioner Coler worried about the same points that Commissioner Rodoni raised. She suggested an amendment of that wording. She spoke in favor of keeping EO approval for emergency OSAs only.

EO Fried reminded the Commission that any OSA has to be approved by the connecting agency meaning that a public review process does occur earlier in the life-cycle of the application.



Chair McEntee asked Legal Counsel Subramanian if there would be any remedy for the decision if the Commission disagreed with the EO's judgment. Legal Counsel Subramanian stated that the decision would be extremely difficult if not impossible to reverse.

Vice-Chair Kious recommended passing this item with all items except this disputed item and pass it back to the Policy & Personnel Committee for some amended language.

Chair McEntee said that would be fine if the Commission wanted to do that at all or if the Commission would prefer to just keep the policy language for OSAs as is.

Vice-Chair Kious was comfortable with continuing to work on the language.

Commissioner Moody, Policy & Personnel Chair, spoke in support of streamlining processes as long as language was satisfactory to the Commission.

Commissioner Rodoni spoke in favor of sending the language back to the Policy & Personnel Committee for further review. He wanted to maintain transparency.

Commissioner Coler agreed with Commissioner Rodoni's sentiment and Vice-Chair Kious's recommendation.

Commissioner McEntee noted that she felt there was a split in the Commission with two Commissioners comfortable with an EO having the authority to approve non-emergency OSAs, and two Commissioners uncomfortable. She was not sure if the Commission wanted more time to think about it, to send it back to the committee, or to take some other approach but wanted to see more consensus.

Commissioner Loder felt that Chairman McEntee's recommendation to approve all other items and carry over the specific policy amendment for OSAs to another meeting.

Chairman McEntee proposed a change to the Policy Handbook amendments to better reflect the current preference of the Commission.

There was clarifying discussion between Vice-Chair Kious, Commissioner Coler, and Chairman McEntee of Chairman McEntee's proposed changes to what was presented to the Commission by staff. Clerk/Jr. Analyst Gingold shared these changes with the Commission on the screen.

Approved M/S by Commissioners Kious and Coler to approve Policy Handbook changes with an amendment to the proposed changes of Section 4.9(D).

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

#### 10. Discussion of April LAFCo Commission Meeting and Whether to Meet in Person

EO Fried asked the Commission if they wanted the April meeting to be in person, virtual, or a hybrid model.

Chairman McEntee opened public comment, hearing no comments, she closed public comment.

Commissioner Coler expressed that she was fine with returning to in-person but was concerned about where the Commission would meet. EO Fried added that this would be a concern of his as well, especially because the West Marin MSR would be released before the April meeting. He wondered if it would be better to meet in West Marin or if a virtual meeting would instead better serve the Commission.

Chairman McEntee wanted to know what would happen if the Commission decided to meet virtually but that option was revoked by the State by the time April comes along.

Commissioner Coler made recommendations of some spaces that could be available to host the meeting.

Chairman McEntee asked what the value of making a call on virtual or not would be if that option may not be available come April. EO Fried clarified that the question is simply: if virtual is allowed come April,

Commissioner Rodoni wanted to know if remote access for the public would be a required provision even if LAFCo met in person. Legal Counsel Subramanian clarified that no, virtual access for the public would not be a requirement.

Chairman McEntee commented that the Commission could choose to have its meeting in West Marin. She wanted to know how the Commission felt about meeting virtually unless not legally allowed to do so. Commissioners were in favor of this.

There was some discussion of alternatives in the case that virtual meetings are not permitted come April.

No official Commission action was taken.

11. Authorize the Executive Officer to Enter Into an Agreement With Alyssa Schiffmann for Bookkeeping Services

EO Fried noted that Alyssa does numerous things for the Commission and that her contract expires at the end of the fiscal year. His goal had been to align agreements with the fiscal year rather than the calendar year. There is a small increase in her rate this year, although smaller than inflation. This contract would be for 3 years. The contract is the template provided by BBK.

No questions for the Commission, no comments from the public, and no deliberations from the Commission.

Approved: M/S by Commissioners Coler and Kious to authorize the EO to enter into an agreement with Alyssa Schiffman for Bookkeeping Services

Ayes: Commissioners McEntee, Kious, Rodoni, Coler, Moody, and Loder

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

**EXECUTIVE OFFICER REPORT (verbal report only)**

- a) Budget Update FY 2021-22  
Commission is at 48% of total budget spent, 10% under the expected 58% for 7 months into the year. The budget has been updated to include the items added at the December meeting.
- b) Current and Pending Proposals  
Four applications were heard at the evening's meeting. No proposals are currently in the queue although some are anticipated.
- c) Update on Marin City Incorporation Process  
Marin City has asked the organizing committee to dissolve and stop any work or collaboration on the incorporation process at the time being. The organizing committee has disbanded and the EO does not expect this to move forward any time soon.

- d) 2022 Committee Assignments  
2022 Committee Assignments have been made by the Chair. EO provided the option to the committee to form an Ad Hoc DUC Committee. There was favor from the Commission to create that Committee.
  
- e) 2022 LAFCo Workshop (verbal report)  
Workshop has been scheduled, not much other planning has occurred but it is in progress. The June meeting will include a priming discussion for the workshop to get Commissioners thinking about the discussion the workshop will entail.

Finally, EO Fried gave reminders for Form 700s and AB 1234 trainings.

The Commission adjourned to closed session.

### **CLOSED SESSION**

There was no reportable action from closed session.

### **COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

Chair McEntee adjourned the meeting at 10:05 P.M.

### **ADJOURNMENT TO NEXT MEETING**

Thursday, April 14, 2022

Zoom

Attest:       Olivia Gingold  
                  Clerk/Junior Analyst

---

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)

---



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

**AGENDA REPORT**  
April 14, 2022  
Item No. 2 (Consent Item)

**TO:** Local Agency Formation Commission  
**FROM:** Jason Fried, Executive Officer  
**SUBJECT:** Commission Ratification of Payments from February 1, 2022 to March 31, 2022

---

## 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.

The following item is presented for the Commission to consider the ratification of all payments made by the Executive Officer between February 1, 2022, and March 31, 2022, totaling \$88,666.19. The payments are detailed in the attachment.

## Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between February 1, 2022, and March 31, 2022, 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 February 1, 2022, to March 31, 2022

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kiou, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
**February through March 2022**

04/05/22

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
<b>A and P Moving, Inc.</b>						
Check	02/15/2022	20708	Invoice # 405...	65 · Rent - Storage	85.00	85.00
Check	03/09/2022	20722	Invoice # 406...	65 · Rent - Storage	40.00	125.00
Total A and P Moving, Inc.					125.00	125.00
<b>BEST BEST &amp; KRIEGER LLP</b>						
Check	02/15/2022	20711	Invoice #9269...	25 · Legal Services	1,132.00	1,132.00
Check	03/09/2022	10033	Invoice # 928...	25 · Legal Services	4,952.50	6,084.50
Total BEST BEST & KRIEGER LLP					6,084.50	6,084.50
<b>Cardmember Services</b>						
Credit Card Charge	02/17/2022		marin ij	35 · Misc Services	9.95	9.95
Credit Card Charge	02/17/2022		adobe	20 · IT & Communic...	50.97	60.92
Credit Card Charge	02/17/2022		getstreamline	20 · IT & Communic...	100.00	160.92
Credit Card Charge	02/17/2022		zoom	20 · IT & Communic...	14.99	175.91
Credit Card Charge	02/17/2022		verizon	20 · IT & Communic...	121.08	296.99
Credit Card Charge	03/21/2022		marin ij	35 · Misc Services	9.95	306.94
Credit Card Charge	03/21/2022		adobe	20 · IT & Communic...	50.97	357.91
Credit Card Charge	03/21/2022		getstreamline	20 · IT & Communic...	100.00	457.91
Credit Card Charge	03/21/2022		mayacamas ...	50 · Office Supplies ...	52.00	509.91
Credit Card Charge	03/21/2022		zoom	20 · IT & Communic...	14.99	524.90
Credit Card Charge	03/21/2022		verizon	20 · IT & Communic...	121.11	646.01
Total Cardmember Services					646.01	646.01
<b>Coler, Barbara</b>						
Check	02/15/2022	20710	Feb 2022 Co...	05 · Commissioner ...	125.00	125.00
Total Coler, Barbara					125.00	125.00
<b>COMCAST</b>						
Check	02/23/2022	20717	Bill Date Feb ...	20 · IT & Communic...	106.70	106.70
Check	03/21/2022	20727	Bill Date Mar ...	20 · IT & Communic...	106.70	213.40
Total COMCAST					213.40	213.40
<b>CONNECT YOUR CARE</b>						
Check	02/22/2022	eft	COBRA ADMIN	126 · Health Insuran...	1.11	1.11
Check	03/25/2022	eft	COBRA ADMIN	126 · Health Insuran...	1.11	2.22
Total CONNECT YOUR CARE					2.22	2.22
<b>CONNOLLY, DAMON</b>						
Check	03/09/2022	20724	Jan 2022 P/P ...	05 · Commissioner ...	125.00	125.00
Total CONNOLLY, DAMON					125.00	125.00
<b>Davis Farr LLP</b>						
Check	03/21/2022	10035	Invoice 11649	55 · Professional Se...	3,500.00	3,500.00
Total Davis Farr LLP					3,500.00	3,500.00
<b>Delta Dental of California</b>						
Check	02/02/2022	eft		122 · Dental Insuran...	72.93	72.93
Check	02/16/2022	eft		122 · Dental Insuran...	72.93	145.86
Check	03/10/2022	eft		122 · Dental Insuran...	72.93	218.79
Check	03/22/2022	eft		122 · Dental Insuran...	72.93	291.72
Total Delta Dental of California					291.72	291.72
<b>FortPoint IT, LLC</b>						
Check	02/23/2022	20718	Invoice # 2481	20 · IT & Communic...	832.00	832.00
Check	03/31/2022	20728	Invoice # 2487	20 · IT & Communic...	819.50	1,651.50
Total FortPoint IT, LLC					1,651.50	1,651.50

## Marin Local Agency Formation Commission

## Expenses by Vendor Detail

04/05/22

February through March 2022

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
<b>FP MAILING SOLUTIONS</b>						
Check	03/16/2022	20726	Invoice # RI 1...	50 · Office Supplies ...	170.72	170.72
Total FP MAILING SOLUTIONS					170.72	170.72
<b>Kaiser Foundation Health Plan</b>						
Check	03/03/2022	EFT		126 · Health Insuran...	2,305.38	2,305.38
Check	03/17/2022	eft		126 · Health Insuran...	787.16	3,092.54
Total Kaiser Foundation Health Plan					3,092.54	3,092.54
<b>KIOUS, LEWIS</b>						
Check	02/16/2022	20714	Feb 2022 Co...	05 · Commissioner ...	125.00	125.00
Total KIOUS, LEWIS					125.00	125.00
<b>LIEBERT CASSIDY WHITMORE</b>						
Check	02/23/2022	20719	Invoice #2123...	25 · Legal Services	1,067.00	1,067.00
Total LIEBERT CASSIDY WHITMORE					1,067.00	1,067.00
<b>LODER, LAWRENCE</b>						
Check	02/23/2022	20716	Feb 2022 Co...	05 · Commissioner ...	125.00	125.00
Total LODER, LAWRENCE					125.00	125.00
<b>MacLeod Watts, Inc</b>						
Check	03/09/2022	10034	Invoice #0304...	55 · Professional Se...	3,825.00	3,825.00
Total MacLeod Watts, Inc					3,825.00	3,825.00
<b>MARIN INDEPENDENT JOURNAL</b>						
Check	02/15/2022	20712	Invoice # 000...	60 · Publications/No...	168.06	168.06
Total MARIN INDEPENDENT JOURNAL					168.06	168.06
<b>MOODY, TOD</b>						
Check	02/16/2022	20715	Feb 2022 Co...	05 · Commissioner ...	125.00	125.00
Total MOODY, TOD					125.00	125.00
<b>PAYCHEX</b>						
Check	02/04/2022	eft		35 · Misc Services	56.47	56.47
Check	02/18/2022	eft		35 · Misc Services	56.47	112.94
Check	03/04/2022	eft		35 · Misc Services	56.47	169.41
Check	03/18/2022	eft		35 · Misc Services	56.47	225.88
Total PAYCHEX					225.88	225.88
<b>PAYROLL</b>						
Check	02/04/2022	eft	1/9-1/22/22	105 · Sal - Regular ...	12,144.21	12,144.21
Check	02/04/2022	eft	1/9-1/22/22	124 · Auto Allowance	350.00	12,494.21
Check	02/04/2022	eft	1/9-1/22/22	125 · Unused Fringe...	100.00	12,594.21
Check	02/04/2022	eft	1/9-1/22/22	121 · Life Insurance	-11.85	12,582.36
Check	02/04/2022	eft	1/9-1/22/22	121 · Life Insurance	-4.37	12,577.99
Check	02/04/2022	eft	1/9-1/22/22	121 · Life Insurance	-17.40	12,560.59
Check	02/04/2022	eft	1/9-1/22/22	131 · Co Ret Cont Ti...	1,702.61	14,263.20
Check	02/18/2022	eft	1/23-2/5/22	105 · Sal - Regular ...	12,144.21	26,407.41
Check	02/18/2022	eft	1/23-2/5/22	124 · Auto Allowance	0.00	26,407.41
Check	02/18/2022	eft	1/23-2/5/22	125 · Unused Fringe...	100.00	26,507.41
Check	02/18/2022	eft	1/23-2/5/22	121 · Life Insurance	-11.85	26,495.56
Check	02/18/2022	eft	1/23-2/5/22	121 · Life Insurance	-4.37	26,491.19
Check	02/18/2022	eft	1/23-2/5/22	121 · Life Insurance	-17.40	26,473.79
Check	02/18/2022	eft	1/23-2/5/22	131 · Co Ret Cont Ti...	1,702.61	28,176.40
Check	03/04/2022	eft	2/6-2/19/22	105 · Sal - Regular ...	12,144.21	40,320.61
Check	03/04/2022	eft	2/6-2/19/22	124 · Auto Allowance	350.00	40,670.61
Check	03/04/2022	eft	2/6-2/19/22	125 · Unused Fringe...	100.00	40,770.61
Check	03/04/2022	eft	2/6-2/19/22	121 · Life Insurance	-11.85	40,758.76
Check	03/04/2022	eft	2/6-2/19/22	121 · Life Insurance	-4.37	40,754.39
Check	03/04/2022	eft	2/6-2/19/22	121 · Life Insurance	-17.40	40,736.99
Check	03/04/2022	eft	2/6-2/19/22	131 · Co Ret Cont Ti...	1,702.61	42,439.60

**Marin Local Agency Formation Commission**  
**Expenses by Vendor Detail**  
**February through March 2022**

04/05/22

Accrual Basis

Type	Date	Num	Memo	Account	Amount	Balance
Check	03/18/2022	eft	2/20-3/5/22	105 · Sal - Regular ...	12,144.21	54,583.81
Check	03/18/2022	eft	2/20-3/5/22	124 · Auto Allowance	0.00	54,583.81
Check	03/18/2022	eft	2/20-3/5/22	125 · Unused Fringe...	100.00	54,683.81
Check	03/18/2022	eft	2/20-3/5/22	121 · Life Insurance	-11.85	54,671.96
Check	03/18/2022	eft	2/20-3/5/22	121 · Life Insurance	-4.37	54,667.59
Check	03/18/2022	eft	2/20-3/5/22	121 · Life Insurance	-17.40	54,650.19
Check	03/18/2022	eft	2/20-3/5/22	131 · Co Ret Cont Ti...	1,702.61	56,352.80
Total PAYROLL					56,352.80	56,352.80
<b>PAYROLL TAXES</b>						
Check	02/04/2022	eft	1/9-1/22/22	111 · Medicare Tax	182.75	182.75
Check	02/04/2022	eft	1/9-1/22/22	112 · CA SUI	123.64	306.39
Check	02/04/2022	eft	1/9-1/22/22	113 · FUTA	13.74	320.13
Check	02/04/2022	eft	1/9-1/22/22	114 · CA ETT	2.29	322.42
Check	02/18/2022	eft	1/23-2/5/22	111 · Medicare Tax	177.68	500.10
Check	03/04/2022	eft	2/6-2/19/22	111 · Medicare Tax	182.75	682.85
Check	03/18/2022	eft	2/20-3/5/22	111 · Medicare Tax	177.68	860.53
Total PAYROLL TAXES					860.53	860.53
<b>RICOH USA INC</b>						
Check	02/15/2022	20713	Invoice # 506...	50 · Office Supplies ...	23.15	23.15
Total RICOH USA INC					23.15	23.15
<b>RODONI, DENNIS JAMES</b>						
Check	02/15/2022	20709	Dec 2021 and...	05 · Commissioner ...	250.00	250.00
Total RODONI, DENNIS JAMES					250.00	250.00
<b>SCHIFFMANN, ALYSSA</b>						
Check	02/01/2022	20706	Invoice # 158	55 · Professional Se...	878.90	878.90
Check	03/16/2022	20725	Invoice # 162	55 · Professional Se...	799.50	1,678.40
Total SCHIFFMANN, ALYSSA					1,678.40	1,678.40
<b>SECURITY MORTGAGE GROUP 2</b>						
Check	02/01/2022	20705	Feb 2022 Rent	45 · Office Lease/Rent	2,873.03	2,873.03
Check	03/01/2022	20720	March 2022 R...	45 · Office Lease/Rent	2,873.03	5,746.06
Total SECURITY MORTGAGE GROUP 2					5,746.06	5,746.06
<b>Teamsters Local 856 Health &amp; Welfare</b>						
Check	02/01/2022	20707	Month Ending...	126 · Health Insuran...	860.40	860.40
Check	03/09/2022	20723	Month Ending...	126 · Health Insuran...	860.40	1,720.80
Total Teamsters Local 856 Health & Welfare					1,720.80	1,720.80
<b>The Hartford</b>						
Check	03/01/2022	20721	Invoice #1889...	121 · Life Insurance	157.74	157.74
Check	03/31/2022	20729	Invoice #1889...	121 · Life Insurance	157.74	315.48
Total The Hartford					315.48	315.48
<b>VSP</b>						
Check	02/07/2022	eft		123 · Vision Service ...	15.21	15.21
Check	03/07/2022	eft		123 · Vision Service ...	15.21	30.42
Total VSP					30.42	30.42
<b>TOTAL</b>					<b>88,666.19</b>	<b>88,666.19</b>





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 3 – (Consent Item)

**TO:** Local Agency Formation Commission

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

**SUBJECT:** Approval of Resolution 22-10 Allowing for Video and Teleconference Meetings During COVID-19 State of Emergency Under AB 361

### Background and Discussion

AB 361 was passed by the State Legislature and signed by Governor Newsom. It went into effect immediately. AB 361 continues many of the provisions related to the Brown Act that were in place under Executive Orders, which expired September 30, 2021, that allowed for video and teleconferencing during the state of emergency. Since AB 361 has been signed into law, the Commission can continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended or could return to in-person meetings sooner if desired.

On September 22, 2021, the Marin County Director of Health & Human Services recommended social distancing to enhance safety at public meetings. On October 19, 2021, February 15, 2022, and March 22, 2022 Marin County's Director of Health & Human Services reaffirmed its recommendation. The most recent affirmations (2/15/22 and 3/22/22) are attached.

In order to continue to hold video and teleconference meetings, the Commission will need to review and make findings every thirty days or thereafter that the state of emergency continues to directly impact the ability of the members to meet safely in person and that state or local officials continue to impose or recommend measures to promote social distancing. The proposed resolution provides the Commission with the option to continue to hold video and teleconference meetings while the state of emergency is still in effect and social distancing is recommended.

### Recommendation

1. Approval of Resolution 22-10 allowing for video and teleconference meetings during the COVID-19 state of emergency under AB 361.

### 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. Resolution 22-10 Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361
2. Most Recent Decisions by Marin County Director of Health & Human Services

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION 22-10

**RESOLUTION ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING THE COVID-19 STATE OF EMERGENCY UNDER AB 361**

**WHEREAS**, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for COVID-19; and

**WHEREAS**, AB 361 was recently passed by the State Legislature and signed by Governor Newsom and went into effect immediately and allows the Commission to continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended; and

**WHEREAS**, the Marin County Director of Health & Human Services has recommended social distancing to enhance safety at public meetings; and

**WHEREAS**, in light of this recommendation, the Commission desires for itself and for all other Commission legislative bodies that are subject to the Brown Act to continue to meet via video and/or teleconference; and

**WHEREAS**, pursuant to AB 361 the Commission will review the findings required to be made every 30 days or thereafter and shall not meet without making those continued findings.

**NOW THEREFORE**, the Marin Local Agency Formation **DOES HEREBY RESOLVE** finds on behalf of itself and all other Commission legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the Commission's legislative bodies to meet safely in person; and (3) local officials continue to recommend measures to promote social distancing.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on April 14, 2022 by the following vote:

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

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

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

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

---

Sashi McEntee, Chair

ATTEST:

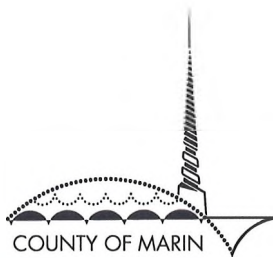
APPROVED AS TO FORM:

---

Jason Fried, Executive Officer

---

Malathy Subramanian, LAFCo Counsel



DEPARTMENT OF  
**HEALTH AND HUMAN SERVICES**

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



Benita McLarin, FACHE  
DIRECTOR

20 North San Pedro Road  
Suite 2002  
San Rafael, CA 94903  
415 473 6924 T  
415 473 3344 TTY  
[www.marincounty.org/hhs](http://www.marincounty.org/hhs)

March 22, 2022

Kathryn Rice  
President, Board of Supervisors  
3501 Civic Center Drive, 3<sup>rd</sup> Floor  
San Rafael, CA 94903

Re: Public Meetings/Social Distancing

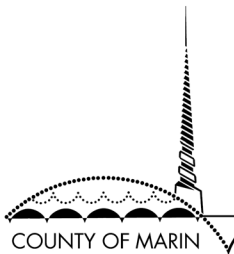
Dear President Rice:

I am writing to confirm that my recommendations in the attached February 15, 2022 letter will remain in place.

Respectfully,

Benita McLarin  
Director, Health & Human Services

cc: Matthew H. Hymel, CAO  
Brian E. Washington, County Counsel



OFFICE OF THE  
COUNTY ADMINISTRATOR

March 22, 2022

Matthew H. Hymel  
COUNTY ADMINISTRATOR

Daniel Eilerman  
ASSISTANT COUNTY  
ADMINISTRATOR

Angela Nicholson  
ASSISTANT COUNTY  
ADMINISTRATOR

Marin County Civic Center  
3501 Civic Center Drive  
Suite 325  
San Rafael, CA 94903  
415 473 6358 T  
415 473 4104 F  
CRS Dial 711  
[www.marincounty.org/cao](http://www.marincounty.org/cao)

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT:** Resolution Regarding Tele/Video-Conference Meetings During the COVID-19 State of Emergency

Dear Supervisors:

**RECOMMENDATION:** Adopt a resolution allowing continued use of Tele/Video-conferencing for County public meetings.

**SUMMARY:** In September of 2021, Governor Newsom signed [AB-361](#). The legislation provides that local government bodies subject to the Brown Act can continue to use video and/or teleconferencing through December 31, 2023 in the manner that Governor Newsom's executive orders authorized during the COVID-19 pandemic. A public entity can use AB 361's provisions under certain conditions, including when state or local officials have recommended social distancing during a proclaimed state of emergency.

The Director of Health & Human Services has recommended that the County continue to employ social distancing to enhance safety at public meetings. Updated March 1, 2022 CDPH guidance continues to strongly recommend face coverings for all individuals in most indoor settings. Given unpredictable new COVID-19 variants, staff recommends that any anticipated large gatherings that may exceed indoor room capacity remain remote, necessitating consideration of the attached resolution to preserve the option of remote meetings in such instances.

The proposed resolution would provide the Board of Supervisors, and all subsidiary County boards and commissions, with the option to continue to use video- and/or teleconferencing when appropriate while the state proclamation of emergency remains in place. The proposed resolution does not require that Your Board (or any other County board/commission) continue holding teleconference meetings.

Respectfully submitted,

Matthew Hymel  
County Administrator

cc: Brian E. Washington, County Counsel  
Benita McLarin, Director, Health & Human Services



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 4 (Consent Calendar)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Accept and File GASB 75 Report prepared by MacLeod Watts

---

### Background

Every year we must have a Government Accounting Standards Board (GASB) 75 done for our OPEB obligations. In March 2022 MacLeod Watts completed our report for FY 21-22. Based on the report we currently have a little more than needed in our account with CalPERS to cover OPEB for current staff. While we have the ability to withdraw that extra amount staff would recommend leaving it in the account. As a reminder, Marin LAFCo, prior to current staff being on board, decided that for its one current retiree that we would use a pay-as-you-go approach.

### Staff Recommendation for Action

1. Staff recommendation – Accept and file the attached report.
2. Alternate Option 1 –Advise staff on how to proceed.

### 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. GASB 75 Report prepared by MacLeod Watts

---

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kiou, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

# MacLeod Watts

March 1, 2022

Jason Fried  
Executive Officer  
Marin Local Agency Formation Commission  
1401 Los Gamos, Suite 220  
San Rafael, CA 94903

Re: Actuarial Valuation as of June 30, 2021, and GASB 75 Report for Fiscal Year Ending June 30, 2022

Dear Mr. Fried:

We are pleased to enclose the results of our June 30, 2021, actuarial valuation and other relevant information regarding the other post-employment benefit (OPEB) liability of the Marin Local Agency Formation Commission. The primary purposes of this report are to:

- 1) Remeasure plan liabilities as of June 30, 2021, in accordance with GASB 75's biennial valuation requirement,
- 2) Develop Actuarially Determined Contribution (ADC) levels for prefunding plan benefits,
- 3) Provide information to be submitted to the California Employers' Retiree Benefit Trust (CERBT) to satisfy filing requirements for the trust, and
- 4) Provide information required by GASB 75 ("Accounting and Financial Reporting for Postemployment Benefits Other Than Pension") to be reported in the Commission's financial statements for the fiscal year ending June 30, 2022.

The OPEB liability and expense for accounting purposes were developed on a basis consistent with the Commission's stated OPEB funding policy of contributing 100% or more of the Actuarially Determined Contribution. The long-term expected rate of return on trust assets is 5.75%. We believe this reflects GASB guidance in choosing a discount rate for measuring the OPEB liability.

We based the valuation on the employee data, details on plan benefits and retiree benefit payments reported to us by the Commission. As with any analysis, the soundness of the report is dependent on the inputs. Please review our summary of this information to be comfortable that it matches your records. **Note that some exhibits include estimates of the Commission contributions and/or payroll for FYE 2022**, which should be updated after the close of the fiscal year.

We appreciate the opportunity to work on this analysis and acknowledge the efforts of the Commission employees who provided valuable time and information to enable us to perform this valuation. Please let us know if we can be of further assistance.

Sincerely,

*Catherine L. Macleod*

Catherine L. MacLeod, FSA, FCA, EA, MAAA  
*Principal & Consulting Actuary*



*Marin Local Agency Formation Commission*

Actuarial Valuation of Other  
Post-Employment Benefit Programs  
As of June 30, 2021

Development of OPEB Prefunding Levels  
& GASB 75 Report for the FYE June 30, 2022

Submitted March 2022

MacLeod Watts



## Table of Contents

A.	Executive Summary.....	1
	OPEB Obligations of the Commission .....	1
	OPEB Funding Policy .....	2
	Actuarial Assumptions .....	2
	Important Dates for GASB 75 in this Report.....	2
	Significant Results and Differences from the Prior Valuation .....	3
	Impact on Statement of Net Position and OPEB Expense for Fiscal Year Ending 2022.....	3
	Important Notices.....	3
B.	Valuation Process.....	4
C.	Valuation Results as of June 30, 2021.....	6
D.	Accounting Information (GASB 75).....	9
	Components of Net Position and Expense .....	9
	Change in Net Position During the Fiscal Year.....	10
	Change in Fiduciary Net Position During the Measurement Period.....	11
	Expected Long-term Return on Trust Assets .....	11
	Recognition Period for Deferred Resources .....	12
	Deferred Resources as of Fiscal Year End and Expected Future Recognition .....	12
	Sensitivity of Liabilities to Changes in the Discount Rate and Healthcare Cost Trend Rate .....	13
	Schedule of Changes in the Commission’s Net OPEB Liability and Related Ratios.....	14
	Schedule of Contributions .....	15
	Detail of Changes to Net Position .....	16
	Schedule of Deferred Outflows and Inflows of Resources .....	17
	The Commission Contributions to the Plan .....	18
	Projected Benefit Payments (15-year projection) .....	19
	Sample Journal Entries.....	20
E.	Funding Information .....	21
G.	Supporting Information .....	26
	Section 1 - Summary of Employee Data .....	26
	Section 2 - Summary of Retiree Benefit Provisions .....	27
	Section 3 - Actuarial Methods and Assumptions .....	28
	Addendum 1: Important Background Information.....	33
	Addendum 2: MacLeod Watts Age Rating Methodology .....	38
	Addendum 3: MacLeod Watts Mortality Projection Methodology .....	39
	Glossary.....	40



## A. Executive Summary

This report presents the results of the June 30, 2021, actuarial valuation of the other post-employment benefit (OPEB) program of the Marin Local Agency Formation Commission (the Commission). The purposes of this valuation are to: 1) summarize the results of the valuation; 2) develop Actuarially Determined Contribution (ADC) levels for prefunding plan benefits; 3) provide information required by the California Employers' Retiree Benefit Trust (CERBT); and 4) provide disclosure information required by Statement No. 75 of the Governmental Accounting Standards Board (GASB 75) for fiscal year ending June 30, 2022.

Important background information regarding the valuation process can be found in Addendum 1. We recommend users of the report read this information to familiarize themselves with the process and context of actuarial valuations, including the requirements of GASB 75. The pages following this executive summary present various exhibits and other relevant information appropriate for financial reporting and plan funding.

Absent material changes to this program, the results of the June 30, 2021, valuation will also be applied to prepare the Commission's GASB 75 report for the fiscal year ending June 30, 2023. If there are any significant changes in the employee population or plan benefits an earlier valuation might be required.

### OPEB Obligations of the Commission

The Commission provides continuation of medical and dental coverage to its retiring employees. This coverage may create one or more of the following types of OPEB liabilities:

- **Explicit subsidy liabilities:** An "explicit subsidy" exists when the employer contributes directly toward the cost of retiree healthcare. In this program, the Commission pays a portion of medical and dental premiums for qualifying retirees. See Supporting Information Section 2 for details.
- **Implicit subsidy liabilities:** As is the nature of group premium rate structures, at some ages, retirees may be expected to experience higher claims than the premiums they pay, where at other ages, the reverse may be true. An "implicit subsidy" exists when premiums are developed using blended active and retiree claims experience. When this occurs, premiums charged for active employees frequently cover a portion of retiree claims and are said to "implicitly subsidize" retirees.

Commission employees and retirees are offered coverage through Marin County. In this program, the claims experience is blended the same monthly premiums are charged for active employees and for pre-Medicare retirees. We determine the implicit rate subsidy for pre-Medicare retirees as the projected difference between (a) retiree medical claim costs by age and (b) premiums charged for retiree coverage. For more information on this process see Section 3 and Addendum 2: MacLeod Watts Age Rating Methodology. We assumed no implicit subsidy exists for retiree dental coverage.

- **Other subsidy liabilities:** In pooled plans that do not blend active and retiree claims experience to develop premiums, such as the County's plans offered to Medicare retirees, there may be some cross-subsidy between retirees and other employers within the pool. An Actuarial Practice note clarifies that pool subsidies between employers and retirees should be quantified and included in plan liabilities.<sup>1</sup> We determined there is no pool subsidy required to be included for this plan.

---

<sup>1</sup> Exceptions exist for 1) Medicare Advantage Plans, treated as if their premiums are age-based due to the nature of the Federal subsidies paid to these plans, and 2) when employer explicit subsidies to Medicare-covered retirees are low and no part of any potential pool subsidy is expected to be paid by the employer.



## Executive Summary

(Continued)

### OPEB Funding Policy

The Commission's OPEB funding policy affects the calculation of liabilities by impacting the discount rate that is used to develop the plan liability and expense. "Prefunding" is the term used when an agency consistently contributes an amount based on an actuarially determined contribution (ADC) each year. GASB 75 allows prefunded plans to use a discount rate that reflects the expected earnings on trust assets. Pay-as-you-go, or "PAYGO", is the term used when an agency only contributes the required retiree benefits when due. When an agency finances retiree benefits on a pay-as-you-go basis, GASB 75 requires the use of a discount rate equal to a 20-year high grade municipal bond rate.

The Commission has been and continues to prefund its OPEB liability, contributing 100% or more of the Actuarially Determined Contributions each year. With the Commission's approval, the discount rate used for accounting purposes is 5.75%, reflecting the Commission's expectation of the long term return on trust assets. For more information, see Expected Return on Trust Assets on page 11. Actuarially Determined Contributions for plan funding purposes were also developed using a 5.75% discount rate.

### Actuarial Assumptions

The actuarial "demographic" assumptions (i.e., rates of retirement, death after retirement, and termination of employment) used in this report were selected from the CalPERS 2017 experience study. While Commission employees are not covered by this program, we believe that these assumptions should be reasonably representative of future demographic experience in this plan. Other assumptions, such as age-related healthcare claims, healthcare trend, retiree participation rates and spouse coverage, were selected based on demonstrated plan experience and/or our best estimate of expected future experience. All these assumptions, and more, impact expected future benefits. Please note that this valuation has been prepared on a closed group basis. This means that only employees and retirees present as of the valuation date are considered. We do not consider replacement employees for those we project to leave the current population of plan participants until the valuation date following their employment.

We emphasize that this actuarial valuation provides a projection of future results based on many assumptions. Actual results are likely to vary to some extent and we will continue to monitor these assumptions in future valuations. See Section 3 for a description of assumptions used in this valuation.

### Important Dates for GASB 75 in this Report

GASB 75 allows reporting liabilities as of any fiscal year end based on: (1) a *valuation date* no more than 30 months plus 1 day prior to the close of the fiscal year end; and (2) a *measurement date* up to one year prior to the close of the fiscal year. The following dates were used for this report:

Fiscal Year End	June 30, 2022
Measurement Date	June 30, 2021
Measurement Period	June 30, 2020, to June 30, 2021
Valuation Date	June 30, 2021



## Executive Summary

(Concluded)

### Significant Results and Differences from the Prior Valuation

No benefit changes were reported to MacLeod Watts relative to those in place at the time the June 2019 valuation was prepared. We collected new census and premium data and identified the change between the actual and expected liability, referred to as “plan experience. We also reviewed and updated some assumptions used to project the OPEB liability.

Overall, the Total OPEB Liability on the current measurement date is higher than that reported one year ago. Section C. presents the new valuation results and provides additional information on the impact of the new assumptions and plan experience. See *Recognition Period for Deferred Resources* on page 12 for details on how these changes are recognized for accounting purposes.

### Impact on Statement of Net Position and OPEB Expense for Fiscal Year Ending 2022

The impact to Net Position will be the difference between assets and liabilities as of the measurement date plus the unrecognized net outflows and inflows of resources. Different recognition periods apply to deferred resources depending on their origin. The plan’s impact on Net Position on the measurement date can be summarized as follows:

Items	For Reporting At Fiscal Year Ending June 30, 2022
Total OPEB Liability	\$ 66,256
Fiduciary Net Position	79,889
Net OPEB Liability (Asset)	(13,633)
Deferred (Outflows) of Resources	(8,802)
Deferred Inflows of Resources	8,803
Impact on Statement of Net Position	\$ (13,632)
 <b>OPEB Expense, FYE 6/30/2022</b>	 <b>\$ 263</b>

### Important Notices

This report is intended to be used only to present the actuarial information relating to other postemployment benefits for the Commission’s financial statements. The results of this report may not be appropriate for other purposes, where other assumptions, methodology and/or actuarial standards of practice may be required or more suitable. We note that various issues in this report may involve legal analysis of applicable law or regulations. The Commission should consult counsel on these matters; MacLeod Watts does not practice law and does not intend anything in this report to constitute legal advice. In addition, we recommend the Commission consult with their internal accounting staff or external auditor or accounting firm about the accounting treatment of OPEB liabilities.

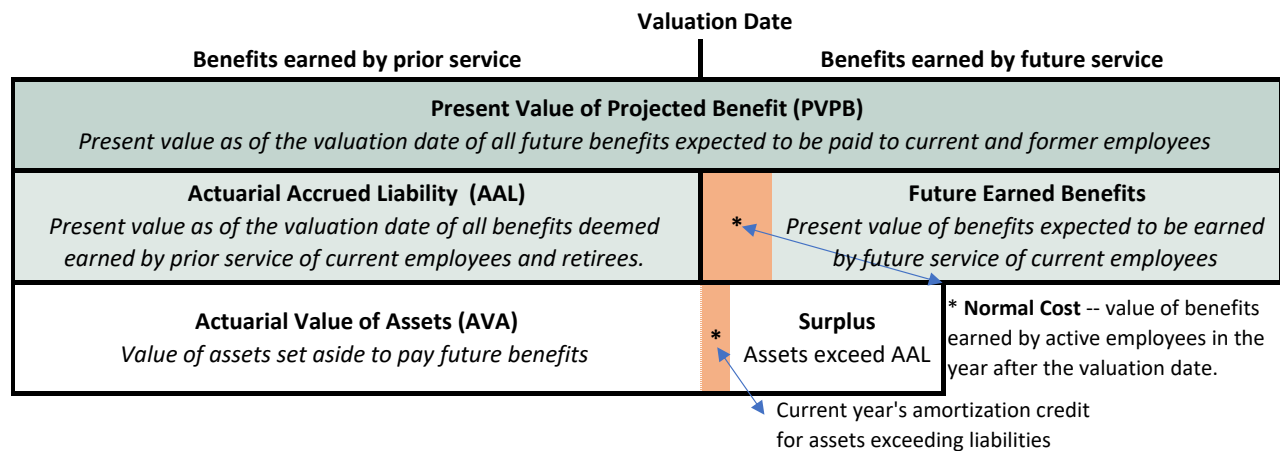


## B. Valuation Process

This valuation is based on employee census data and benefits initially submitted to us by the Commission in January 2022 and clarified in various related communications. A summary of the employee data is provided in Section 1 and a summary of the benefits provided under the Plan is provided in Section 2. While individual employee records have been reviewed to verify that they are reasonable in various respects, the data has not been audited and we have otherwise relied on the Commission as to its accuracy. The valuation has been performed in accordance with the process described below using the actuarial methods and assumptions described in Section 3 and is consistent with our understanding of Actuarial Standards of Practice.

In projecting benefit values and liabilities, we first determine an expected premium or benefit stream over each current retiree's or active employee's future retirement. Benefits may include both direct employer payments (explicit subsidies) and any implicit subsidies arising when retiree premiums are expected to be partially subsidized by premiums paid for active employees. The projected benefit streams reflect assumed trends in the cost of those benefits and assumptions as to the expected dates when benefits will end. Assumptions regarding the probability that each employee will remain in service to receive benefits and the likelihood the employee will elect coverage for themselves and their dependents are also applied.

We then calculate a present value of these future benefit streams by discounting the value of each future expected employer payment back to the valuation date using the valuation discount rate. This present value is called the **Present Value of Projected Benefits (PVPB)** and represents the current value of all expected future plan payments to current retirees and current active employees. Note that this long-term projection does not anticipate entry of future employees.



The next step in the valuation process splits the Present Value of Projected Benefits into 1) the value of benefits already earned by prior service of current employees and retirees and 2) the value of benefits expected to be earned by future service of current employees. Actuaries employ an "attribution method" to divide the PVPB into prior service liabilities and future service liabilities. For this valuation we used the **Entry Age Normal** attribution method. This method is the most common used for government funding purposes and the only attribution method allowed for financial reporting under GASB 75.

We call the value of benefits deemed earned by prior service the **Actuarial Accrued Liability (AAL)**. Benefits deemed earned by service of active employees in a single year is called the **Normal Cost** of



## Valuation Process

(Concluded)

benefits. The present value of all future normal costs (PVFNC) plus the Actuarial Accrued Liability will equal the Present Value of Projected Benefits (i.e.,  $PVPB = AAL + PVFNC$ ).

To date, the Commission has made recurring contributions to a trust to prefund plan benefits. Trust contributions and earnings accumulate so that the trust can make benefit payments to retirees (or reimburse the Commission for making those payments directly). The difference between the value of trust assets (i.e., the Market Value of Assets), or a smoothed asset value (i.e. the Actuarial Value of Assets), and the Actuarial Accrued Liability yields the **Unfunded Actuarial Accrued Liability (UAAL)**. The UAAL represents, as of the valuation date, the present value of benefits already earned by past service that remain unfunded. A plan is generally considered “fully funded” when the UAAL is zero. The plan sponsor of a fully funded plan will still need to make future contributions for benefits earned by future service of active employees. But in a fully funded plan, the plan sponsor has set aside sufficient assets to pay for benefits that have been earned by past service of current retirees and active employees if all valuation assumptions are realized.

Future contributions by the Commission will fund 1) the remaining part of OPEB benefits earned by past service (the Unfunded Actuarial Accrued Liability) and 2) the value of benefits earned each year by service of active employees. Various strategies might be employed to pay down the UAAL such as longer or shorter amortization payments, and flat or escalating payments depending on the plan sponsors goals and funding philosophy.

Note that projections of future benefits over such long periods (frequently 60 or more years) which are dependent on numerous assumptions regarding future economic and demographic variables are subject to substantial revision as future events unfold. While we believe that the assumptions and methods used in this valuation are reasonable for the purposes of this report, the costs to the Commission reflected in this report are subject to future revision, perhaps materially. Demonstrating the range of potential future plan costs was beyond the scope of our assignment except to the limited extent of providing liability information at various discount rates.

Certain actuarial terms and GASB 75 terms may be used interchangeably. Some are shown below.

Actuarial Terminology	GASB 75 Terminology
Present Value of Projected Benefits (PVPB)	<i>No equivalent term</i>
Actuarial Accrued Liability (AAL)	Total OPEB Liability (TOL)
Market Value of Assets (MVA)	Fiduciary Net Position
Actuarial Value of Assets (AVA)	<i>No equivalent term</i>
Unfunded Actuarial Accrued Liability (UAAL)	Net OPEB Liability
Normal Cost	Service Cost

Specific results from this valuation are provided in the following Section C.

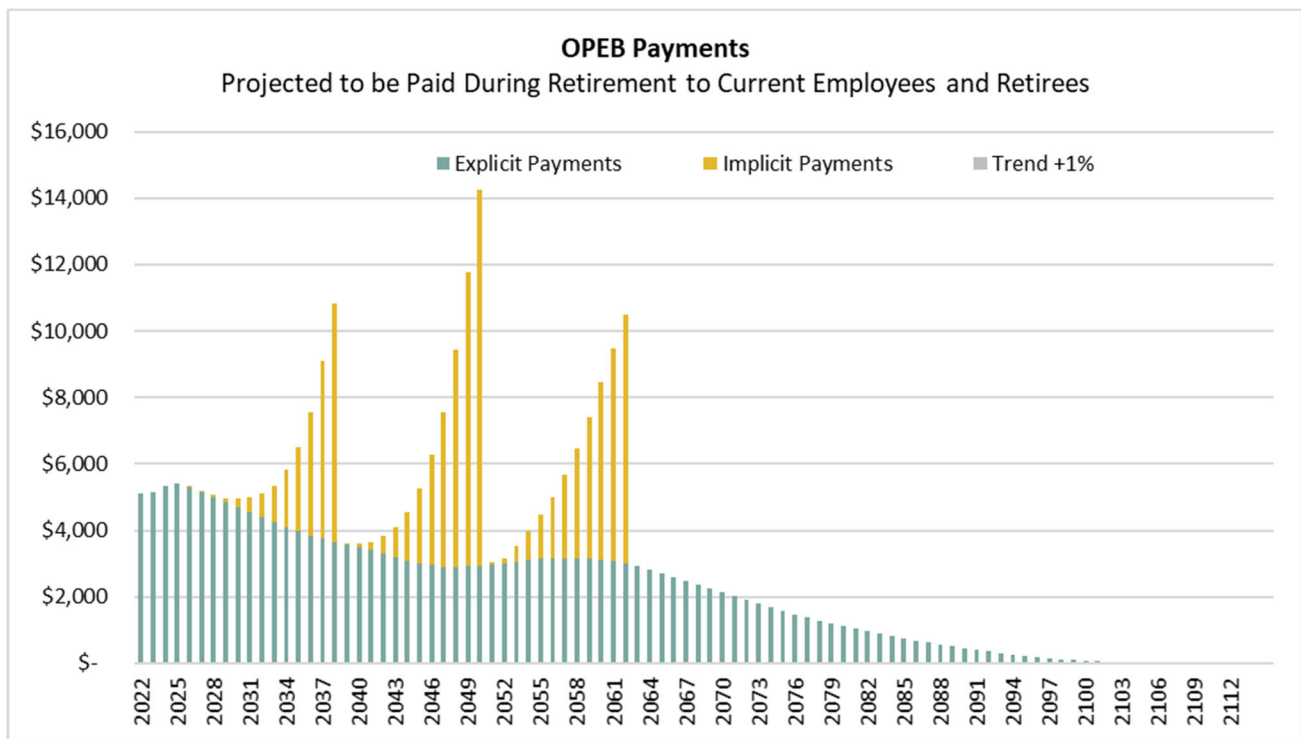


### C. Valuation Results as of June 30, 2021

This section presents the basic results of our recalculation of the OPEB liability using the updated employee data, plan provisions and asset information provided to us for the June 2021 valuation. We described the general process for projecting all future benefits to be paid to retirees and current employees in Section C. Expected annual benefits have been projected on the basis of the actuarial assumptions outlined in Supporting Information, Section 3.

Lifetime healthcare benefits are paid for qualifying retirees. The amount and type of benefit provided varies based on the employee’s employment date with the Commission; please see Supporting Information, Section 2 for details.

The following graph illustrates the annual other post-employment benefits projected to be paid on behalf of current retirees and current employees expected to retire from the Commission.



The amounts shown in green reflect the expected payment by the Commission toward retiree medical premiums while those in yellow reflect the implicit subsidy benefits (i.e., the excess of retiree medical and prescription drug claims over the premiums expected to be charged during the year for retirees’ coverage). The projections in gray reflect increases in benefit levels if healthcare trend were 1% higher.

The first 15 years of benefit payments from the graph above are shown in tabular form on page 19.





**Valuation Results as of June 30, 2021**  
(continued)

This chart compares the results measured as of June 30, 2020, based on the June 30, 2019, valuation, with the results measured as of June 30, 2021, based on the June 30, 2021, actuarial valuation using the 5.75% discount rate applied for financial reporting purposes.

Valuation Date	6/30/2019			6/30/2021		
Fiscal Year Ending	6/30/2021			6/30/2022		
Measurement Date	6/30/2020			6/30/2021		
Discount rate	5.75%			5.75%		
<b>Number of Covered Employees</b>						
Actives	2			3		
Retirees	1			1		
Total Participants	3			4		
OPEB Subsidy Type	Explicit	Implicit	Total	Explicit	Implicit	Total
<b>Actuarial Present Value of Projected Benefits</b>						
Actives	\$ 9,684	\$ 11,849	\$ 21,533	\$ 15,959	\$ 23,673	\$ 39,632
Retirees	59,188	-	59,188	59,737	-	59,737
Total APVPB	68,872	11,849	80,721	75,696	23,673	99,369
<b>Total OPEB Liability (TOL)</b>						
Actives	-	-	-	2,679	3,840	6,519
Retirees	59,188	-	59,188	59,737	-	59,737
TOL	59,188	-	59,188	62,416	3,840	66,256
Fiduciary Net Position			66,781			79,889
<b>Net OPEB Liability</b>			(7,593)			(13,633)
<b>Service Cost</b>						
For the period following the measurement date	989	1,237	2,226	1,212	1,866	3,078

Trust assets are 121% of the past service liability (the Total OPEB Liability) and about 80% of the Present value of Projected Benefits. The ratio of assets to the TOL is up from 113% as of June 30, 2020. The TOL has increased by \$7,068 from that reported one year ago. Part of the change was expected and some of this change was unexpected. Reasons for the change in the Total OPEB Liability (TOL) are discussed on the following page.





**Valuation Results as of June 30, 2021**

(Concluded)

**Expected changes:** We expected an increase of \$4,833 from normal plan operation, i.e., additional service and interest costs accruing for the period less benefits paid to retirees.

**Unexpected changes** increased the TOL by \$2,235 and fall into one of the following categories:

- *Plan experience* includes differences between what was assumed and what actually occurred since the prior valuation. Plan experience since the prior valuation increased the TOL by \$3,595.
- *Changes in actuarial assumptions or methodology:* The assumption changes listed below collectively decreased the TOL by \$1,360. For more on the assumption changes, see the last page of Section 3, Supporting Information.
- *Benefit changes:* No changes to benefits or eligibility since June 30, 2019, were reported.

This chart reconciles the TOL reported on June 30, 2021, to the TOL to be reported as of June 30, 2022.

<b>Reported Total OPEB Liability at June 30, 2021</b> Measurement Date June 30, 2020	<b>\$ 59,188</b>
<b><i>Expected Changes:</i></b>	
Service Cost	2,226
Benefit Payments	(898)
Interest Cost	3,505
<b>Total Expected Change</b>	<b>4,833</b>
<b>Expected Total OPEB Liability at June 30, 2022</b> Measurement Date June 30, 2021	<b>\$ 64,021</b>
<b><i>Unexpected Changes:</i></b>	
<i>Plan experience different than assumed</i>	
Census changes other than expected	4,152
Other plan experience	(557)
<i>Assumption changes</i>	
Update to assumed salary increases and mortality improvement scale	234
Change in assumed future healthcare trend	(597)
Change in percent of future retirees assumed to elect County coverage or non-County coverage	(997)
<b>Total Unexpected Change</b>	<b>2,235</b>
<b>Actual Total OPEB Liability at June 30, 2022</b> Measurement Date June 30, 2021	<b>\$ 66,256</b>



## D. Accounting Information (GASB 75)

The following exhibits are designed to satisfy the reporting and disclosure requirements of GASB 75 for the fiscal year end June 30, 2022.

*Deferred contributions and payroll for the current fiscal year shown in this Section are estimates subject to change.*

### Components of Net Position and Expense

The exhibit below shows the development of Net Position and Expense as of the Measurement Date.

<b>Plan Summary Information for FYE June 30, 2022</b> <i>Measurement Date is June 30, 2021</i>	<b>LAFCo</b>
<b>Items Impacting Net Position:</b>	
Total OPEB Liability	\$ 66,256
Fiduciary Net Position	79,889
Net OPEB Liability (Asset)	<u>(13,633)</u>
<i>Deferred (Outflows) Inflows of Resources Due to:</i>	
Assumption Changes	1,015
Plan Experience	(3,474)
Investment Experience	7,575
Deferred Contributions	<u>(5,115)</u>
Net Deferred (Outflows) Inflows of Resources	1
<b>Impact on Statement of Net Position, FYE 6/30/2022</b>	<b><u>\$ (13,632)</u></b>
<b>Items Impacting OPEB Expense:</b>	
Service Cost	\$ 2,226
Cost of Plan Changes	-
Interest Cost	3,505
Expected Earnings on Assets	(3,839)
Administrative Expenses	24
<i>Recognized Deferred Resource items:</i>	
Assumption Changes	(87)
Plan Experience	397
Investment Experience	<u>(1,963)</u>
<b>OPEB Expense, FYE 6/30/2022</b>	<b><u>\$ 263</u></b>

\* Accrued benefit payments of \$4,596 for retiree premiums during FY 20/21 have not yet been invoiced by the County. The Commission has set aside this amount for future payment and we have included it in the TOL above.



**Accounting Information**

(Continued)

**Change in Net Position During the Fiscal Year**

The exhibit below shows the year-to-year changes in the components of Net Position.

For Reporting at Fiscal Year End <i>Measurement Date</i>	6/30/2021 <i>6/30/2020</i>	6/30/2022 <i>6/30/2021</i>	Change During Period
Total OPEB Liability	\$ 59,188	\$ 66,256	\$ 7,068
Fiduciary Net Position	66,781	79,889	13,108
Net OPEB Liability (Asset)	(7,593)	(13,633)	(6,040)
<i>Deferred Resource (Outflows) Inflows Due to:</i>			
Assumption Changes	(258)	1,015	1,273
Plan Experience	(276)	(3,474)	(3,198)
Investment Experience	245	7,575	7,330
Deferred Contributions	(898)	(5,115)	(4,217)
Net Deferred (Outflows) Inflows	(1,187)	1	1,188
Impact on Statement of Net Position	\$ (8,780)	\$ (13,632)	\$ (4,852)

**Change in Net Position During the Fiscal Year**

Impact on Statement of Net Position, FYE 6/30/2021	\$ (8,780)
OPEB Expense (Income)	263
Employer Contributions During Fiscal Year	(5,115)
Impact on Statement of Net Position, FYE 6/30/2022	<u>\$ (13,632)</u>

**OPEB Expense**

Employer Contributions During Fiscal Year	\$ 5,115
Deterioration (Improvement) in Net Position	(4,852)
OPEB Expense (Income), FYE 6/30/2022	<u>\$ 263</u>



## Accounting Information

(Continued)

### Change in Fiduciary Net Position During the Measurement Period

	LAFCo	
<b>Fiduciary Net Position at Fiscal Year Ending 6/30/2021</b>	<b>\$</b>	<b>66,781</b>
<i>Measurement Date 6/30/2020</i>		
<b>Changes During the Period:</b>		
Investment Income		13,132
Employer Contributions		898
Administrative Expenses		(24)
Benefit Payments		(898)
<b>Net Changes During the Period</b>		<b>13,108</b>
<b>Fiduciary Net Position at Fiscal Year Ending 6/30/2022</b>	<b>\$</b>	<b>79,889</b>
<i>Measurement Date 6/30/2021</i>		

### Expected Long-term Return on Trust Assets

The expected long-term return on trust assets was derived from information published by CalPERS for CERBT Strategy 2. CalPERS determined its returns using a building-block method and best-estimate ranges of expected future real rates of return for each major asset class (expected returns, net of OPEB plan investment expense and inflation). The target allocation and best estimates of geometric real rates of return published by CalPERS for each major class are split for years 1-10 and years 11 and thereafter.

CERBT Strategy 2		Years 1-10			Years 11+		
Major Asset Classification	Target Allocation	General Inflation Rate Assumption	1-10 Year Expected Real Rate of Return*	Compound Return Yrs 1-10	General Inflation Rate Assumption	11+ Year Expected Real Rate of Return*	Compound Return Years 11+
Global Equity	40%	2.00%	4.80%	6.80%	2.92%	5.98%	8.90%
Fixed Income	43%	2.00%	1.10%	3.10%	2.92%	2.62%	5.54%
Global Real Estate(REITs)	8%	2.00%	3.20%	5.50%	2.92%	5.00%	7.92%
Treasury Inflation Protected Securities	5%	2.00%	0.25%	2.25%	2.92%	1.46%	4.38%
Commodities	4%	2.00%	1.50%	3.50%	2.92%	2.87%	5.79%
Volatility	9.24%		weighted	5.22%		weighted	7.49%

\*Real rates of return come from a geometric representation of returns that assume a general inflation rate of 2.00%.

To derive the expected return specifically for the Commission, we projected plan benefits in each future year. Then applying the plan specific benefit payments to CalPERS' bifurcated return expectations, we determined the single equivalent long-term rate of return to be 6.35%. The Commission is less optimistic about expected future returns, and instead approved 5.75% as the assumed asset return and discount rate for GASB 75 purposes and to develop the Actuarially Determined contributions for prefunding the plan.



## Accounting Information

(Continued)

### Recognition Period for Deferred Resources

Liability changes due to plan experience which differs from what was assumed in the prior measurement period and/or from assumption changes during the period are recognized over the plan's Expected Average Remaining Service Life ("EARSL"). The EARSL of 10.31 years is the period used to recognize such changes in the OPEB Liability arising during the current measurement period.

Changes in the Fiduciary Net Position due to investment performance different from the assumed earnings rate are always recognized over 5 years.

Liability differences due to benefit changes occurring during the period are recognized immediately.

### Deferred Resources as of Fiscal Year End and Expected Future Recognition

The exhibit below shows deferred resources as of the fiscal year end June 30, 2022.

Marin Local Agency Formation Commission	Deferred Outflows of Resources	Deferred Inflows of Resources
Changes of Assumptions	\$ 213	\$ 1,228
Differences Between Expected and Actual Experience	3,474	-
Net Difference Between Projected and Actual Earnings on Investments	-	7,575
Deferred Contributions	5,115	-
<b>Total</b>	<b>\$ 8,802</b>	<b>\$ 8,803</b>

The Commission will recognize the Deferred Contributions in the next fiscal year. In addition, future recognition of these deferred resources is shown below.

For the Fiscal Year Ending June 30	Recognized Net Deferred Outflows (Inflows) of Resources
2023	\$ (1,613)
2024	(1,667)
2025	(1,508)
2026	(1,547)
2027	286
Thereafter	933



**Accounting Information**

(Continued)

**Sensitivity of Liabilities to Changes in the Discount Rate and Healthcare Cost Trend Rate**

The discount rate used for the fiscal year end 2022 is 5.75%. Healthcare Cost Trend Rate was assumed to start at 5.6% in January 2023 and grade down to 4% for years 2076 and later. The impact of a 1% increase or decrease in these assumptions is shown in the chart below.

Sensitivity to:			
Change in Discount Rate	Current - 1% 4.75%	Current 5.75%	Current + 1% 6.75%
<b>Total OPEB Liability</b>	71,504	66,256	61,660
Increase (Decrease)	5,248		(4,596)
% Increase (Decrease)	7.9%		-6.9%
<b>Net OPEB Liability (Asset)</b>	(8,385)	(13,633)	(18,229)
Increase (Decrease)	5,248		(4,596)
% Increase (Decrease)	38.5%		-33.7%
Change in Healthcare Cost Trend Rate	Current Trend - 1%	Current Trend	Current Trend + 1%
<b>Total OPEB Liability</b>	65,401	66,256	67,165
Increase (Decrease)	(855)		909
% Increase (Decrease)	-1.3%		1.4%
<b>Net OPEB Liability (Asset)</b>	(14,488)	(13,633)	(12,724)
Increase (Decrease)	(855)		909
% Increase (Decrease)	-6.3%		6.7%



## Accounting Information

(Continued)

### Schedule of Changes in the Commission's Net OPEB Liability and Related Ratios

GASB 75 requires presentation of the 10-year history of changes in the Net OPEB Liability. Only results for years since GASB 75 was implemented (fiscal years 2018 through 2022) are shown below.

<b>Fiscal Year Ending</b>	<b>2022</b>	<b>2021</b>	<b>2020</b>	<b>2019</b>	<b>2018</b>
<i>Measurement Date</i>	<i>6/30/2021</i>	<i>6/30/2020</i>	<i>6/30/2019</i>	<i>6/30/2018</i>	<i>6/30/2017</i>
<i>Discount Rate on Measurement Date</i>	<i>5.75%</i>	<i>5.75%</i>	<i>5.75%</i>	<i>5.75%</i>	<i>5.75%</i>
<b>Total OPEB liability</b>					
Service Cost	\$ 2,226	\$ 2,161	\$ -	\$ -	\$ -
Interest	3,505	3,365	3,309	3,413	3,529
Changes of benefit terms	-	-	-	-	-
Differences between expected and actual experience	3,595	-	372	-	-
Changes of assumptions	(1,360)	-	348	-	-
Benefit payments	(898)	(5,400)	(5,013)	(5,456)	(5,615)
<b>Net change in total OPEB liability</b>	<b>7,068</b>	<b>126</b>	<b>(984)</b>	<b>(2,043)</b>	<b>(2,086)</b>
<b>Total OPEB liability - beginning</b>	<b>59,188</b>	<b>59,062</b>	<b>60,046</b>	<b>62,089</b>	<b>64,175</b>
<b>Total OPEB liability - ending (a)</b>	<b>\$ 66,256</b>	<b>\$ 59,188</b>	<b>\$ 59,062</b>	<b>\$ 60,046</b>	<b>\$ 62,089</b>
<b>Plan fiduciary net position</b>					
Contributions - employer	\$ 898	\$ 5,400	\$ 5,013	\$ 21,071	\$ 25,102
Net investment income	13,132	3,431	4,208	2,544	1,894
Benefit payments	(898)	(5,400)	(5,013)	(5,456)	(5,615)
Administrative Expenses	(24)	(31)	(13)	(22)	(15)
Other Expenses	-	-	-	(54)	-
<b>Net change in plan fiduciary net position</b>	<b>13,108</b>	<b>3,400</b>	<b>4,195</b>	<b>18,083</b>	<b>21,366</b>
<b>Plan fiduciary net position - beginning</b>	<b>66,781</b>	<b>63,381</b>	<b>59,186</b>	<b>41,103</b>	<b>19,737</b>
<b>Plan fiduciary net position - ending (b)</b>	<b>\$ 79,889</b>	<b>\$ 66,781</b>	<b>\$ 63,381</b>	<b>\$ 59,186</b>	<b>\$ 41,103</b>
<b>Net OPEB liability - ending (a) - (b)</b>	<b>\$ (13,633)</b>	<b>\$ (7,593)</b>	<b>\$ (4,319)</b>	<b>\$ 860</b>	<b>\$ 20,986</b>
<b>Covered-employee payroll</b>	<b>\$ 280,829</b>	<b>\$ 251,193</b>	<b>\$ 127,930</b>	<b>\$ -</b>	<b>\$ 217,782</b>
<b>Net OPEB liability as a % of covered-employee payroll</b>	<b>-4.85%</b>	<b>-3.02%</b>	<b>-3.38%</b>	<b>N/A</b>	<b>9.64%</b>



**Accounting Information**  
(Continued)

**Schedule of Contributions**

Since establishing the OPEB trust, the Commission has consistently contributed 100% or more of the Actuarially Determined Contribution (ADC) each year and confirmed its intention to continue doing so. This chart shows the contributions since GASB 75 was implemented.

Contributions and payroll shown for fiscal year end 2022 were estimates at the time this report was prepared and should be updated once known after the close of the year.

	FYE 2022	FYE 2021	FYE 2020	FYE 2019	FYE 2018
Actuarially Determined Contribution	\$ 1,606	\$ 1,801	\$ 1,981	\$ 1,526	\$ 15,615
Contributions in relation to the actuarially determined contribution	5,115	898	5,400	5,013	21,071
Contribution deficiency (excess)	\$ (3,509)	\$ 903	\$ (3,419)	\$ (3,487)	\$ (5,456)
Covered employee payroll	\$ 300,000	\$ 280,829	\$ 251,193	\$ 127,930	\$ 144,601
Contributions as a % of covered employee payroll	1.71%	0.32%	2.15%	3.92%	14.57%

**Notes to Schedule: assumptions applied to determine Actuarially Determined Contributions**

	6/30/2019	6/30/2017	7/1/2015
Valuation Date	6/30/2019	6/30/2017	7/1/2015
Actuarial cost method	Entry Age Normal	Entry Age Normal	Entry Age Normal
Amortization method	Level Dollar Basis, Open 30 years*	Level Dollar Basis Closed 30 years	Level Dollar Basis Closed 30 years
Amortization period	30 years remain	27 yrs remain	30 yrs remain
Asset valuation method	Market Value	Market Value	Market Value
Inflation	2.50%	2.75%	2.75%
Healthcare cost trend rates	5.4% in 2021, fluctuates until ultimate rate of 4% in 2076	7.50% in 2019, step down .5% per year to 5% by 2024	Ultimate trend rate of 4%
Salary increases	3.00%	N/A	2.00%
Investment rate of return	5.75%	5.75%	6.37%
Retirement age	From 55 to 75	N/A; all members are retired	Age 64 (or 1st year following when member qualified for benefits)
Mortality	2017 CalPERS Experience Study	2014 CalPERS Experience Study	Based on mortality tables published by the National Center for Health Statistics
Mortality Improvement	Projected with MW Scale 2018	Projected with MW Scale 2017	N/A





## Accounting Information

(Continued)

### Detail of Changes to Net Position

The chart below details changes to all components of Net Position.

Marin Local Agency Formation Commission	Total OPEB Liability (a)	Fiduciary Net Position (b)	Net OPEB Liability (c) = (a) - (b)	(d) Deferred Outflows (Inflows) Due to:				Impact on Statement of Net Position (e) = (c) - (d)
				Assumption Changes	Plan Experience	Investment Experience	Deferred Contributions	
<b>Balance at Fiscal Year Ending 6/30/2021</b> <i>Measurement Date 6/30/2020</i>	\$ 59,188	\$ 66,781	\$ (7,593)	\$ 258	\$ 276	\$ (245)	\$ 898	\$ (8,780)
<b>Changes During the Period:</b>								
Service Cost	2,226		2,226					2,226
Interest Cost	3,505		3,505					3,505
Expected Investment Income		3,839	(3,839)					(3,839)
Employer Contributions		898	(898)					(898)
Changes of Benefit Terms	-		-					-
Administrative Expenses		(24)	24					24
Benefit Payments	(898)	(898)	-					-
Assumption Changes	(1,360)		(1,360)	(1,360)				-
Plan Experience	3,595		3,595		3,595			-
Investment Experience		9,293	(9,293)			(9,293)		-
Recognized Deferred Resources				87	(397)	1,963	(898)	(755)
Employer Contributions in Fiscal Year							5,115	(5,115)
<b>Net Changes in Fiscal Year 2021-2022</b>	7,068	13,108	(6,040)	(1,273)	3,198	(7,330)	4,217	(4,852)
<b>Balance at Fiscal Year Ending 6/30/2022</b> <i>Measurement Date 6/30/2021</i>	\$ 66,256	\$ 79,889	\$ (13,633)	\$ (1,015)	\$ 3,474	\$ (7,575)	\$ 5,115	\$ (13,632)



**Accounting Information**  
(Continued)

**Schedule of Deferred Outflows and Inflows of Resources**

A listing of all deferred resource bases used to develop the Net Position and OPEB Expense is shown below. Deferred Contributions are not shown.

Measurement Date: June 30, 2021

Deferred Resource					Balance as of Jun 30, 2021	Recognition of Deferred Outflow or Deferred (Inflow) in Measurement Period:							
Date Created	Created Due To	Initial Amount	Period (Yrs)	Annual Recognition		2020-21 (FYE 2022)	2021-22 (FYE 2023)	2022-23 (FYE 2024)	2023-24 (FYE 2025)	2024-25 (FYE 2026)	2025-26 (FYE 2027)	Thereafter	
6/30/2017	Investment Earnings	Greater than Expected	\$ (199)	5.00	\$ (40)	\$ -	\$ (39)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6/30/2018	Investment Earnings	Less than Expected	266	5.00	53	54	53	54	-	-	-	-	-
6/30/2019	Plan Experience	Increased Liability	372	7.76	48	228	48	48	48	48	48	36	-
6/30/2019	Assumption Changes	Increased Liability	348	7.76	45	213	45	45	45	45	45	33	-
6/30/2019	Investment Earnings	Greater than Expected	(805)	5.00	(161)	(322)	(161)	(161)	(161)	-	-	-	-
6/30/2020	Investment Earnings	Less than Expected	213	5.00	43	127	43	43	43	41	-	-	-
6/30/2021	Plan Experience	Increased Liability	3,595	10.31	349	3,246	349	349	349	349	349	349	1,501
6/30/2021	Assumption Changes	Decreased Liability	(1,360)	10.31	(132)	(1,228)	(132)	(132)	(132)	(132)	(132)	(132)	(568)
6/30/2021	Investment Earnings	Greater than Expected	(9,293)	5.00	(1,859)	(7,434)	(1,859)	(1,859)	(1,859)	(1,859)	(1,857)	-	-



**Accounting Information**

(Continued)

**The Commission Contributions to the Plan**

The Commission contributions to the Plan occur as benefits are paid to retirees and/or to the OPEB trust. Benefit payments may occur in the form of direct payments for premiums (“explicit subsidies”) and/or indirect payments to retirees in the form of higher premiums for active employees (“implicit subsidies”). Note: The implicit subsidy contribution does not represent cash payments to retirees, but reclassification of a portion of active healthcare cost to be treated as a retiree health cost.

Benefits and other contributions paid by the Commission during the measurement period are shown below.

<b>Employer Contributions During the Measurement Period, Jul 1, 2020 thru Jun 30, 2021</b>	<b>LAFCo</b>
Employer Contributions to the Trust	\$ -
Employer Contributions in the Form of Direct Benefit Payments (not reimbursed by trust)	898
Implicit contributions	-
<b>Total Employer Contributions During the Measurement Period</b>	<b>\$ 898</b>

\* Accrued benefit payments of \$4,596 for retiree premiums during FY 20/21 have not yet been invoiced by the County. The Commission has set aside this amount for future payment and we have included it in the TOL as an accrued expense.

Benefits *expected to be paid* by the Commission in the year following the measurement period but prior to the end of the fiscal year are shown below. *The estimated trust contributions and benefit payments should be replaced with the total payments once known at the close of fiscal year.*

<b>Employer Contributions During the Fiscal Year, Jul 1, 2021 thru Jun 30, 2022</b>	<b>LAFCo</b>
Employer Contributions to the Trust	\$ -
Employer Contributions in the Form of Direct Benefit Payments (not reimbursed by trust)	5,115
Implicit contributions	-
<b>Total Employer Contributions During the Fiscal Year</b>	<b>\$ 5,115</b>



## Accounting Information

(Continued)

### Projected Benefit Payments (15-year projection)

The following is an estimate of other post-employment benefits to be paid on behalf of current retirees and current employees expected to retire from the Commission. Expected annual benefits have been projected on the basis of the actuarial assumptions outlined in Section 3.

These projections do not include any benefits expected to be paid on behalf of current active employees *prior to* retirement, nor do they include any benefits for potential *future employees* (i.e., those who might be hired in future years).

Projected Annual Benefit Payments							
Fiscal Year Ending June 30	Explicit Subsidy			Implicit Subsidy			Total
	Current Retirees	Future Retirees	Total	Current Retirees	Future Retirees	Total	
2022	\$ 5,115	\$ -	\$ 5,115	\$ -	\$ -	\$ -	\$ 5,115
2023	5,159	-	5,159	-	-	-	5,159
2024	5,321	-	5,321	-	-	-	5,321
2025	5,418	-	5,418	-	-	-	5,418
2026	5,286	4	5,290	-	6	6	5,296
2027	5,143	10	5,153	-	22	22	5,175
2028	4,989	19	5,008	-	50	50	5,058
2029	4,824	36	4,860	-	115	115	4,975
2030	4,646	65	4,711	-	237	237	4,948
2031	4,456	103	4,559	-	423	423	4,982
2032	4,252	153	4,405	-	707	707	5,112
2033	4,035	212	4,247	-	1,097	1,097	5,344
2034	3,805	301	4,106	-	1,707	1,707	5,813
2035	3,561	405	3,966	-	2,523	2,523	6,489
2036	3,300	547	3,847	-	3,715	3,715	7,562

The amounts shown in the Explicit Subsidy table reflect the expected payment by the Commission toward retiree medical premiums in each of the years shown. The amounts are shown separately, and in total, for those retired on the valuation date (“current retirees”) and those expected to retire after the valuation date (“future retirees”). **The explicit subsidy benefit amount shown for FYE 2022 is currently an estimate and will be replaced with the actual amount, once known.**

The amounts shown in the Implicit Subsidy table reflect the expected excess of retiree medical and prescription drug claims over the premiums expected to be charged during the year for retirees’ coverage. These amounts are also shown separately and in total for those currently retired on the valuation date and for those expected to retire in the future.



## Accounting Information

(Concluded)

### Sample Journal Entries

#### Beginning Account Balances

As of the fiscal year beginning 7/1/2021

	<u>Debit</u>	<u>Credit</u>
Net OPEB Liability	7,593	
Deferred Resource -- Assumption Changes	258	
Deferred Resource -- Plan experience	276	
Deferred Resource -- Investment Experience		245
Deferred Resource -- Contributions	898	
Net Position		8,780

\* The entries above assume nothing is on the books at the beginning of the year. So to the extent that values already exist in, for example, the Net OPEB Liability account, then only the difference should be adjusted. The entries above represent the values assumed to exist at the start of the fiscal year.

#### Journal entry to recharacterize retiree benefit payments as OPEB Expense.

	<u>Debit</u>	<u>Credit</u>
OPEB Expense	5,115	
Premium Expense		5,115

\* This entry assumes a prior journal entry was made to record the payment for retiree premiums. This entry assumes the prior entry debited an account called "Premium Expense" and credited Cash. This entry reverses the prior debit to "Premium Expense" and recharacterizes that entry as an "OPEB Expense".

#### Journal entries to record account activity during the fiscal year

	<u>Debit</u>	<u>Credit</u>
Net OPEB Liability	6,040	
Deferred Resource -- Assumption Changes		1,273
Deferred Resource -- Plan experience	3,198	
Deferred Resource -- Investment Experience		7,330
Deferred Resource -- Contributions	4,217	
OPEB Expense		4,852



## E. Funding Information

The employer's OPEB funding policy and level of contributions to an irrevocable OPEB trust directly affects the discount rate which is used to calculate the OPEB liability to be reported in the employer's financial statements. Prefunding (setting aside funds to accumulate in an irrevocable OPEB trust) has certain advantages, one of which is the ability to (potentially) use a higher discount rate in the determination of liabilities for GASB 75 reporting purposes. Prefunding also improves the security of benefits for current and potential future recipients and contributes to intergenerational taxpayer equity by better matching the cost of the benefits to the service years in which they are "earned" and which correspond to years in which taxpayers benefit from those services.

### Paying Down the UAAL

Once an entity decides to prefund, a decision must be made about how to pay for benefits related to accumulated prior service that have not yet been funded (the UAAL<sup>2</sup>). This is most often, though not always, handled through structured amortization payments. The period and method chosen for amortizing this unfunded liability can significantly affect the Actuarially Determined Contribution (ADC) or other basis selected for funding the OPEB program.

Much like paying off a mortgage, when the AAL exceeds plan assets, choosing a longer amortization period to pay off the UAAL means smaller payments, but the payments will be required for more years; plan investments will have less time to work toward helping reduce required contribution levels. *When the plan is in a surplus position, the reverse is true, and a longer amortization period may be preferable.*

There are several ways the amortization payment can be determined. The most common methods are calculating the amortization payment as a level dollar amount or as a level percentage of payroll. The employer might also choose to apply a shorter period when the UAAL only when it is positive, i.e., when trust assets are lower than the AAL, but opt for a longer period or to exclude amortization of a negative UAAL, when assets exceed the AAL. The entire UAAL may be amortized as one single component or may be broken into multiple components reflecting the timing and source of each change, such as those arising from assumption changes, benefit changes and/or liability or investment experience.

The amortization period(s) should not exceed the number of years which would allow current trust assets plus future contributions and earnings to be sufficient to pay all future benefits and trust expenses each year. Prefunding of OPEB is optional and contributions at any level are permitted. However, if trust sufficiency is not expected, a discount rate other than the assumed trust return will likely be required for accounting purposes.

### Funding and Prefunding of the Implicit Subsidy

An implicit subsidy liability is created when retiree medical claims are expected to exceed the premiums charged for retiree coverage. Recognition of the estimated implicit subsidy each year is handled by an accounting entry, reducing the amount paid for active employees and shifting that amount to be treated as a retiree healthcare expense/contribution (see Sample Journal Entries). The implicit subsidy is a true benefit to the retiree but can be difficult to see when medical premiums are set as a flat rate for both actives and pre-Medicare retirees.

---

<sup>2</sup> We use actuarial, rather than accounting, terminology to describe the components used to develop the ADCs.



## OPEB Funding Information

(Continued)

This might lead some employers to believe the benefit is not real or is merely an accounting construct, and thus to forgo prefunding of retiree implicit benefits.

Consider what would happen if the retiree premiums were based only on expected retiree claims experience. Almost certainly, retiree premiums would increase while premiums for active employees would go down if the active premiums no longer had to help support the higher retiree claims. *Who would pay the increases in retiree premiums?* Current plan documents and bargaining agreements would have to be consulted. Depending on circumstances, the increase in retiree premiums might remain the responsibility of the employer, pass entirely to the retirees, or some blending of the two. The answer would determine whether separate retiree-only premium rates would result in a higher or lower employer OPEB liability. In the current premium structure, with blended active and pre-Medicare retiree premiums, the employer is clearly, though indirectly, paying the implicit retiree cost.

The prefunding decision is complex. OPEB materiality, budgetary concerns, desire to use the full trust rate in developing the liability for GASB 75, and other factors must be weighed by each employer. Since prefunding OPEB benefits is not required, each employer's OPEB prefunding strategy will depend on how they balance these competing perspectives.

### Development of the Actuarially Determined Contributions

In this report, we developed the ADCs based on the following two components, which are then adjusted with interest to each fiscal year end:

- The amounts attributed to service performed in the current fiscal year (the normal cost) and
- Amortization of the *negative* unfunded actuarial accrued liability (a surplus)<sup>3</sup> over an open 30-year period determined assuming level dollar payments.

Actuarially Determined Contributions, developed as described above for the Commission's fiscal years ending June 30, 2023 and 2024 are shown the exhibit on the next page. These ADCs incorporate both explicit (cash benefit) and implicit subsidy benefit liabilities. Contributions credited toward meeting the ADC will be comprised of:

- 1) direct payments to insurers toward retiree premiums, to the extent not reimbursed to the Commission by the trust; plus
- 2) each year's implicit subsidy payment; and
- 3) contributions to the OPEB trust.

ADCs determined on this basis should provide for trust sufficiency, based on the current plan provisions and census data, provided all assumptions are exactly realized and if the Commission contributes 100% or more of the ADC each year. When an agency commits to funding the trust at or above the ADC, the expected long-term trust return may be used as the discount rate in determining the plan liability for accounting purposes. Trust sufficiency cannot be guaranteed to a certainty, however, because of the non-trivial risk that the assumptions used to project future benefit liabilities may not be realized.

---

<sup>3</sup> See "Actuarial Funding Policies and Practices for Public Pension and OPEB Plans", November 2015, California Actuarial Advisory Panel.



### OPEB Funding Information

(Continued)

This table develops Actuarially Determined Contributions for the Commission's fiscal years ending June 30, 2023, and 2024, based on the June 2021 valuation results and funding policy described earlier. We have also included the ADC developed for fiscal year end 2022, which was determined from the results of the June 2019 valuation.

Valuation date	6/30/2019	6/30/2021	
For fiscal year ending	6/30/2022	6/30/2023	6/30/2024
Discount rate	5.75%	5.75%	5.75%
<b>Number of Covered Employees</b>			
Actives	2	3	3
Retirees	1	1	1
Total Participants	3	4	4
<b>Actuarial Present Value of Projected Benefits</b>	77,294	99,821	100,253
<b>Actuarial Accrued Liability (AAL)</b>			
Actives	4,772	10,149	14,084
Retirees	54,523	57,910	55,933
Total AAL	59,295	68,059	70,017
Actuarial Value of Assets	70,879	84,483	86,288
<b>Unfunded AAL (UAAL)</b>	(11,584)	(16,424)	(16,271)
UAAL Amortization method	Level Dollar	Level Dollar	Level Dollar
Remaining amortization period (years)	30	30	30
Amortization Factor	14.9541	14.9541	14.9541
<b>Actuarially Determined Contribution (ADC)</b>			
Normal Cost	\$ 2,294	\$ 3,170	\$ 3,265
Amortization of UAAL	(775)	(1,098)	(1,088)
Interest to fiscal year end	87	119	125
<b>Total ADC</b>	1,606	2,191	2,302

As noted on the preceding page, OPEB funding consists of 3 different sources. The chart below illustrates the estimated amounts from each of these contribution sources toward satisfying the ADC. If the projected benefits paid by the Commission are less than what we have estimated below, the contribution to the trust should be adjusted to compensate.

#### Funding of the ADC

1 Implicit subsidy contribution	\$ -	\$ -	\$ -
Additional payments needed to meet ADC	1,606	2,191	2,302
2 Projected agency paid premiums for retirees	5,111	5,159	5,321
3 Expected agency contribution to OPEB trust	(3,505)	(2,968)	(3,019)
<b>Total Expected Employer Contributions (1+2+3)</b>	<b>\$ 1,606</b>	<b>\$ 2,191</b>	<b>\$ 2,302</b>



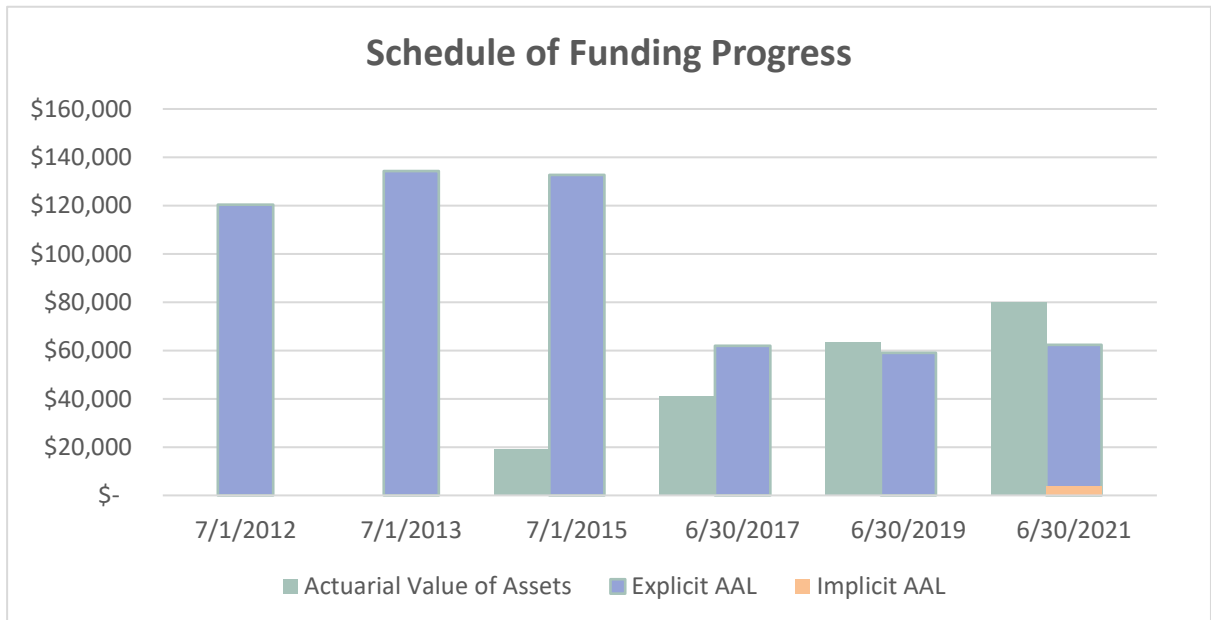


## OPEB Funding Information

(Continued)

In this section, we provide a review of key components of valuation results from 2012 through 2021 applied in determining the Actuarially Determined Contribution levels.

Schedule of Funding Progress							
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (b)	Unfunded Actuarial Accrued Liability (b-a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b-a)/c)	Discount Rate
7/1/2012	\$ -	\$ 120,400	\$ 120,400	0.0%	\$ 174,200	69.1%	Not Available
7/1/2013	\$ -	\$ 134,300	\$ 134,300	0.0%	\$ 176,200	76.2%	6.37%
7/1/2015	\$ 19,339	\$ 132,725	\$ 113,386	14.6%	\$ 254,700	44.5%	5.75%
6/30/2017	\$ 41,103	\$ 62,089	\$ 20,986	66.2%	\$ 144,601	14.5%	5.75%
6/30/2019	\$ 63,381	\$ 59,062	\$ (4,319)	107.3%	\$ 229,570	-1.9%	5.75%
6/30/2021	\$ 79,889	\$ 66,256	\$ (13,633)	120.6%	\$ 300,000	-4.5%	5.75%



Significant changes in recent years which affected the results include the following:

- **July 1, 2017:** Separation of 3 employees dropped the number of covered plan members to just 1 retired employee; decreased discount rate from 6.37% to 5.75%
- **June 30, 2019:** Addition of 2 new active employees increased the normal cost but not the unfunded liability; updated underlying health trend scale
- **June 30, 2021:** Addition of 1 active employee; updated several assumptions; trust investment return was significantly higher than the assumed 5.75% rate



## F. Certification

The primary purposes of this report are: (1) to provide actuarial information of the other postemployment benefits (OPEB) provided by the Marin Local Agency Formation Commission in compliance with Statement 75 of the Governmental Accounting Standards Board (GASB 75); and (2) to provide Actuarially Determined Contributions for prefunding of this program in conformity with the Commission's OPEB funding policy. The Commission is not required to contribute the ADC shown in this report and we make no representation that it will, in fact, fund the OPEB trust at any particular level.

In preparing this report we relied without audit on information provided by the Commission. This information includes, but is not limited to, plan provisions, census data, and financial information. We performed a limited review of this data and found the information to be reasonably consistent. The accuracy of this report is dependent on this information and if any of the information we relied on is incomplete or inaccurate, then the results reported herein will be different from any report relying on more accurate information.

We consider the actuarial assumptions and methods used in this report to be individually reasonable under the requirements imposed by GASB 75 and taking into consideration reasonable expectations of plan experience. The results provide an estimate of the plan's financial condition at one point in time. Future actuarial results may be significantly different due to a variety of reasons including, but not limited to, demographic and economic assumptions differing from future plan experience, changes in plan provisions, changes in applicable law, or changes in the value of plan benefits relative to other alternatives available to plan members.

Alternative assumptions may also be reasonable; however, demonstrating the range of potential plan results based on alternative assumptions was beyond the scope of our assignment except to the limited extent required by GASB 75 and in accordance with the Commission's stated OPEB funding policy. Results for accounting purposes may be materially different than results obtained for other purposes such as plan termination, liability settlement, or underlying economic value of the promises made by the plan.

This report is prepared solely for the use and benefit of the Commission and may not be provided to third parties without prior written consent of MacLeod Watts. Exceptions are: the Commission may provide copies of this report to their professional accounting and legal advisors who are subject to a duty of confidentiality, and the Commission may provide this work to any party if required by law or court order. No part of this report should be used as the basis for any representations or warranties in any contract or agreement without the written consent of MacLeod Watts.

The undersigned are unaware of any relationship that might impair the objectivity of this work. Nothing within this report is intended to be a substitute for qualified legal or accounting counsel. The signing actuary is a member of the American Academy of Actuaries and meets the qualification standards for rendering this opinion.

Signed: March 1, 2022

*Catherine L. Macleod*

---

Catherine L. MacLeod, FSA, FCA, EA, MAAA

*Cody J. Simrell*

---

Cody J. Simrell, Actuarial Analyst



## G. Supporting Information

### Section 1 - Summary of Employee Data

**Active employees:** The Commission reported 3 active plan members for the June 2021 valuation. The average age of these employees is 36 and average Commission service is 1.9 on the valuation date.

**Retirees:** There is 1 retired employee receiving benefits under this program. Now covered by a Medicare Advantage plan, this former employee retired about 9 years ago at age 63 with 13 years of service for the Commission.

**Summary of Plan Member Counts:** The numbers of those members currently or potentially eligible to receive benefits under the OPEB plan are required to be reported in the notes to the financial statements.

Summary of Plan Member Counts	
Number of active plan members	3
Number of inactive plan members currently receiving benefits	1
Number of inactive plan members entitled to but not receiving benefits	0*

\* We are not aware of any retirees who are eligible but not currently enrolled.

**OPEB Tiers:** There are two levels of benefits provided under this program, which are described in the following section. This chart summarizes the number of active and retired employees by benefit tier (determined by hire date).

Status	Actives	Retirees	Total
Benefit Tier 3 <i>Hired before 1/1/2008</i>	0	1	1
Benefit Tier 4 <i>Hired after 12/31/2007</i>	3	0	3
<b>Total</b>	<b>3</b>	<b>1</b>	<b>4</b>

Please note that while Marin County retiree healthcare program provides for two earlier benefit Tiers (1 and 2), the Commission has no current active employees or retirees eligible for benefits under those other tiers.

**Change in Covered Members:** The chart below reconciles the number of actives and retirees included in the June 30, 2019, valuation of the Commission plan with those included in the June 30, 2021, valuation:

Reconciliation of Commission Plan Members Between Valuation Dates				
Status	Covered Actives	Waiving Actives	Covered Retirees	Total
Number reported as of June 30, 2019	2	0	1	3
New employees		1		1
<b>Number reported as of June 30, 2021</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>

From this reconciliation, we can see that the total population increased by 1 during the two-year period between valuations. The number of included active members increased from 2 to 3 (up 50%).



## Supporting Information

(Continued)

### Section 2 - Summary of Retiree Benefit Provisions

**OPEB provided:** The Commission provides medical and dental plan coverage for qualifying retirees, with certain limits described further below. It is our understanding that medical and dental plan coverage and the portion of premiums paid by the Commission, if any, are the same as the coverage and benefits provided by Marin County.

**Access to coverage:** To be eligible for retiree health coverage through the Commission (other than any temporary coverage available through COBRA), an employee must retire from the Commission.

**Benefits provided by the Commission:** The Commission pays the single-coverage retiree medical and dental premiums up to but not exceeding an annual dollar maximum (cap). The cap is based tied to years of service for the Commission and varies based on the date of employment. Specifically,

- *For employees hired between October 1993 and December 31, 2007*, the dollar cap is currently \$442.65 per year of Commission service, up to a maximum 20 years or a \$8,853 maximum annual benefit.

While the County Board of Supervisors has the option to increase the benefit cap by up to 3% per year, no increases have been adopted since January 2009.

There is only one plan member (the current retiree), who will ever qualify for benefits at this level.

- *For employees hired on or after January 1, 2008*, the dollar cap is currently \$150 per year of Commission service, up to a maximum 20 years or a \$3,000 maximum annual benefit.

All current and future active plan members are expected to fall into this benefit category.

**Current Health Plan Premiums:** The Commission offers coverage to its employees and qualifying retirees through the plans offered by Marin County. The chart below summarizes the premium rates for calendar year 2022. We have shown only those plans selected by the Commission's active and retired employees.

Marin LAFCo 2022 Health Care Premiums						
Plan	Actives and Pre-Med Retirees			Medicare Eligible Retirees		
	Ee Only	Ee & 1	Ee & 2+	Ee Only	Ee & 1	Ee & 2+
Kaiser Low HMO	\$ 852.75	\$ 1,705.50	\$ 2,268.31	\$ 373.23	\$ 746.46	\$ 1,521.85
Teamster Anthem PPO	860.40	1,726.80	2,415.13	<i>Not available</i>		
Delta Dental	52.67	99.33	156.04	<i>Same for Medicare Retirees</i>		



## Supporting Information

(Continued)

### Section 3 - Actuarial Methods and Assumptions

The ultimate real cost of an employee benefit plan is the value of all benefits and other expenses of the plan over its lifetime. These payments depend only on the terms of the plan and the administrative arrangements adopted. Actuarial assumptions are used to estimate the cost of these benefits; the funding method spreads the expected costs on a level basis over the life of the plan.

#### Important Dates

Valuation Date	June 30, 2021
Fiscal Year End	June 30, 2022
Measurement Date	Last day of the prior fiscal year (June 30, 2021)

#### Valuation Methods

Funding Method	Entry Age Normal Cost, level percent of pay
Asset Valuation Method	Market Value of Assets
Participants Valued	Only current active employees and retired participants and covered dependents are valued. No future entrants are considered in this valuation.

#### Development of Age-related Medical Premiums

Actual premium rates for retirees and their spouses were adjusted to an age-related basis by applying medical claim cost factors developed from the data presented in the report, "Health Care Costs – From Birth to Death", sponsored by the Society of Actuaries. A description of the use of claims cost curves can be found in MacLeod Watts's Age Rating Methodology provided in Addendum 2 to this report.

Monthly baseline premium costs were set equal to the active single premiums shown in the chart at the bottom of Section 2.

Sample age-based claims for retirees not yet eligible for Medicare are shown in the chart below.

Expected Monthly Claims by Medical Plan for Selected Ages					
Medical Plan	Male				
	52	55	57	60	63
Kaiser Low HMO	\$ 976	\$ 1,139	\$ 1,253	\$ 1,430	\$ 1,626
Teamsters Anthem PPO	991	1,157	1,273	1,453	1,651
Medical Plan	Female				
	52	55	57	60	63
Kaiser Low HMO	\$ 1,155	\$ 1,249	\$ 1,309	\$ 1,424	\$ 1,578
Teamsters Anthem PPO	1,173	1,268	1,330	1,446	1,603



## Supporting Information

(Continued)

### Section 3 - Actuarial Methods and Assumptions

#### Development of Age-related

Medical Premiums (continued)

All current and future Medicare-eligible retirees are assumed to be covered by plans that are rated based solely on the experience of Medicare retirees and these premium rates are assumed to be sufficient to cover Medicare retiree claims over the long term. Age-based claims were not developed for Medicare-eligible retirees.

#### Economic Assumptions

Long Term Return on Assets/  
Discount Rate for Accounting

5.75% as of June 30, 2021, and June 30, 2020, net of plan investment expenses

Long Term Return on Assets/  
Discount Rate for Funding

5.75% as of June 30, 2021, and June 30, 2020, net of plan investment and trust administrative expenses

Salary Increase

3.0% per year; since benefits do not depend on salary, this is used only to allocate the cost of benefits between service years

General Inflation Rate

2.5% per year

Healthcare Trend

Medical plan premiums and claims costs by age are assumed to increase once each year. Increases over the prior year's levels are assumed to be effective on the dates shown in the chart below.

Effective January 1	Premium Increase	Effective January 1	Premium Increase
2022	Actual	2061-2066	4.8%
2023	5.6%	2067	4.7%
2024	5.5%	2068	4.6%
2025-2026	5.4%	2069	4.5%
2027-2029	5.3%	2070-2071	4.4%
2030-2051	5.2%	2072	4.3%
2052	5.1%	2073-2074	4.2%
2053-2055	5.0%	2075	4.1%
2056-2060	4.9%	2076 & later	4.0%

This trend was developed using the Getzen Model 2021\_b published by the Society of Actuaries using the following settings: CPI 2.5%; Real GDP Growth 1.5%; Excess Medical Growth 1.1%; Expected Health Share of GDP in 2030 20.3%; Resistance Point 25%; Year after which medical growth is limited to growth in GDP 2075.



## Supporting Information

(Continued)

### Section 3 - Actuarial Methods and Assumptions

#### Participant Election Assumptions

Retiree Participation Rate	<p><i>Active employees:</i> 100% of those who qualify for retiree health benefits are assumed to receive these benefits in retirement.</p> <p><i>Retired participants:</i> All current retirees are assumed to receive benefits until their death.</p>
Plan Election in Retirement	<p><i>All current and future retirees not yet eligible for Medicare:</i></p> <p>(a) If currently enrolled in County plan coverage, 80% are assumed to continue their current plan election until eligible for coverage under Medicare and to elect the Kaiser Medicare Advantage plan in retirement; 20% are assumed to elect another (non-County) plan of their choice.</p> <p>(b) If not currently enrolled in County plan coverage, 40% are assumed to enroll in a County plan at retirement until eligible for coverage under Medicare and to elect the Kaiser Medicare Advantage plan in retirement; 60% are assumed to elect another (non-County) plan of their choice.</p>
Spouse Coverage	<p><i>Active and retired members:</i> Existing elections for spouse coverage are assumed to be continued until the spouse's death. Actual spouse ages are used, where known; if not, husbands are assumed to be 3 years older than their wives.</p>
Medicare Eligibility	<p>Absent contrary data, all individuals are assumed to be eligible for Medicare Parts A and B at age 65.</p>

#### Demographic Assumptions

*Certain demographic actuarial assumptions used in this valuation are based on the 2017 experience study of the California Public Employees Retirement System using data from 1997 to 2015, except a different basis used to project future mortality improvements. Rates for selected age and service are shown below and on the following pages. Mortality rates used after retirement were those published CalPERS rates, adjusted to back out 15 years of Scale MP 2016 to central year 2015, then projected as described below.*

Mortality Before Retirement	None assumed, due to the small size of the employee group and low likelihood of occurrence
Mortality Improvement	MacLeod Watts Scale 2022 applied generationally from 2015 (see Addendum 3)



**Supporting Information**  
 (Continued)

**Section 3 - Actuarial Methods and Assumptions**

Mortality After Retirement  
 (before improvement applied)

Healthy Retirees			Disabled Retirees		
CalPERS Public Agency Miscellaneous, Police & Fire Post Retirement Mortality			CalPERS Public Agency Disabled Miscellaneous Post-Retirement Mortality		
Age	Male	Female	Age	Male	Female
40	0.00070	0.00040	20	0.00027	0.00008
50	0.00431	0.00390	30	0.00044	0.00018
60	0.00758	0.00524	40	0.00070	0.00040
70	0.01490	0.01044	50	0.01371	0.01221
80	0.04577	0.03459	60	0.02447	0.01545
90	0.14801	0.11315	70	0.03737	0.02462
100	0.35053	0.30412	80	0.07218	0.05338
110	1.00000	1.00000	90	0.16585	0.14826

Termination Rates

These rates reflect the assumed probability that an employee will leave the Commission in the next 12 months for reasons other than a service or disability retirement or death.

Miscellaneous Employees: Sum of Vested Terminated & Refund Rates From CalPERS Experience Study Report Issued December 2017						
Attained Age	Years of Service					
	0	3	5	10	15	20
15	0.1812	0.0000	0.0000	0.0000	0.0000	0.0000
20	0.1742	0.1193	0.0654	0.0000	0.0000	0.0000
25	0.1674	0.1125	0.0634	0.0433	0.0000	0.0000
30	0.1606	0.1055	0.0615	0.0416	0.0262	0.0000
35	0.1537	0.0987	0.0567	0.0399	0.0252	0.0184
40	0.1468	0.0919	0.0519	0.0375	0.0243	0.0176
45	0.1400	0.0849	0.0480	0.0351	0.0216	0.0168

Service Retirement Rates

Each rate reflects the probability that an employee with that age and service will take a service retirement in the next 12 months.

Miscellaneous Employees: 2% at 60 formula From CalPERS Experience Study Report Issued December 2017						
Current Age	Years of Service					
	5	10	15	20	25	30
50	0.0200	0.0200	0.0200	0.0200	0.0200	0.1500
55	0.0190	0.0260	0.0330	0.0920	0.1360	0.1460
60	0.0700	0.0740	0.0890	0.1130	0.1370	0.1610
65	0.1400	0.1780	0.2150	0.2640	0.3210	0.3770
70	0.1400	0.1780	0.2150	0.2640	0.3210	0.3770
75 & over	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000

Disability Retirement Rates

None assumed, due to the small size of the employee group and low likelihood of occurrence.





## Supporting Information

(Concluded)

### Section 3 - Actuarial Methods and Assumptions

#### Changes recognized during the current measurement period:

Healthcare Trend	Updated the healthcare trend model from the Getzen 2019 model to the Getzen 2021 model, both of which are sponsored by the Society of Actuaries
Mortality assumptions	We made the following two changes: <ul style="list-style-type: none"><li>(a) We excluded any assumption of pre-retirement mortality due to the low chance of occurrence for this small group of active employees.</li><li>(b) The mortality improvement scale was updated from MacLeod Watts Scale 2018 to MacLeod Watts Scale 2022 (see Addendum 3), reflecting continued updates in available information.</li></ul>
Retiree Plan Elections	Retiree health benefits may be provided whether or not the County's medical coverage is selected in retirement. We decreased the assumed rate of County plan enrollment in retirement from 100% to (a) 80%, if the employee is currently enrolled in County coverage and (b) 40% if the employee is currently waiving County coverage.



## Addendum 1: Important Background Information

### General Types of Other Post-Employment Benefits (OPEB)

Post-employment benefits other than pensions (OPEB) comprise a part of compensation that employers offer for services received. The most common OPEB are medical, prescription drug, dental, vision, and/or life insurance coverage. Other OPEB may include outside group legal, long-term care, or disability benefits outside of a pension plan. OPEB does not generally include COBRA, vacation, sick leave (unless converted to defined benefit OPEB), or other direct retiree payments.

A direct employer payment toward the cost of OPEB benefits is referred to as an “explicit subsidy”. In addition, if claims experience of employees and retirees are pooled when determining premiums, retiree premiums are based on a pool of members which, on average, are younger and healthier. For certain types of coverage such as medical insurance, this results in an “implicit subsidy” of retiree premiums by active employee premiums since the retiree premiums are lower than they would have been if retirees were insured separately. GASB 75 and Actuarial Standards of Practice generally require that an implicit subsidy of retiree premium rates be valued as an OPEB liability.

Expected retiree claims		
Premium charged for retiree coverage		Covered by higher active premiums
Retiree portion of premium	Agency portion of premium Explicit subsidy	Implicit subsidy

*This chart shows the sources of funds needed to cover expected medical claims for pre-Medicare retirees. The portion of the premium paid by the Commission does not impact the amount of the implicit subsidy.*

### Valuation Process

The valuation was based on employee census data and benefits provided by the Commission. A summary of the employee data is provided in Section 1 and a summary of the benefits provided under the Plan is provided in Section 2. While individual employee records have been reviewed to verify that they are reasonable in various respects, the data has not been audited and we have otherwise relied on the Commission as to its accuracy. The valuation was also based on the actuarial methods and assumptions described in Section 3.

In developing the projected benefit values and liabilities, we first determine an expected premium or benefit stream over the employee’s future retirement. Benefits may include both direct employer payments (explicit subsidies) and/or an implicit subsidy, arising when retiree premiums are expected to be subsidized by active employee premiums. The projected benefit streams reflect assumed trends in the cost of those benefits and assumptions as to the expected date(s) when benefits will end. We then apply assumptions regarding:

- The probability that each individual employee will or will not continue in service to receive benefits.
- The probability of when such retirement will occur for each retiree, based on current age, service and employee type; and
- The likelihood that future retirees will or will not elect retiree coverage (and benefits) for themselves and/or their dependents.



## Important Background Information

(Continued)

We then calculate a present value of these benefits by discounting the value of each future expected benefit payment, multiplied by the assumed expectation that it will be paid, back to the valuation date using the discount rate. These benefit projections and liabilities have a very long time horizon. The final payments for currently active employees may not be made for many decades.

The resulting present value for each employee is allocated as a level percent of payroll each year over the employee's career using the entry age normal cost method and the amounts for each individual are then summed to get the results for the entire plan. This creates a cost expected to increase each year as payroll increases. Amounts attributed to prior fiscal years form the "Total OPEB Liability". The OPEB cost allocated for active employees in the current year is referred to as "Service Cost".

Where contributions have been made to an irrevocable OPEB trust, the accumulated value of trust assets ("Fiduciary Net Position") is applied to offset the "Total OPEB Liability", resulting in the "Net OPEB Liability". If a plan is not being funded, then the Net OPEB Liability is equal to the Total OPEB Liability.

It is important to remember that an actuarial valuation is, by its nature, a projection of one possible future outcome based on many assumptions. To the extent that actual experience is not what we assumed, future results will differ. Some possible sources of future differences may include:

- A significant change in the number of covered or eligible plan members
- A significant increase or decrease in the future premium rates
- A change in the subsidy provided by the Commission toward retiree premiums
- Longer life expectancies of retirees
- Significant changes in expected retiree healthcare claims by age, relative to healthcare claims for active employees and their dependents
- Higher or lower returns on plan assets or contribution levels other than were assumed, and/or
- Changes in the discount rate used to value the OPEB liability



## Important Background Information

(Continued)

### Requirements of GASB 75

The Governmental Accounting Standards Board (GASB) issued GASB Statement No. 75, *Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions*. This Statement establishes standards for the measurement, recognition, and disclosure of OPEB expense and related liabilities (assets), note disclosures, and, required supplementary information (RSI) in the financial reports of state and local governmental employers.

### Important Dates

GASB 75 requires that the information used for financial reporting falls within prescribed timeframes. Actuarial valuations of the total OPEB liability are generally required at least every two years. If a valuation is not performed as of the Measurement Date, then liabilities are required to be based on roll forward procedures from a prior valuation performed no more than 30 months and 1 day prior to the most recent year-end. In addition, the net OPEB liability is required to be measured as of a date no earlier than the end of the prior fiscal year (the "Measurement Date").

### Recognition of Plan Changes and Gains and Losses

Under GASB 75, gains and losses related to changes in Total OPEB Liability and Fiduciary Net Position are recognized in OPEB expense systematically over time.

- *Timing of recognition:* Changes in the Total OPEB Liability relating to changes in plan benefits are recognized immediately (fully expensed) in the year in which the change occurs. Gains and Losses are amortized, with the applicable period based on the type of gain or loss. The first amortized amounts are recognized in OPEB expense for the year the gain or loss occurs. The remaining amounts are categorized as deferred outflows and deferred inflows of resources related to OPEB and are to be recognized in future OPEB expense.
- *Deferred recognition periods:* These periods differ depending on the source of the gain or loss.

Difference between projected  
and actual trust earnings:

5 year straight-line recognition

All other amounts:

Straight-line recognition over the expected average remaining service lifetime (EARSL) of all members that are provided with benefits, determined as of the beginning of the Measurement Period. In determining the EARSL, all active, retired and inactive (vested) members are counted, with the latter two groups having 0 remaining service years.



## Important Background Information

(Continued)

### Implicit Subsidy Plan Contributions

An implicit subsidy occurs when expected retiree claims exceed the premiums charged for retiree coverage. When this occurs, we expect part of the premiums paid for active employees to cover a portion of retiree claims. This transfer represents the current year's "implicit subsidy". Because GASB 75 treats payments to an irrevocable trust *or directly to the insurer* as employer contributions, each year's implicit subsidy is treated as a contribution toward the payment of retiree benefits.

The following hypothetical example illustrates this treatment:

Hypothetical Illustration of Implicit Subsidy Recognition	For Active Employees	For Retired Employees
<i>Prior to Implicit Subsidy Adjustment</i>		
Premiums Paid by Agency During Fiscal Year	\$ 411,000	\$ 48,000
Accounting Treatment	Compensation Cost for Active Employees	Contribution to Plan & Benefits Paid from Plan
<i>After Implicit Subsidy Adjustment</i>		
Premiums Paid by Agency During Fiscal Year	\$ 411,000	\$ 48,000
Implicit Subsidy Adjustment	(23,000)	23,000
Accounting Cost of Premiums Paid	\$ 388,000	\$ 71,000
Accounting Treatment Impact	Reduces Compensation Cost for Active Employees	Increases Contributions to Plan & Benefits Paid from Plan

The example above shows that total payments toward active and retired employee healthcare premiums is the same, but for accounting purposes part of the total is shifted from actives to retirees. This shifted amount is recognized as an OPEB contribution and reduces the current year's premium expense for active employees.



## **Important Background Information**

(Continued)

### **Discount Rate**

When the financing of OPEB liabilities is on a pay-as-you-go basis, GASB 75 requires that the discount rate used for valuing liabilities be based on the yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher (or equivalent quality on another rating scale). When a plan sponsor makes regular, sufficient contributions to a trust in order to prefund the OPEB liabilities, GASB 75 allows use of a rate up to the expected rate of return of the trust. Therefore, prefunding has an advantage of potentially being able to report overall lower liabilities due to future expected benefits being discounted at a higher rate.

### **Actuarial Funding Method and Assumptions**

The “ultimate real cost” of an employee benefit plan is the value of all benefits and other expenses of the plan over its lifetime. These expenditures are dependent only on the terms of the plan and the administrative arrangements adopted, and as such are not affected by the actuarial funding method.

The actuarial funding method attempts to spread recognition of these expected costs on a level basis over the life of the plan, and as such sets the “incidence of cost”. GASB 75 specifically requires that the actuarial present value of projected benefit payments be attributed to periods of employee service using the Entry Age Actuarial Cost Method, with each period’s service cost determined as a level percentage of pay.

The results of this report may not be appropriate for other purposes, where other assumptions, methodology and/or actuarial standards of practice may be required or more suitable.



## Addendum 2: MacLeod Watts Age Rating Methodology

Both accounting standards (e.g. GASB 75) and actuarial standards (e.g. ASOP 6) require that expected retiree claims, not just premiums paid, be reflected in most situations where an actuary is calculating retiree healthcare liabilities. Unfortunately, the actuary is often required to perform these calculations without any underlying claims information. In most situations, the information is not available, but even when available, the information may not be credible due to the size of the group being considered.

Actuaries have developed methodologies to approximate healthcare claims from the premiums being paid by the plan sponsor. Any methodology requires adopting certain assumptions and using general studies of healthcare costs as substitutes when there is a lack of credible claims information for the specific plan being reviewed.

Premiums paid by sponsors are often uniform for all employee and retiree ages and genders, with a drop in premiums for those participants who are Medicare-eligible. While the total premiums are expected to pay for the total claims for the insured group, on average, the premiums charged would not be sufficient to pay for the claims of older insureds and would be expected to exceed the expected claims of younger insureds. An age-rating methodology takes the typically uniform premiums paid by plan sponsors and spreads the total premium dollars to each age and gender intended to better approximate what the insurer might be expecting in actual claims costs at each age and gender.

The process of translating premiums into expected claims by age and gender generally follows the steps below.

1. *Obtain or Develop Relative Medical Claims Costs by Age, Gender, or other categories that are deemed significant.* For example, a claims cost curve might show that, if a 50 year old male has \$1 in claims, then on average a 50 year old female has claims of \$1.25, a 30 year male has claims of \$0.40, and an 8 year old female has claims of \$0.20. The claims cost curve provides such relative costs for each age, gender, or any other significant factor the curve might have been developed to reflect. Section 3 provides the source of information used to develop such a curve and shows sample relative claims costs developed for the plan under consideration.
2. *Obtain a census of participants, their chosen medical coverage, and the premium charged for their coverage.* An attempt is made to find the group of participants that the insurer considered in setting the premiums they charge for coverage. That group includes the participant and any covered spouses and children. When information about dependents is unavailable, assumptions must be made about spouse age and the number and age of children represented in the population. These assumptions are provided in Section 3.
3. *Spread the total premium paid by the group to each covered participant or dependent based on expected claims.* The medical claims cost curve is used to spread the total premium dollars paid by the group to each participant reflecting their age, gender, or other relevant category. After this step, the actuary has a schedule of expected claims costs for each age and gender for the current premium year. It is these claims costs that are projected into the future by medical cost inflation assumptions when valuing expected future retiree claims.

The methodology described above is dependent on the data and methodologies used in whatever study might be used to develop claims cost curves for any given plan sponsor. These methodologies and assumptions can be found in the referenced paper cited as a source in the valuation report.



### **Addendum 3: MacLeod Watts Mortality Projection Methodology**

Actuarial standards of practice (e.g., ASOP 35, Selection of Demographic and Other Noneconomic Assumptions for Measuring Pension Obligations, and ASOP 6, Measuring Retiree Group Benefits Obligations) indicate that the actuary should reflect the effect of mortality improvement (i.e., longer life expectancies in the future), both before and after the measurement date. The development of credible mortality improvement rates requires the analysis of large quantities of data over long periods of time. Because it would be extremely difficult for an individual actuary or firm to acquire and process such extensive amounts of data, actuaries typically rely on large studies published periodically by organizations such as the Society of Actuaries or Social Security Administration.

As noted in a recent actuarial study on mortality improvement, key principles in developing a credible mortality improvement model would include the following:

- (1) Short-term mortality improvement rates should be based on recent experience.
- (2) Long-term mortality improvement rates should be based on expert opinion.
- (3) Short-term mortality improvement rates should blend smoothly into the assumed long-term rates over an appropriate transition period.

The **MacLeod Watts Scale 2022** was developed from a blending of data and methodologies found in two published sources: (1) the Society of Actuaries Mortality Improvement Scale MP-2019 Report, published in October 2019 and (2) the demographic assumptions used in the 2019 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, published April 2019.

MacLeod Watts Scale 2022 is a two-dimensional mortality improvement scale reflecting both age and year of mortality improvement. The underlying base scale is Scale MP-2019 which has two segments – (1) historical improvement rates for the period 1951-2015 and (2) an estimate of future mortality improvement for years 2016-2018 using the Scale MP-2019 methodology but utilizing the assumptions obtained from Scale MP-2015. The MacLeod Watts scale then transitions from the 2018 improvement rate to the Social Security Administration (SSA) Intermediate Scale linearly over the 10-year period 2019-2028. After this transition period, the MacLeod Watts Scale uses the constant mortality improvement rate from the SSA Intermediate Scale from 2028-2042. The SSA's Intermediate Scale has a final step down in 2043 which is reflected in the MacLeod Watts scale for years 2043 and thereafter. Over the ages 95 to 115, the SSA improvement rate is graded to zero.

Scale MP-2019 can be found at the SOA website and the projection scales used in the 2019 Social Security Administrations Trustees Report at the Social Security Administration website.





## Glossary

Actuarial Funding Method – A procedure which calculates the actuarial present value of plan benefits and expenses, and allocates these expenses to time periods, typically as a normal cost and an actuarial accrued liability

Actuarial Present Value of Projected Benefits (APVPB) – The amount presently required to fund all projected plan benefits in the future. This value is determined by discounting the future payments by an appropriate interest rate and the probability of nonpayment.

CalPERS – Many state governments maintain a public employee retirement system; CalPERS is the California program, covering all eligible state government employees as well as other employees of other governments within California who have elected to join the system

Defined Benefit (DB) – A pension or OPEB plan which defines the monthly income or other benefit which the plan member receives at or after separation from employment

Deferred Contributions – When an employer makes contributions after the measurement date and prior to the fiscal year end, recognition of these contributions is deferred to a subsequent accounting period by creating a deferred resource. We refer to these contributions as Deferred Contributions.

Defined Contribution (DC) – A pension or OPEB plan which establishes an individual account for each member and specifies how contributions to each active member's account are determined and the terms of distribution of the account after separation from employment

Discount Rate - Interest rate used to discount future potential benefit payments to the valuation date. Under GASB 75, if a plan is prefunded, then the discount rate is equal to the expected trust return. If a plan is not prefunded (pay-as-you-go), then the rate of return is based on a yield or index rate for 20-year, tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher.

Expected Average Remaining Service Lifetime (EARSL) – Average of the expected remaining service lives of all employees that are provided with benefits through the OPEB plan (active employees and inactive employees), beginning in the current period

Entry Age Actuarial Cost Method – An actuarial funding method where, for each individual, the actuarial present value of benefits is levelly spread over the individual's projected earnings or service from entry age to the last age at which benefits can be paid

Excise Tax – The Affordable Care Act created an excise tax on the value of employer sponsored coverage which exceeds certain thresholds ("Cadillac Plans"). This tax was repealed in December 2019, before ever going into effect.

Explicit Subsidy – The projected dollar value of future retiree healthcare costs expected to be paid directly by the Employer, e.g., the Employer's payment of all or a portion of the monthly retiree premium billed by the insurer for the retiree's coverage

Fiduciary Net Position – The value of trust assets used to offset the Total OPEB Liability to determine the Net OPEB Liability.

Government Accounting Standards Board (GASB) – A private, not-for-profit organization which develops generally accepted accounting principles (GAAP) for U.S. state and local governments; like FASB, it is part of the Financial Accounting Foundation (FAF), which funds each organization and selects the members of each board



## **Glossary** **(Continued)**

Health Care Trend – The assumed rate(s) of increase in future dollar values of premiums or healthcare claims, attributable to increases in the cost of healthcare; contributing factors include medical inflation, frequency or extent of utilization of services and technological developments.

Implicit Subsidy – The projected difference between future retiree claims and the premiums to be charged for retiree coverage; this difference results when the claims experience of active and retired employees are pooled together and a ‘blended’ group premium rate is charged for both actives and retirees; a portion of the active employee premiums subsidizes the retiree premiums.

Net OPEB Liability (NOL) – The liability to employees for benefits provided through a defined benefit OPEB. Only assets administered through a trust that meet certain criteria may be used to reduce the Total OPEB Liability.

Net Position – The Impact on Statement of Net Position is the Net OPEB Liability adjusted for deferred resource items

OPEB Expense – The OPEB expense reported in the Commission’s financial statement. OPEB expense is the annual cost of the plan recognized in the financial statements.

Other Post-Employment Benefits (OPEB) – Post-employment benefits other than pension benefits, most commonly healthcare benefits but also including life insurance if provided separately from a pension plan

Pay-As-You-Go (PAYGO) – Contributions to the plan are made at about the same time and in about the same amount as benefit payments and expenses coming due

PEMHCA – The Public Employees’ Medical and Hospital Care Act, established by the California legislature in 1961, provides community-rated medical benefits to participating public employers. Among its extensive regulations are the requirements that a contracting Agency contribute toward medical insurance premiums for retired annuitants and that a contracting Agency file a resolution, adopted by its governing body, with the CalPERS Board establishing any new contribution.

Plan Assets – The value of cash and investments considered as ‘belonging’ to the plan and permitted to be used to offset the AAL for valuation purposes. To be considered a plan asset, GASB 75 requires (a) contributions to the OPEB plan be irrevocable, (b) OPEB assets to dedicated to providing OPEB benefit to plan members in accordance with the benefit terms of the plan, and (c) plan assets be legally protected from creditors, the OPEB plan administrator and the plan members.

Public Agency Miscellaneous (PAM) – Non-safety public employees.

Select and Ultimate – Actuarial assumptions which contemplate rates which differ by year initially (the select period) and then stabilize at a constant long-term rate (the ultimate rate)

Service Cost – Total dollar value of benefits expected to be earned by plan members in the current year, as assigned by the actuarial funding method; also called normal cost

Total OPEB Liability (TOL) – Total dollars required to fund all plan benefits attributable to service rendered as of the valuation date for current plan members and vested prior plan members; a subset of “Actuarial Present Value”

Vesting – As defined by the plan, requirements which when met make a plan benefit nonforfeitable on separation of service before retirement eligibility





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 5 (Public Hearing)

**TO:** Local Agency Formation Commission

**FROM:** Jeren Seibel, Deputy Executive Officer

**SUBJECT:** Presentation of the West Marin Region Municipal Service Review Public Draft [Information Only]

---

### Background

On March 15, 2022, staff released the draft (attached) of the West Marin Region Municipal Service Review (MSR) for public comment. Upon release, staff sent the draft to staff for all of the participating LAFCo jurisdictions with the request that it be passed along to the respective boards and councils, and to multiple County staff. 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 Friday, April 29. As of the writing of this staff memo, LAFCo has received no official comments. 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 April meeting the Commission will hear from staff about what is in the draft report's recommendations 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 and this item should be continued to the next meeting for final approval.

#### Attachment:

- 1) Public Draft of West Marin Region 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  
www.marinlafco.org

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of San Anselmo

James Campbell, Alternate  
City of Belvedere

Lew Kiou, Vice Chair  
Almonte Sanitary District

Craig Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member



# Marin Local Agency Formation Commission

Municipal Service Review

**West Marin Region**

PUBLIC DRAFT

March 2022

---

## PREFACE

---

This Municipal Services Review (MSR) documents and analyzes services provided by local governmental agencies in the West Marin 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
Barbara Coler	City	Town of Fairfax
Lew Kious	Special District	Almonte Sanitary District
Larry Loder	Public	Commission
Richard Savel	Public Alternate	Commission
Tod Moody	Special District Alternate	Sanitary District #5
James Campbell	City Alternate	City of Belvedere
Dennis Rodoni	County Alternate	District 4 Supervisor

#### Staff

Jason Fried	Executive Director
Olivia Gingold	Commission Clerk/Jr. Analyst
Jeren Seibel	Deputy Executive Officer

#### MSR Preparers

Jeren Seibel, Deputy Executive Officer

# Table of Contents

<b>PREFACE</b> .....	<b>I</b>
<b>1.0 INTRODUCTION</b> .....	<b>8</b>
1.1 ROLE AND RESPONSIBILITY OF LAFCo.....	8
1.2 MUNICIPAL SERVICE REVIEWS.....	9
1.3 MARIN LAFCo COMPOSITION .....	10
<b>2.0 EXECUTIVE SUMMARY</b> .....	<b>11</b>
2.1 AFFECTED PUBLIC AGENCIES .....	11
2.2 PLANS, POLICIES, STUDIES .....	12
2.3 AGENCY AND PUBLIC PARTICIPATION .....	12
2.4 WRITTEN DETERMINATIONS .....	14
<b>3.0 DETERMINATIONS</b> .....	<b>16</b>
<b>4.0 REGIONAL SETTING</b> .....	<b>20</b>
<b>5.0 MARIN RESOURCE CONSERVATION DISTRICT</b> .....	<b>25</b>
5.1 OVERVIEW .....	25
5.2 FORMATION AND DEVELOPMENT.....	25
5.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE .....	26
5.4 GROWTH AND POPULATION .....	27
5.5 MUNICIPAL SERVICES.....	27
5.6 ORGANIZATION STRUCTURE .....	28
5.7 ACCOUNTABILITY AND TRANSPARENCY .....	28
5.8 FINANCIAL OVERVIEW.....	29
5.9 SUSTAINABILITY.....	30
<b>6.0 STINSON BEACH FIRE PROTECTION DISTRICT</b> .....	<b>32</b>
6.1 OVERVIEW .....	32
6.2 FORMATION AND DEVELOPMENT.....	32
6.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE .....	33
6.4 GROWTH AND POPULATION .....	34
6.5 MUNICIPAL SERVICES.....	35
6.6 ORGANIZATION STRUCTURE .....	38
6.7 ACCOUNTABILITY AND TRANSPARENCY .....	38
6.8 FINANCIAL OVERVIEW.....	39
6.9 WILDLAND FIRE PREPAREDNESS .....	40
<b>7.0 STINSON BEACH COUNTY WATER DISTRICT</b> .....	<b>42</b>

7.1	OVERVIEW .....	42
7.2	FORMATION AND DEVELOPMENT.....	42
7.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE.....	43
7.4	GROWTH AND POPULATION .....	44
7.5	MUNICIPAL SERVICES.....	46
7.6	ORGANIZATION STRUCTURE .....	49
7.7	ACCOUNTABILITY AND TRANSPARENCY.....	49
7.8	FINANCIAL OVERVIEW.....	50
7.9	SUSTAINABILITY .....	52
<b>8.0</b>	<b><u>BOLINAS FIRE PROTECTION DISTRICT .....</u></b>	<b><u>53</u></b>
8.1	OVERVIEW .....	53
8.2	FORMATION AND DEVELOPMENT.....	53
8.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE.....	54
8.4	GROWTH AND POPULATION .....	55
8.5	MUNICIPAL SERVICES.....	56
8.6	ORGANIZATION STRUCTURE .....	59
8.7	ACCOUNTABILITY AND TRANSPARENCY.....	59
8.8	FINANCIAL OVERVIEW.....	59
8.9	WILDLAND FIRE PREPAREDNESS .....	61
<b>9.0</b>	<b><u>BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT .....</u></b>	<b><u>63</u></b>
9.1	OVERVIEW .....	63
9.2	FORMATION AND DEVELOPMENT.....	63
9.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE.....	65
9.4	GROWTH AND POPULATION .....	66
9.5	MUNICIPAL SERVICES.....	67
9.6	ORGANIZATION STRUCTURE .....	70
9.7	ACCOUNTABILITY AND TRANSPARENCY.....	71
9.8	FINANCIAL OVERVIEW.....	71
9.9	SUSTAINABILITY .....	73
<b>10.0</b>	<b><u>MUIR BEACH COMMUNITY SERVICES DISTRICT .....</u></b>	<b><u>74</u></b>
10.1	OVERVIEW .....	74
10.2	FORMATION AND DEVELOPMENT.....	74
10.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE.....	77
10.4	GROWTH AND POPULATION.....	77
10.5	MUNICIPAL SERVICES.....	78
10.6	ORGANIZATION STRUCTURE .....	83
10.7	ACCOUNTABILITY AND TRANSPARENCY .....	84
10.8	FINANCIAL OVERVIEW.....	84
10.9	SUSTAINABILITY .....	86

<b>11.0</b>	<b><u>TOMALES VILLAGE COMMUNITY SERVICES DISTRICT</u></b>	<b>87</b>
11.1	OVERVIEW	87
11.2	FORMATION AND DEVELOPMENT	87
11.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	88
11.4	GROWTH AND POPULATION	89
11.5	MUNICIPAL SERVICES	90
11.6	ORGANIZATION STRUCTURE	91
11.7	ACCOUNTABILITY AND TRANSPARENCY	92
11.8	FINANCIAL OVERVIEW	92
11.9	SUSTAINABILITY	93
<b>12.0</b>	<b><u>INVERNESS PUBLIC UTILITY DISTRICT</u></b>	<b>95</b>
12.1	OVERVIEW	95
12.2	FORMATION AND DEVELOPMENT	95
12.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	97
12.4	GROWTH AND POPULATION	98
12.5	MUNICIPAL SERVICES	99
12.6	ORGANIZATION STRUCTURE	102
12.7	ACCOUNTABILITY AND TRANSPARENCY	103
12.8	FINANCIAL OVERVIEW	103
12.9	SUSTAINABILITY	104
<b>13.0</b>	<b><u>FLOOD CONTROL ZONE NO. 5</u></b>	<b>106</b>
13.1	OVERVIEW	106
13.2	FORMATION AND DEVELOPMENT	106
13.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	107
13.4	GROWTH AND POPULATION	108
13.5	MUNICIPAL SERVICES	109
13.6	ORGANIZATION STRUCTURE	109
13.7	ACCOUNTABILITY AND TRANSPARENCY	110
13.8	FINANCIAL OVERVIEW	110
13.9	SUSTAINABILITY	111
<b>14.0</b>	<b><u>FLOOD CONTROL ZONE NO. 10</u></b>	<b>113</b>
14.1	OVERVIEW	113
14.2	FORMATION AND DEVELOPMENT	113
14.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	114
14.4	GROWTH AND POPULATION	115
14.5	MUNICIPAL SERVICES	116
14.6	ORGANIZATION STRUCTURE	116
14.7	ACCOUNTABILITY AND TRANSPARENCY	117
14.8	FINANCIAL OVERVIEW	117
14.9	SUSTAINABILITY	118



<b>15.0</b>	<b><u>COUNTY SERVICE AREA 33</u></b>	<b><u>119</u></b>
15.1	OVERVIEW	119
15.2	FORMATION AND DEVELOPMENT	119
15.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	119
15.4	GROWTH AND POPULATION	120
15.5	MUNICIPAL SERVICES	121
15.6	ORGANIZATION STRUCTURE	122
15.7	ACCOUNTABILITY AND TRANSPARENCY	123
15.8	FINANCIAL OVERVIEW	123
<b>16.0</b>	<b><u>COUNTY SERVICE AREA NO. 28</u></b>	<b><u>125</u></b>
16.1	OVERVIEW	125
16.2	FORMATION AND DEVELOPMENT	125
16.3	DISTRICT BOUNDARY AND SPHERE OF INFLUENCE	125
16.4	GROWTH AND POPULATION	126
16.5	MUNICIPAL SERVICES	127
16.6	ORGANIZATION STRUCTURE	127
16.7	ACCOUNTABILITY AND TRANSPARENCY	128
16.8	FINANCIAL OVERVIEW	128

## List of Figures

FIGURE 4-1: COUNTY SERVICE AREA NO. 28 & MARIN COUNTY LEGAL BOUNDARY.....	21
FIGURE 4-2: MARIN COUNTY RESOURCE CONSERVATION DISTRICT & MARIN COUNTY LEGAL BOUNDARY.....	22
FIGURE 4-3: WEST MARIN MSR STUDY AREA – NORTHERN REGION AGENCIES.....	23
FIGURE 4-4: WEST MARIN MSR STUDY AREA – SOUTHERN REGION AGENCIES .....	24
FIGURE 5-1: MARIN RESOURCE CONSERVATION DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	26
FIGURE 6-1: STINSON BEACH FIRE PROTECTION DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE.....	33
FIGURE 6-2: STINSON BEACH LAND USE POLICY MAP .....	34
FIGURE 6-3: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT CALIFORNIA .....	36
FIGURE 6-4: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT THE UNITED STATES.....	36
FIGURE 6-5: STINSON BEACH FIRE PROTECTION DISTRICT TOTAL RESPONSES.....	37
FIGURE 7-1: STINSON BEACH COUNTY WATER DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	44
FIGURE 7-2: STINSON BEACH LAND USE POLICY MAP .....	45
FIGURE 8-1: BOLINAS FIRE PROTECTION DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	54
FIGURE 8-2: BOLINAS FIRE PROTECTION DISTRICT LAND USE POLICY MAP .....	55
FIGURE 8-3: BOLINAS FIRE PROTECTION DISTRICT INCIDENT TYPE REPORT .....	56
FIGURE 8-4: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT CALIFORNIA .....	57
FIGURE 8-5: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT THE UNITED STATES .....	58
FIGURE 9-1: BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE.....	65
FIGURE 9-2: BOLINAS LAND USE POLICY MAP .....	66
FIGURE 10-1: MUIR BEACH COMMUNITY SERVICES DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE.....	76
FIGURE 10-2: MUIR BEACH LAND USE POLICY MAP .....	78
FIGURE 10-3: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT CALIFORNIA .....	82
FIGURE 10-4: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT THE UNITED STATES.....	82
FIGURE 11-1: TOMALES VILLAGE COMMUNITY SERVICES DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE.....	88
FIGURE 11-2: TOMALES LAND USE POLICY MAP .....	89
FIGURE 12-1: INVERNESS PUBLIC UTILITY DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	97
FIGURE 12-2: INVERNESS LAND USE POLICY MAP .....	98
FIGURE 12-3: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT CALIFORNIA .....	101
FIGURE 12-4: PPC RATING DISTRIBUTION BY CLASS THROUGHOUT THE UNITED STATES.....	102
FIGURE 13-1: FLOOD ZONE 5’s JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	107
FIGURE 13-2: STINSON BEACH LAND USE POLICY MAP .....	108
FIGURE 13-3: FLOOD CONTROL ZONE 5 FINANCIAL OVERVIEW .....	111
FIGURE 14-1: FLOOD ZONE 10’s JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	114
FIGURE 14-2: INVERNESS LAND USE POLICY MAP .....	115
FIGURE 15-1: COUNTY SERVICE AREA 33 DISTRICT JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	120
FIGURE 15-2: STINSON BEACH LAND USE POLICY MAP .....	121
FIGURE 15-3: COUNTY SERVICE AREA 33 FINANCIAL OVERVIEW .....	124
FIGURE 16-1: MARIN COUNTY SERVICE AREA 28 JURISDICTIONAL BOUNDARY AND SPHERE OF INFLUENCE .....	126

## List of Tables

TABLE 1-1: LAFCo's REGULATORY POWERS.....	9
TABLE 1-2: MANDATORY DETERMINATIONS.....	10
TABLE 1-3: MARIN LAFCo COMMISSION MEMBERSHIP.....	10
TABLE 2-1: WEST MARIN REGIONAL MSR AGENCIES.....	11
TABLE 2-2: WEST MARIN REGIONAL AGENCIES' MEETING INFORMATION.....	13
TABLE 5-1: MARIN RESOURCE CONSERVATION DISTRICT OVERVIEW.....	25
TABLE 5-2: MARIN RESOURCE CONSERVATION DISTRICT BOARD OF DIRECTORS.....	28
TABLE 5-3: MARIN RESOURCE CONSERVATION DISTRICT FINANCIAL AUDIT SUMMARY.....	30
TABLE 6-1: STINSON BEACH FIRE PROTECTION DISTRICT OVERVIEW.....	32
TABLE 6-2: STINSON BEACH FIRE PROTECTION DISTRICT BOARD OF DIRECTORS.....	38
TABLE 6-3: STINSON BEACH FIRE PROTECTION DISTRICT FINANCIAL OVERVIEW.....	39
TABLE 6-4: STINSON BEACH FIRE PROTECTION DISTRICT FINANCIAL AUDIT SUMMARY.....	40
TABLE 7-1: STINSON BEACH COUNTY WATER DISTRICT OVERVIEW.....	42
TABLE 7-2: STINSON BEACH COUNTY WATER DISTRICT BOARD OF DIRECTORS.....	49
TABLE 7-3: STINSON BEACH COUNTY WATER DISTRICT FINANCIAL AUDIT SUMMARY.....	50
TABLE 8-1: BOLINAS FIRE PROTECTION DISTRICT OVERVIEW.....	53
TABLE 8-2: BOLINAS FIRE PROTECTION DISTRICT BOARD OF DIRECTORS.....	59
TABLE 8-3: BOLINAS FIRE PROTECTION DISTRICT BUDGET ANALYSIS.....	60
TABLE 8-4: BOLINAS FIRE PROTECTION DISTRICT FINANCIAL AUDIT SUMMARY.....	61
TABLE 9-1: BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT OVERVIEW.....	63
TABLE 9-2: BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS.....	70
TABLE 9-3: BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT FINANCIAL AUDIT SUMMARY.....	72
TABLE 10-1: MUIR BEACH COMMUNITY SERVICES DISTRICT OVERVIEW.....	74
TABLE 10-2: MUIR BEACH COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS.....	84
TABLE 10-3: MUIR BEACH COMMUNITY SERVICES DISTRICT FINANCIAL AUDIT SUMMARY.....	85
TABLE 11-1: TOMALES VILLAGE COMMUNITY SERVICES DISTRICT OVERVIEW.....	87
TABLE 11-2: TOMALES VILLAGE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS.....	91
TABLE 11-3: TOMALES VILLAGE COMMUNITY SERVICES DISTRICT FINANCIAL AUDIT SUMMARY.....	93
TABLE 12-1: INVERNESS PUBLIC UTILITY DISTRICT OVERVIEW.....	95
TABLE 12-2: INVERNESS PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS.....	102
TABLE 12-3: INVERNESS PUBLIC UTILITY DISTRICT FINANCIAL AUDIT SUMMARY.....	103
TABLE 13-1: FLOOD CONTROL ZONE 5 OVERVIEW.....	106
TABLE 13-2: MARIN COUNTY BOARD OF SUPERVISORS.....	109
TABLE 13-3: FLOOD CONTROL ZONE 5 ADVISORY BOARD.....	110
TABLE 14-1: FLOOD CONTROL ZONE 10 OVERVIEW.....	113
TABLE 14-2: MARIN COUNTY BOARD OF SUPERVISORS.....	116
TABLE 14-3: FLOOD CONTROL ZONE 10 ADVISORY BOARD.....	117
TABLE 15-1: COUNTY SERVICE AREA 33 OVERVIEW.....	119
TABLE 15-2: MARIN COUNTY BOARD OF SUPERVISORS.....	122
TABLE 15-3: COUNTY SERVICE AREA 33 ADVISORY BOARD.....	122
TABLE 16-1: COUNTY SERVICE AREA 28 OVERVIEW.....	125
TABLE 16-2: MARIN COUNTY SERVICE AREA 28 CALLS FOR SERVICE.....	127
TABLE 16-3: MARIN COUNTY BOARD OF SUPERVISORS.....	127
TABLE 16-4: MARIN COUNTY SERVICE AREA 28 FINANCIAL OVERVIEW.....	128

---

## 1.0 INTRODUCTION

---

### 1.1 ROLE AND RESPONSIBILITY OF LAFCO

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

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

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

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

#### Regulatory Responsibilities

LAFCOs' principal regulatory responsibility involves approving or disapproving all jurisdictional changes involving the establishment, expansion, and reorganization of cities and most special districts.<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

---

<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.

current and future community needs. LAFCo regulatory powers are described in Table 1.1 below.

**Table 1-1: LAFCo's Regulatory Powers**

Regulatory Powers Granted by Government Code (G.C.) Section 56301	
• <b>City Incorporations / Disincorporations</b>	• City and District Annexations
• <b>District Formations / Dissolutions</b>	• City and District Detachments
• <b>City and District Consolidations</b>	• Merge/Establish Subsidiary Districts
• <b>City and District Outside Service Extensions</b>	• 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>
<b>Sashi McEntee, Chair</b>	City	City of Mill Valley
<b>Craig Murray, Vice Chair</b>	Special District	Las Gallinas Valley Sanitary District
<b>Damon Connolly</b>	County	District 1 Supervisor
<b>Judy Arnold</b>	County	District 5 Supervisor
<b>Barbara Coler</b>	City	Town of Fairfax
<b>Lew Kious</b>	Special District	Almonte Sanitary District
<b>Larry Loder</b>	Public	Commission
<b>Richard Savel</b>	Public Alternate	Commission
<b>Tod Moody</b>	Special District Alternate	Sanitary District #5
<b>James Campbell</b>	City Alternate	City of Belvedere
<b>Dennis Rodoni</b>	County Alternate	District 4 Supervisor

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).

---

## 2.0 EXECUTIVE SUMMARY

---

This study represents Marin LAFCo’s scheduled regional municipal service review of local agencies in the West Marin region of western 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 twelve agencies operating in the West Marin region as listed below and shown in Table 2-1.

**Table 2-1: West Marin Regional MSR Agencies**

West Marin Region Agency Names
Stinson Beach Fire Protection District
Tomales Village Community Services District
Marin County Service Area No. 28
Marin County Service Area No. 33
Marin County Flood Control Zone 5
Marin County Flood Control Zone 10
Bolinas Fire Protection District
Bolinas Community Public Utility District
Muir Beach Community Services District
Marin County Resources Conservation District
Inverness Public Utility District
Stinson Beach Water District

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.

#### 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 agency 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 Deputy Executive Officer contacted each agency with requests for information.

The study area for this MSR includes a number of unincorporated communities as there are no incorporated cities or towns in the study area. As such, Marin County has the primary authority over local land-use and development policies (and growth). 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:

- County General Plans
- Specific Plans
- Community Plans
- Previous municipal service reviews
- 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 on soliciting outside public review and comment as well as multiple opportunities for input from the affected agencies. This included an agency startup meeting with Marin LAFCo, information requests sent to individual agencies, draft agency profiles also sent to agencies, and review of the draft report prior to Commission action.



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

**Table 2-2: West Marin Regional Agencies’ Meeting Information**

<b>West Marin Municipal Service Review Agency Transparency</b>					
<b>Agency</b>	<b>Governing Body</b>	<b>Meeting Date/Time</b>	<b>Meeting Location</b>	<b>Televised/ Streaming</b>	<b>Website</b>
<b>Stinson Beach Fire Protection District</b>	Board of Directors	4 <sup>th</sup> Monday at 6:00 p.m.	Stinson Beach Fire Station 3410 Shoreline Hwy Stinson Beach, CA 94970	N/A	<a href="https://www.stinsonbeachfireprotectiondistrict.org/board-of-directors">https://www.stinsonbeachfireprotectiondistrict.org/board-of-directors</a>
<b>Tomales Village CSD</b>	Board of Directors	2 <sup>nd</sup> Wednesday at 7:00 p.m.	Tomales Town Hall 27150 Maine St Tomales, CA 94971	N/A	<a href="https://www.tomalescsd.ca.gov/board-meeting-s">https://www.tomalescsd.ca.gov/board-meeting-s</a>
<b>Bolinas Fire Protection District</b>	Board of Directors	4 <sup>th</sup> Wednesday at 7:00 p.m.	TFPD Headquarters 1679 Tiburon Blvd. Tiburon, CA 94920	N/A	<a href="https://www.bolinasfire.org/board-meetings-1">https://www.bolinasfire.org/board-meetings-1</a>
<b>Bolinas Community Public Utility District</b>	Board of Directors	3 <sup>rd</sup> Wednesday at 7:30 p.m.	BCPUD District Office 270 Elm Road Bolinas, CA 94924	N/A	<a href="https://bcpud.org/administration/board-of-directors/">https://bcpud.org/administration/board-of-directors/</a>
<b>Muir Beach Community Services District</b>	Board of Directors	4 <sup>th</sup> Wednesday at 7:00 p.m.	Community Center 19 Seascape Drive Muir Beach, CA 94965	N/A	<a href="https://muirbeachcsd.com/meetings/">https://muirbeachcsd.com/meetings/</a>
<b>Inverness Public Utility District</b>	Board of Directors	4 <sup>th</sup> Wednesday at 9:00 a.m.	IPUD District Office 50 Inverness Way North Inverness, CA 94937	N/A	<a href="https://www.invernesspud.org/board-of-directors">https://www.invernesspud.org/board-of-directors</a>
<b>Stinson Beach County Water District</b>	Board of Directors	3 <sup>rd</sup> Saturday at 9:30 a.m.	SBCWD District Office 3785 Shoreline Highway Stinson Beach, CA 94970	N/A	<a href="http://stinson-beach-cwd.dst.ca.us/board.html">http://stinson-beach-cwd.dst.ca.us/board.html</a>
<b>Marin Resource Conservation District</b>	Board of Directors	2 <sup>nd</sup> Wednesday at 9:00 a.m.	Marin County Farm Bureau 520 Mesa Road Point Reyes Station, CA 94956	N/A	<a href="https://www.marinrcd.org/news-resources/board-meetings/">https://www.marinrcd.org/news-resources/board-meetings/</a>
<b>County Service Area No. 28</b>	Marin County Board of Supervisors	Tuesdays at 9:00 a.m.	Board of Supervisors Chambers, Room 330 3501 Civic Center Drive San Rafael, CA 94903	Community Media Center of Marin	<a href="http://www.marincounty.org/depts/bs/meeting-archive">http://www.marincounty.org/depts/bs/meeting-archive</a>
<b>County Service Area No. 33</b>	Marin County Board of Supervisors	Tuesdays at 9:00 a.m.	Board of Supervisors Chambers, Room 330 3501 Civic Center Drive San Rafael, CA 94903	Community Media Center of Marin	<a href="http://www.marincounty.org/depts/bs/meeting-archive">http://www.marincounty.org/depts/bs/meeting-archive</a>

<b>Flood Control Zone 5</b>	Marin County Board of Supervisors	Tuesdays at 9:00 a.m.	Board of Supervisors Chambers, Room 330 3501 Civic Center Drive San Rafael, CA 94903	Community Media Center of Marin	<a href="http://www.marincounty.org/depts/bs/meeting-archive">http://www.marincounty.org/depts/bs/meeting-archive</a>
<b>Flood Control Zone 10</b>	Marin County Board of Supervisors	Tuesdays at 9:00 a.m.	Board of Supervisors Chambers, Room 330 3501 Civic Center Drive San Rafael, CA 94903	Community Media Center of Marin	<a href="http://www.marincounty.org/depts/bs/meeting-archive">http://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 each of the unincorporated communities within the study area.

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

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

### 3. Capacity and Infrastructure

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

### 4. Financing

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

## **5. Shared Facilities**

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

## **6. Government Structure and Local Accountability**

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

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

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

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

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

---

## 3.0 DETERMINATIONS

---

The Commission is directed to prepare written determinations to address the multiple governance factors specified under Government Code Section 56430 anytime it prepares a municipal service review. These determinations 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 provide a succinct detailing of all pertinent issues relating to the planning, delivery, and funding of public services in the study area as it relates to the Commission's role and responsibilities.

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

a) Anticipated growth in the study area is projected to be minimal. Of the five census-designated places encompassed within the study area (Muir Beach, Tomales Village, Stinson Beach, Bolinas, and Inverness), four saw a decrease in total population over the past ten years according to recently updated census data, with the most significant of these being a 14% decrease. The West Marin Planning Area, composed of census tracts 1330, 1322, 1321, 1311, and 1130, saw a total population increase of 120 (0.99%) in the last ten years with the majority of that growth coming in tract 1130 and is mostly excluded from the study area. This amounts to an annual growth rate within the planning area of less than one-tenth of one percent.

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

a) At this time there are no disadvantaged unincorporated communities identified 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) Each of the reviewed agencies has shown a sufficient level offered of both services and infrastructure necessary to continue to provide the core services currently being provided at the levels at which they are being provided. In order to accommodate even moderate levels of future growth as well as maintain their ability to provide current service levels with the increasing climate unpredictability, each of the agencies providing potable water services (BCPUD, SBCWD, MBCSD, IPUD) should continue to explore ways to expand their respective storage capacities in an effort to have greater resilience to extended drought issues.

b) With the addition of two new ground source water supplies permitted by the State Water Resources Control Board in 2021, BCPUD should prepare an update on the status of the agency's moratorium on new water service connections and efforts therein to

address the underlying constraints in an effort to aide both prospective future residents of the community of Bolinas as well as the County of Marin's ability to effectuate planning policies in the area moving forward.

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

d) Each of the agencies encompassed in the study providing potable water services should explore options for possible interties with neighboring water providers for emergency supplemental supplies in the case of a natural or man-made disaster occurring.

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

a) Bolinas Community Public Utility District, Bolinas Fire Protection District, County Service Area 28, County Service Area 33, Flood Control Zone 5, Flood Control Zone 10, Inverness Public Utility District, Muir Beach Community Service District, Marin Resource Conservation District, Stinson Beach County Water District, Stinson Beach Fire Protection District, and Tomales Village Community Service District all prepare annual budgets and prepare financial statements in accordance with established governmental accounting standards. Each independent district's board of directors, as well as the Marin County Board of Supervisors acting as the board of directors for both the county service areas and flood district zones, 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. Audited financial statements are also prepared for each agency by independent certified public accounting firms. While additional revenues are needed to provide some services and maintain the infrastructure covered in this MSR, the agencies meet their financial responsibilities to provide services.

b) TVCSD's parks and recreation services are funded almost exclusively by way of Measure A funding. With Measure A scheduled to be on the ballot for renewal in June of 2022, if the measure were not to be renewed the District's capacity to continue to provide this service would be critically impacted. The lapsing of this funding would also significantly impact the annual revenue of MRCD. As such, both the TVCSD and the MRCD Board of Directors should formulate contingency plans in the case that the measure not be renewed.

c) At this time (and since its formation), Flood Control Zone 10 has no source of annual revenue and has been constrained to emergency maintenance work within the current levels of funding remaining in the reserve fund. FCZ10 along with its advisory board has been inactive for an extended period of time, though the board recently revived its meetings in order to discuss these issues. In order to provide the consistent annual funding levels necessary for the work within the Zone to be completed, the Zone's boundary would likely need to be expanded and residents within the boundary would need to agree to a special assessment to fund the Zone. If residents in the area are

unwilling to create a new funding source, the Marin County Flood Control and Water Conservation should consider dissolving the Zone.

d) County Service Area 28, in collaboration with the Stinson Beach Fire Protection District, should explore future funding options as well as current operational constraints that would allow the seasonal emergency medical response unit that is staffed during the summer months to have permanent year-round staffing.

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

a) No specific opportunities for shared facilities that would prove advantageous to both participating parties were identified in the course of this study.

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

a) The Marin Resource Conservation District should explore expanding its jurisdictional boundary. As the District receives a majority of its funding by way of grant monies, the opportunity for the District to identify projects for additional grant proposals with a larger service area could prove advantageous in procuring supplemental streams of revenue. In addition, the consideration of a special assessment in an effort to supplement annual revenue in years where the allocation of grant funding is minimal would prove more fiscally impactful for the District if casting a wider net with a larger service boundary. While the recommendation has been made at the State level on multiple occasions for Resource Conservation District's jurisdictional boundaries to be coterminous with the boundaries of their respective counties with the mindset of improving administrative and economic efficiencies, MRCD's current boundary and sphere of influence purposefully exclude multiple urban residential areas in order to maintain alignment with the District's mission statement. Any consideration of expansion of the District's boundary should ensure that the District's agricultural focus would not be faced with any level of obfuscation.

b) Each of the agencies within the study area should continue to explore the possibility of collaboration with one another to share administrative and other staffing services to both cut personnel-related expenses as well as eliminate possible hiring redundancies, particularly in instances of positions that only necessitate less than full-time staffing levels.

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

a) North Marin Water District's existing jurisdictional boundary entirely overlaps the jurisdictional boundary of the Inverness Public Utilities District. This overlap merits correction and the Commission should work with the impacted agencies on a detachment of the IPUD service area from NMWD. Since staff is aware of other NMWD parcels in West Marin that the agency is not currently serving, this item should be fully examined

when NMWD's MSR is undertaken as part of the Multi-Regional Service MSR scheduled for the end of FY 22-23.

b) The Muir Beach Community Services District should annex the .6 acre parcel of District Owned property that holds the District's well sites.

c) As many of the agencies within the study region had their jurisdictional boundary lines established well before the establishment of both state and national public parks that now comprise a large apportionment of some of those boundaries, it is recommended for each agency to examine its current boundaries and consider whether a boundary line adjustment would be in its best interest in cases of current agency boundaries surrounding areas of public lands that the agency is not currently and would not in the foreseeable future provide services to.

---

## 4.0 REGIONAL SETTING

---

The West Marin Region Municipal Service Review (MSR) study area consists of a majority of the geographical area that the County of Marin considers the West Marin Planning Area. The planning area is made up of five distinct census tracts: 1130, 1311, 1321, 1322, 1330. The planning area generally consists of open space, agricultural lands, and small communities and stretches from Fort Cronkhite in the south to the Sonoma County line in the north. Despite encompassing such a large swath of land, the planning area represents only approximately 5% of the total population within Marin County. In addition, over the past ten years, the population within the planning area has seen an annual growth rate that is less than one-tenth of one percent.

The study area includes a wealth of public lands including the Golden Gate National Recreation Area, Mount Tamalpais State Park, Muir Woods, the Point Reyes National Seashore, and Tomales Bay State Park. Consisting entirely of unincorporated lands, no towns or cities reside within the study area, however, numerous census-designated places are scattered throughout. These communities include (but are not limited to) Bolinas, Inverness, Muir Beach, Stinson Beach, and Tomales. 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, water, open space management, and other municipal services within the study area are described in this report. Maps of the study area can be seen below in Figures 4-1, 4-2, 4-3, and 4-4. Due to the size of the area involved and the overlaying of multiple agency boundaries, multiple maps were a necessity to show the scope of the study.



Figure 4-1: County Service Area No. 28 & Marin County Legal Boundary

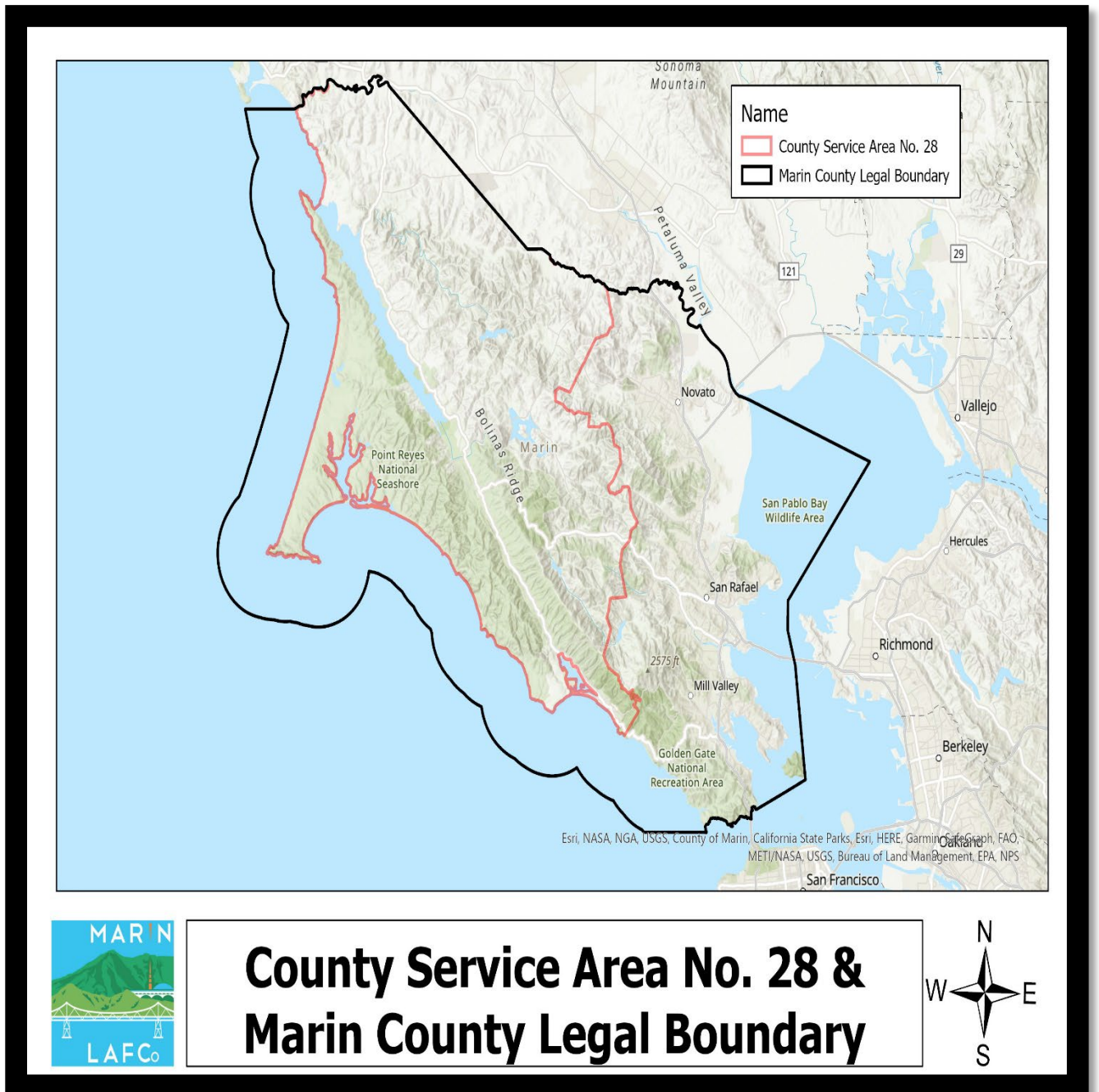


Figure 4-2: Marin County Resource Conservation District & Marin County Legal Boundary

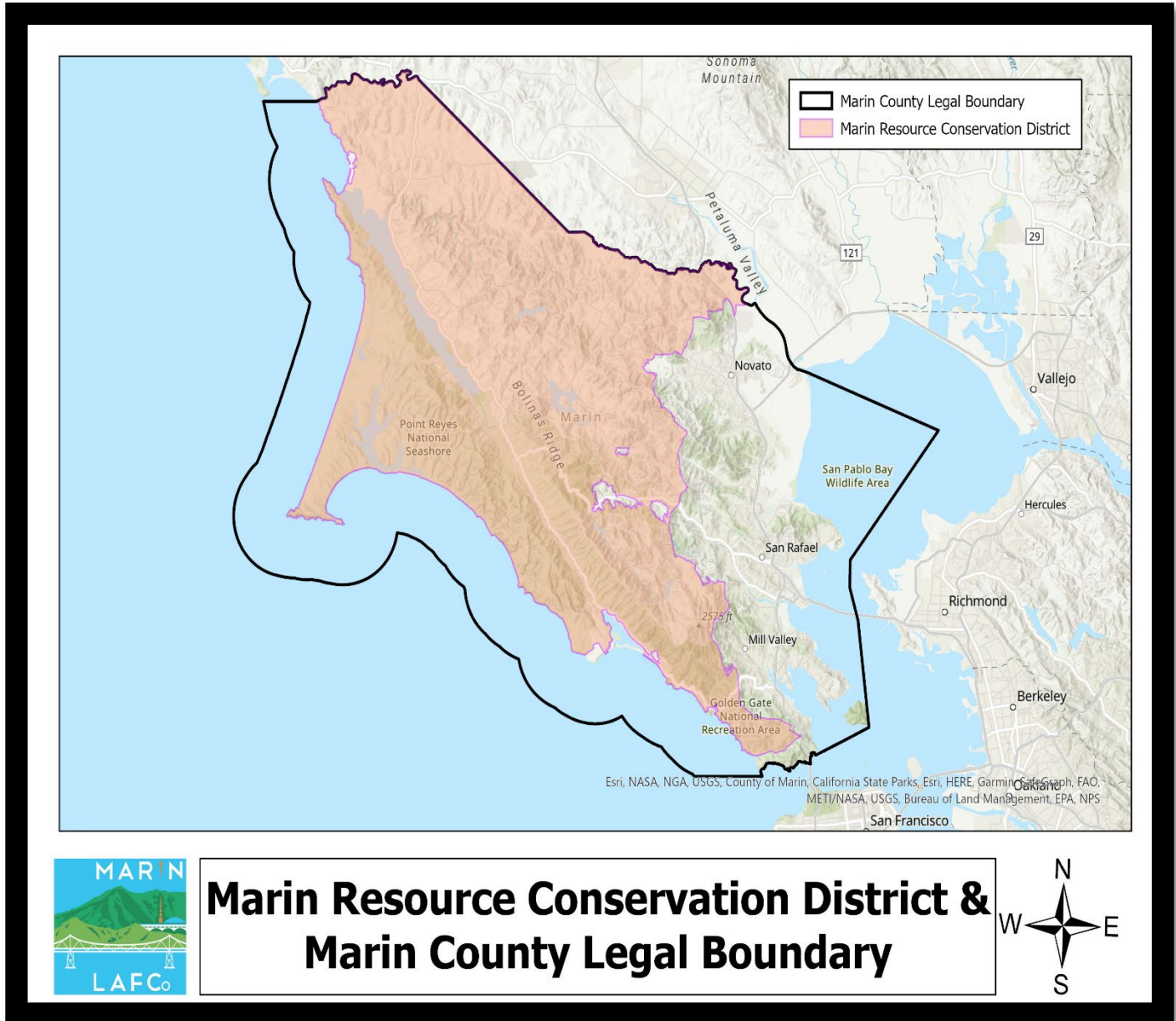


Figure 4-3: West Marin MSR Study Area - Northern Region Agencies

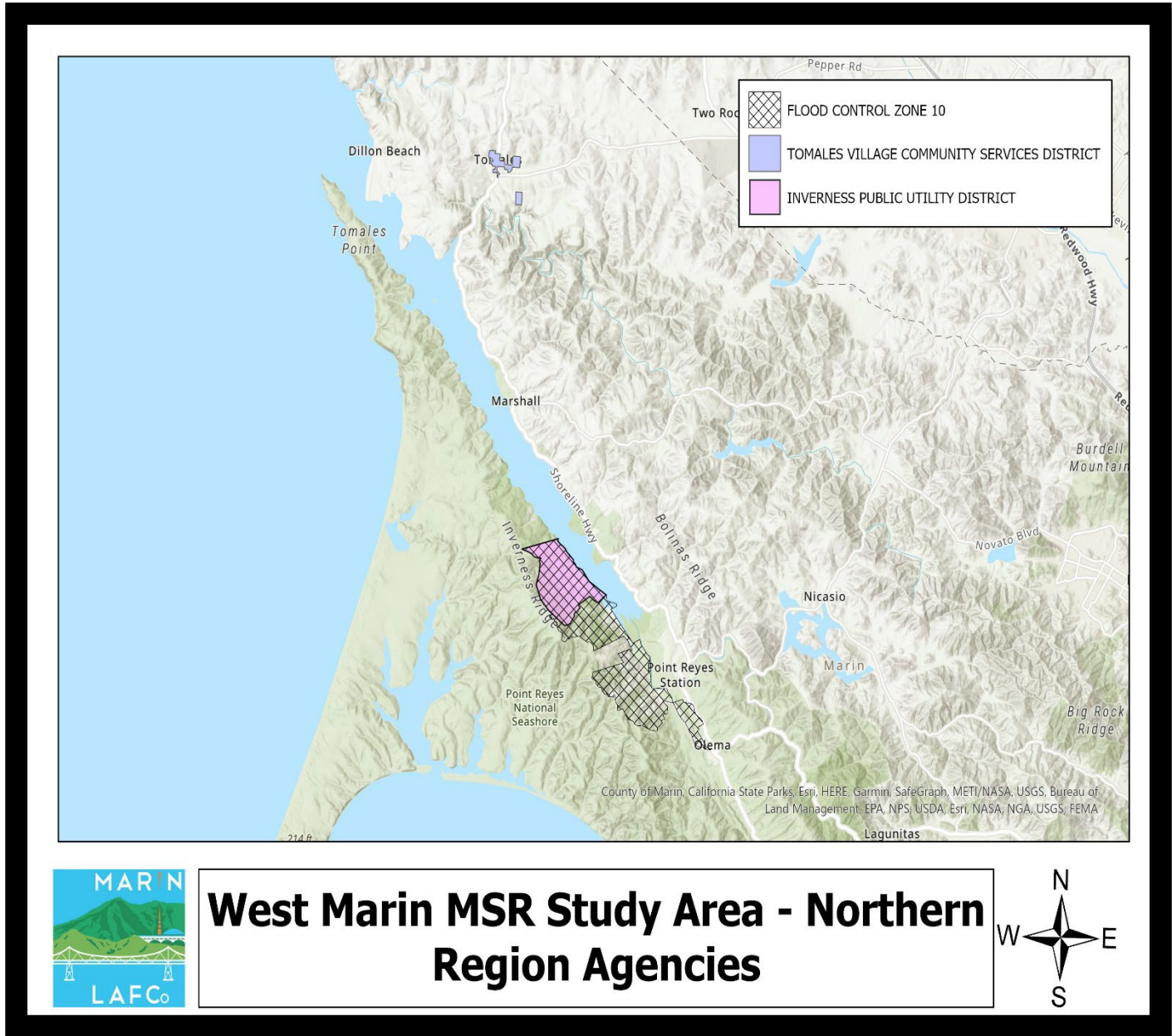
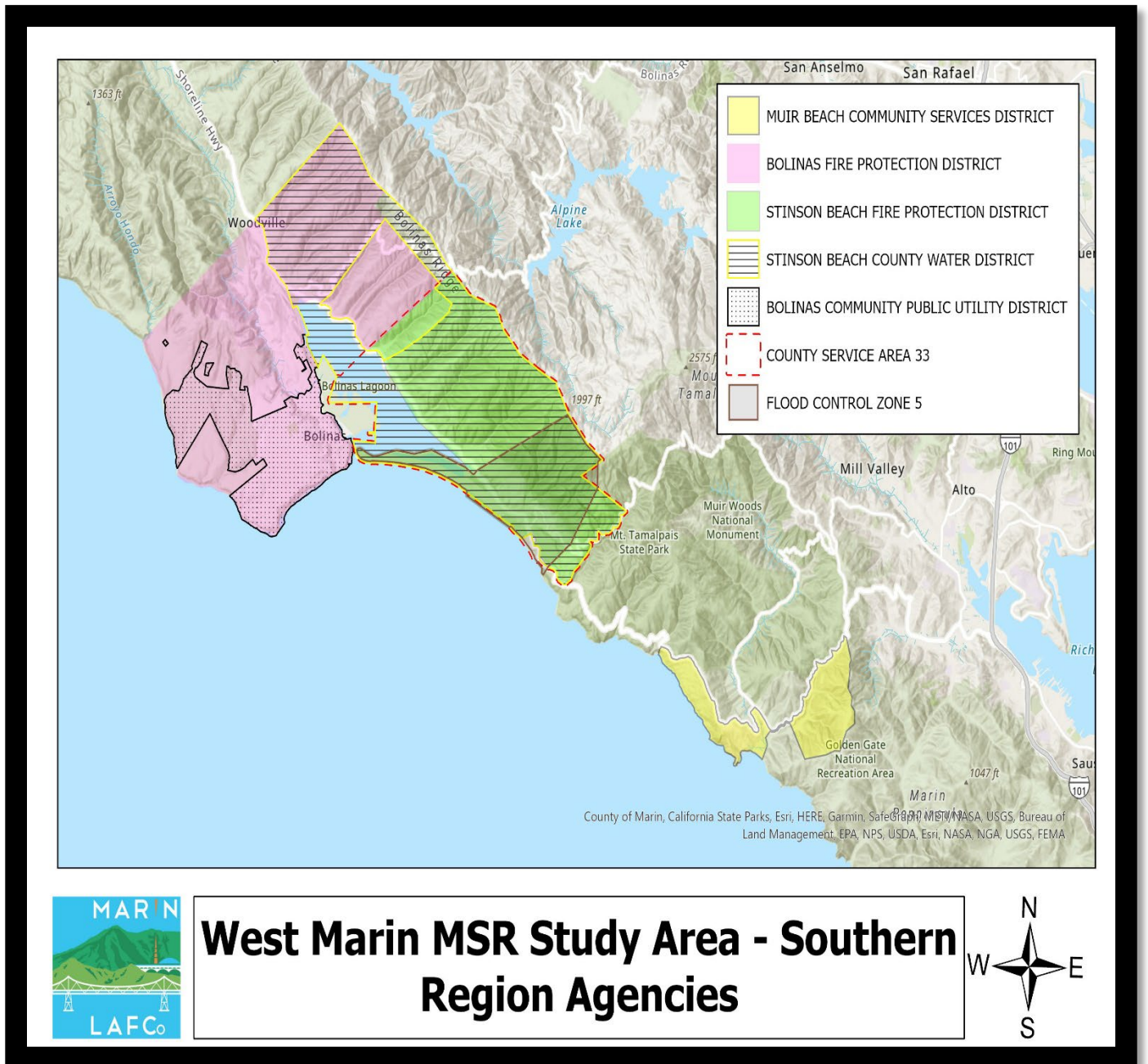




Figure 4-4: West Marin MSR Study Area - Southern Region Agencies



---

## 5.0 MARIN RESOURCE CONSERVATION DISTRICT

---

### 5.1 OVERVIEW

The Marin Resource Conservation District (MRCD) is a single-purpose special district that is organized under the State Public Resources Code, Division 9 (9001-9978) for the purpose of addressing local resource conservation needs. The district was formed by a vote of West Marin landowners on May 19, 1959. Resource Conservation Districts (RCD) typically focus on the conservation of soil and water resources in the forms of the prevention or control of soil erosion, control of runoff, and the development and distribution of water. RCDs can also be formed for the improvement of land capabilities, wildlife habitat restoration, forest fuel management, conservation education, and other purposes. Each RCD throughout the state of California is able to define its own local goals and objectives based on the issues and needs within its service area. Marin Resource Conservation District is currently one of 95 RCDs in California.

The district’s jurisdictional boundary encompasses just over 257,000 acres (401 square miles), covering a majority of the rural acreage in the county. The service area covers 14 major watersheds within the county including Stemple Creek, San Antonio Creek, Tomales Bay, and Point Reyes National Seashore.

**Table 5-1: Marin Resource Conservation District Overview**

Marin Resource Conservation District			
<b>Primary Contact:</b>	Nancy Scolari	Phone:	(415)-663-1170
<b>Main Office:</b>	80 Fourth Street, Suite 202, Point Reyes Station, CA 94956		
<b>Formation Date:</b>	May 19, 1959		
<b>Services Provided:</b>	Local Resource Conservation Needs		
<b>Service Area:</b>	257,023 acres	Population Served:	≈ 12,000

### 5.2 FORMATION AND DEVELOPMENT

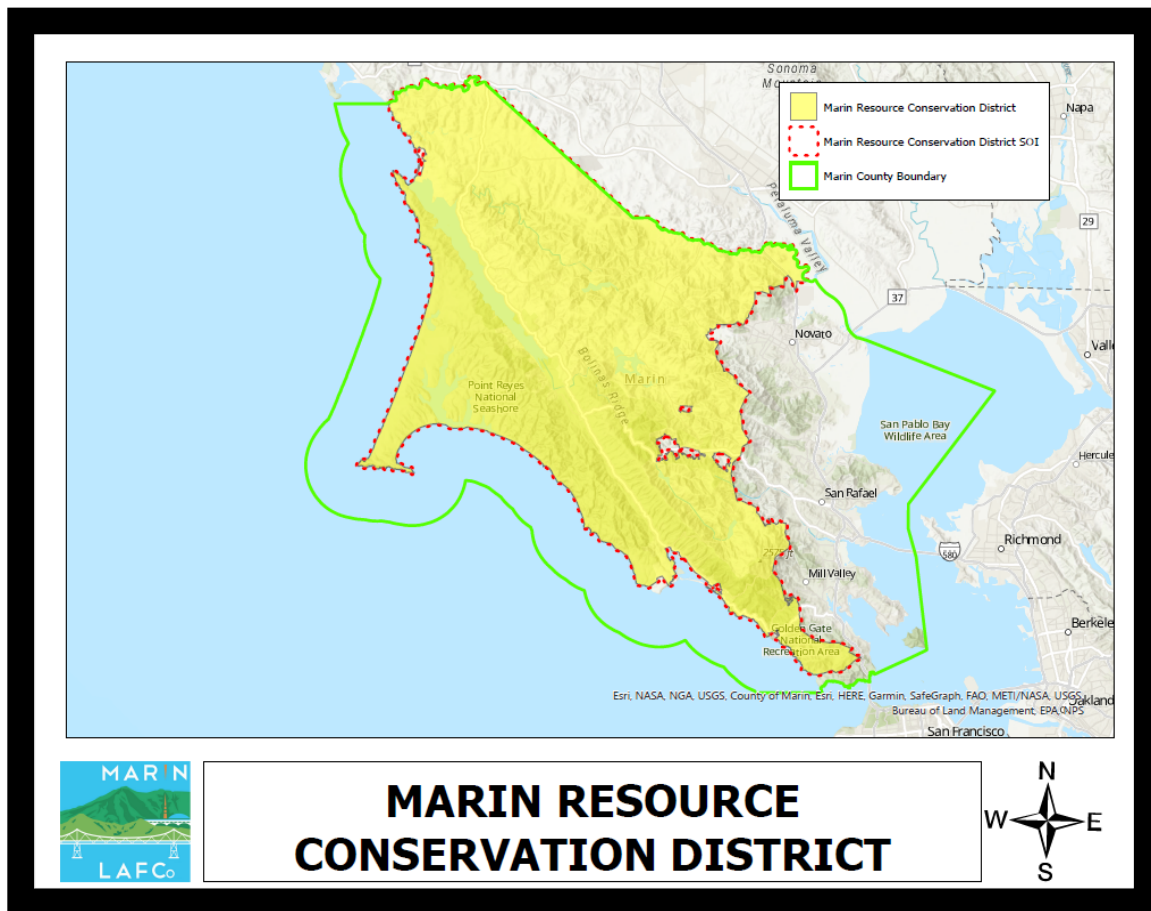
On April 27<sup>th</sup>, 1935, the Soil Conservation Service was established within the Department of Agriculture in order to assist rural landowners with soil conservation practices. The move was prompted by the Dust Bowl event of the 1930s that caused the drought-stricken Southern Plains region of the United States to endure severe dust storms that killed crops, livestock, and people across the entire region. While there were several contributing factors that led to the Dust Bowl, one of the major issues was the poor farming practices of the early 1900s.

The Homestead Act of 1862 provided settlers with 160 acres of public land and was followed by the Kinkaid Act of 1904 and the Enlarged Homestead Act of 1909. These legislative actions led to enormous influxes of new and inexperienced farmers across the great plains. Simultaneously, the price of wheat was skyrocketing due to increased demand from Europe during World War 1 which encouraged farmers to plow up millions of acres of native grassland to plant wheat, corn, and other row crops. As the United States entered the Great Depression, however, wheat prices bottomed out and farmers tore up even more grassland in an attempt to harvest other crops and break even. Crops began to fail with the onset of drought in 1931, which exposed the bare and over-plowed farmland. Without the deep-rooted prairie grasses to hold the soil in place in

combination with the dry conditions, it began to blow away and create massive dust storms with some reaching two miles high and traveling over 2,000 miles to the East Coast.

In 1939, the first California Resource Conservation District was formed in San Mateo County. Over time, more than 3,000 conservation districts would be formed across the United States. On May 19, 1959, the Marin Resource Conservation District was formed by a vote of West Marin landowners to provide non-regulatory soil and water conservation services to farmers and ranchers in Marin County. Since its formation, the district has provided these services as well as occasional soil erosion services for non-agricultural lands and watershed management projects, among other things, throughout West Marin. The district continues today to strive to offer these services in a manner that aligns with its mission statement, which aims to “...conserve and enhance Marin’s natural resources, including its soil, water, vegetation, and wildlife.”

Figure 5-1: Marin Resource Conservation District Jurisdictional Boundary and Sphere of Influence



### 5.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Upon its initial formation in 1959, the Marin Resource Conservation District’s jurisdictional boundary was 294,456 acres (460 sq. miles), which encompassed approximately 88% of Marin County. In 1979, the boundary was adjusted to reflect the growth of urban areas throughout West Marin over the prior twenty years and the district’s boundary decreased to just over 257,000

acres (401 sq. miles), which encompassed approximately 77% of Marin County. The adjusted boundary excluded the growing unincorporated residential areas of San Geronimo Valley, Woodacre, parts of Nicasio, Bolinas, and Stinson Beach.

MRCDD's sphere of influence is coterminous with its jurisdictional boundary and was originally established by Marin LAFCo in 1984. There have been no changes to the sphere of influence since its original adoption. The last instance of the sphere of influence being reaffirmed was in 2008.

## 5.4 GROWTH AND POPULATION

The Marin Resource Conservation District encompasses a majority of the land that makes up what the County of Marin has designated as the West Marin Planning Area. The planning area is comprised of five census tracts: 1322, 1321, 1130, 1311, and 1330. According to 2020 U.S. Census Redistricting Data, the population of the planning area is 12,125, which is less than a 1% increase from the 2010 population number 12,005. The most recent census data shows the planning area to have 7,153 housing units. The current zoning for the area puts the theoretical buildout at 7,307 housing units. The district's boundary excludes a majority of the most populous census tract, 1130, which contains the communities of Woodacre and San Geronimo Valley. It also excludes a majority of census tract 1321 which contains the communities of Stinson Beach and Bolinas.

## 5.5 MUNICIPAL SERVICES

The Marin Resource Conservation District is a non-regulatory district that is responsible for land-use practices and policies that result in the conservation of soil, water, and other related resources. The district serves as a liaison between State, Federal, and local resources and private landowners to conserve the county's natural resources which are declared by the Legislature to be "of fundamental importance to the prosperity and welfare of the people of this state"<sup>2</sup>. The district helps to prioritize issues and implement programs within its service area. The district also serves in developing community interest and awareness in proper natural resources management.

The district provides a 5-year strategic plan<sup>3</sup> that aids in creating specific areas of focus targeted goals in each of those areas for that timespan. Each of the 5 goals is accompanied by numerous specific strategies to accomplish those goals. The current strategic plan encapsulates 2018-2022 and provides the following areas of focus and corresponding overarching goal statements:

- **Agricultural Viability** – Active support of our district's agricultural economy, viability, and cultural heritage
- **Water Quality and Quantity** – Protect and improve water quality and quantity
- **Soil Health and Air Quality** – Maintain and improve soil health and air quality
- **Flora and Fauna** – Conserve and enhance flora and fauna
- **Outreach and Education** – Provide outreach and education

---

<sup>2</sup> Division 9, Public Resources Code Article 1, Section 9001 (a)

<sup>3</sup> [MRCDD Strategic Plan 2018-2022](#)



The district provides project planning, design services, construction management, program oversight, and funding to numerous types of conservation projects and programs ranging from permit coordination, to carbon farming, to riparian habitat restoration. Over the course of the past decade the district has worked collaboratively with local landowners and supporting agencies on over 68 major projects, and as the lead implementing agency on 61 major projects. These projects have been administered through over \$8.5 million in government and private foundation grants. A list of these projects along with information on their status, timetables, funding, and descriptions can be viewed at the Resource Conservation District Project Tracker website.<sup>4</sup>

The district’s current staffing level is 5.75 full-time equivalent (FTE) employees.

## 5.6 ORGANIZATION STRUCTURE

### Board of Directors

The Marin Resource Conservation District has a five-member board that is elected to four-year terms through an at-large election. All directors are required to live and own land within the district’s jurisdictional boundary, have served as an associate director for two years, or have been a designated agent of a resident landowner within the district. The Board of Directors maintains current certificates for the AB 1234 Ethics Training Compliance. Certificates for each of the board members can be viewed on the MRCD website. The Board of Directors meets regularly on the 2<sup>nd</sup> Wednesday of each month at 9:00 a.m. at the Marin County Farm Bureau Conference Room at 520 Mesa Road in Point Reyes Station.

Table 5-2: Marin Resource Conservation District Board of Directors

Member	Position	Term Expiration
Sally Gale	President	November 2022
Terry Sawyer	Treasurer	November 2024
Robert Giacomini	Director	November 2024
Mike Moretti	Director	November 2024
Peter Martinelli	Director	November 2024

## 5.7 ACCOUNTABILITY AND TRANSPARENCY

The Marin Resource Conservation District makes a concerted effort to maintain high accountability and transparency with all its activities. The MRCD website ([www.marinrcd.org](http://www.marinrcd.org)) provides information on Board meetings, financial reports, programs, projects, history, resources, partner agencies, and more.

### Meeting and Agendas

The MRCD Board of Directors meets regularly on the 2<sup>nd</sup> Wednesday of each month at 9:00 a.m. at the Marin County Farm Bureau Conference Room at 520 Mesa Road in Point Reyes Station. Special meetings are held as needed to go over specific topics such as the annual budget.

---

<sup>4</sup> [Marin RCD Project Tracker](#)



Meeting agendas and minutes can be found on the MRCD website ([www.marinrcd.org/news-resources/board-meetings/](http://www.marinrcd.org/news-resources/board-meetings/)).

## Annual Budget Review

The district's budget, typically adopted at the September Board of Directors meeting, provides overall control of revenue and expenditures including appropriations on a line-item basis and the means of financing them. While the District operates on a standard July 1 – June 30 fiscal year model, the agency's heavy reliance on funding provided by state and federal grants each year necessitates this delay in budget creation, proposal, and adoption in order to have a clearer picture of the funding they will be receiving. The Bookkeeper produces monthly reports on expense activity that assist the Executive Director in monitoring activities and programs. These reports are reported to the Board every month to assure budgetary compliance.

## 5.8 FINANCIAL OVERVIEW

Approximately 90% of all annual revenue for the Marin Resource Conservation District comes in the form of state and federal grants as well as local funding. Additional revenue comes from the County of Marin to help offset operational costs, as well as a contract for services with the County of Marin for the District's creek stewardship to local landowners. Parts of the work that the MRCD performs for Marin County takes place outside of the district's boundary, however, this has been reviewed and approved under State Government Code Section 56133 (e)(1). The total anticipated revenue for the District for FY 2021-22 is \$1,357,111, which would amount to a 24% increase over the previous fiscal year actuals. Approximately 45% of the district's annual expenses are in the form of service costs, 48% are salary and benefit costs, and 6% are administrative costs. MRCD's projected expenditures for FY 2021-22 are \$1,342,788, which would be a 21% increase over the prior fiscal year's actuals.

Despite the uncertainty that annual grant funding can have, MRCD maintains a goal of providing a high level of community service while maintaining sustainable fiscal practices. The district has maintained budget surpluses for numerous years with the expenses only outpacing revenues by a small amount in FY 2020-21 due in large part to significantly reduced state and federal funding during the Covid-19 pandemic. The district maintains a policy of holding two separate reserve accounts. The first contains the district's unrestricted funds, up to \$400,000, in order to pay vendors in advance of the district's receipt of payment from grantors. All payments from this fund are made at the discretion of the Board of Directors. The second account is funded as an operational reserve with the intent of providing six months of operational expenses if necessary. The maximum cap on this account is \$150,000.

## Financial Audit

The Marin Resource Conservation District annually has its financial statements audited in accordance with established governmental accounting standards. The district contracts with an outside accounting firm, Grant Bennet Associates, to perform the audit. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2020.

Table 5-3: Marin Resource Conservation District Financial Audit Summary

Revenues	FY 2019	2020 Audit
Operating contributions and grants	\$1,108,027	
County grant	\$221,491	
Other	\$5,708	
<b>Total Revenues</b>	<b>\$1,335,226</b>	

Expenditures	FY 2019	2020 Audit
Personnel costs	\$385,870	
Services and supplies	\$884,089	
<b>Total Expenditures</b>	<b>\$1,269,959</b>	

## 5.9 SUSTAINABILITY

The Marin Resource Conservation District has played an integral part throughout its rich 62-year history in both the preservation of habitat and resources as well as preventative measures to defend against the ecological effects of poor land stewardship. A few of the notable accomplishments over that time include the following<sup>5</sup>:

- Preserved populations of coho salmon and steelhead
- Enhanced municipal water supply quality for Marin County in Stafford Lake watershed
- Improved water quality in Stemple Creek and Tomales Bay watersheds
- Improved water quality draining to shellfish production areas in Tomales Bay
- Improved wildlife diversity with 300% increase in neomigratory bird species following riparian revegetation
- Over 43 miles of stream fenced for livestock management
- Controlled approximately 700,000 cubic yards of sediment delivery to nearby streams
- Revegetated over 25 miles of riparian forest with over 35,000 native trees and shrubs

As agencies and municipalities throughout Marin County implement policies in an effort to combat climate change, one of MRCD’s long-time conservation efforts has been shown to be an incredibly effective practice in this endeavor. A study by the University of California Cooperative Extension explored the carbon-capturing that takes place in areas that have undergone waterway habitat restoration. In this case, a specific look was taken at 42 waterways on ranches in Napa, Sonoma, and Marin Counties. The study revealed that one kilometer of repaired creek habitat can store as much as 4,419 tonnes of carbon and 16,217 tonnes of carbon dioxide and other greenhouse gases. The MRCD has aided in over 25 miles of riparian restoration which equates to over 80,000 tonnes of carbon sequestration. This amount is comparable to the emissions of approximately 62,000 vehicles in one year<sup>6</sup>.

<sup>5</sup> [A Half Century of Stewardship: programmatic review of conservation by Marin RCD & Partner Organizations](#)

<sup>6</sup> [Mitigating Greenhouse Gas Emissions through Riparian Revegetation](#)

Lastly, since 2008 the district has been a founding partner in the Marin Carbon Project to assist local farmers and ranchers on the path to carbon beneficial practices. The Marin Carbon Project is a collective of independent agricultural institutions throughout Marin County striving to increase carbon sequestration in rangeland, agricultural, and forest soils by way of carbon farming. This term, carbon farming, essentially equates to implementing farming practices that capture and hold carbon in vegetation and soils to reduce greenhouse gas emissions. As of 2020, the Marin Resource Conservation District in its partnership with the Marin Carbon Project had completed 19 carbon farm plans with dozens more waitlisted to join in the effort. In the winter of 2021, the District received approval for \$1,000,000 in grant funding from the California State Coastal Conservancy for the continued expansion of its carbon farming efforts. The funding, in conjunction with \$667,000 in matching funds from 8 other entities, proposes to expand Marin County's existing Carbon Farming Program by: implementing 15-20 shovel-ready carbon farming practices (all riparian restorations), designing 15-20 more carbon farming practices, and writing 6 new carbon farming plans on newly participating farms. The work that the district has done in both building local awareness as well as fostering the trust of local landowners in its processes and practices is a significant component in the fight against climate change throughout Marin County.

---

## 6.0 STINSON BEACH FIRE PROTECTION DISTRICT

---

### 6.1 OVERVIEW

The Stinson Beach Fire Protection District (SBFPD) was established in March of 1958<sup>7</sup> as an independent special district. The SBFPD boundary surrounds just over 5.8 square miles of the Stinson Beach area of Marin County’s Pacific Coast. The district serves a population of approximately 632 persons. The last Municipal Service Review that included the SBFPD was conducted in December of 2007 as part of the Stinson Beach Area Service Review and Sphere of Influence Update.

The primary function of SBFPD is to provide structural fire, emergency medical response, and disaster planning and response to the census-designated place (CDP) of Stinson Beach, as well as first responder services to the Mount Tamalpais State Park and Golden Gate National Recreation Area. The SBFPD also participates in the Marin County and California Mutual Aid System with nearby fire districts and responds to wildland fires as needed. The District is also a member agency of the Marin Wildfire Prevention Authority (MWPA). MWPA aids local fire agencies throughout Marin County with funding for fuel removal projects, defensible space evaluations, and other helpful resources. SBFPD is allocated .68% of MWPA’s total annual funding.

**Table 6-1: Stinson Beach Fire Protection District Overview**

Stinson Beach Fire Protection District			
<b>Primary Contact:</b>	Chief Jesse Peri	Phone:	(415)-868-0622 ext 3
<b>Headquarters:</b>	3410 Shoreline Highway, Stinson Beach, CA		
<b>Formation Date:</b>	March 7, 1958		
<b>Services Provided:</b>	Fire Protection, Emergency Response, Disaster Planning		
<b>Service Area:</b>	3,754 acres	Population Served:	541

### 6.2 FORMATION AND DEVELOPMENT

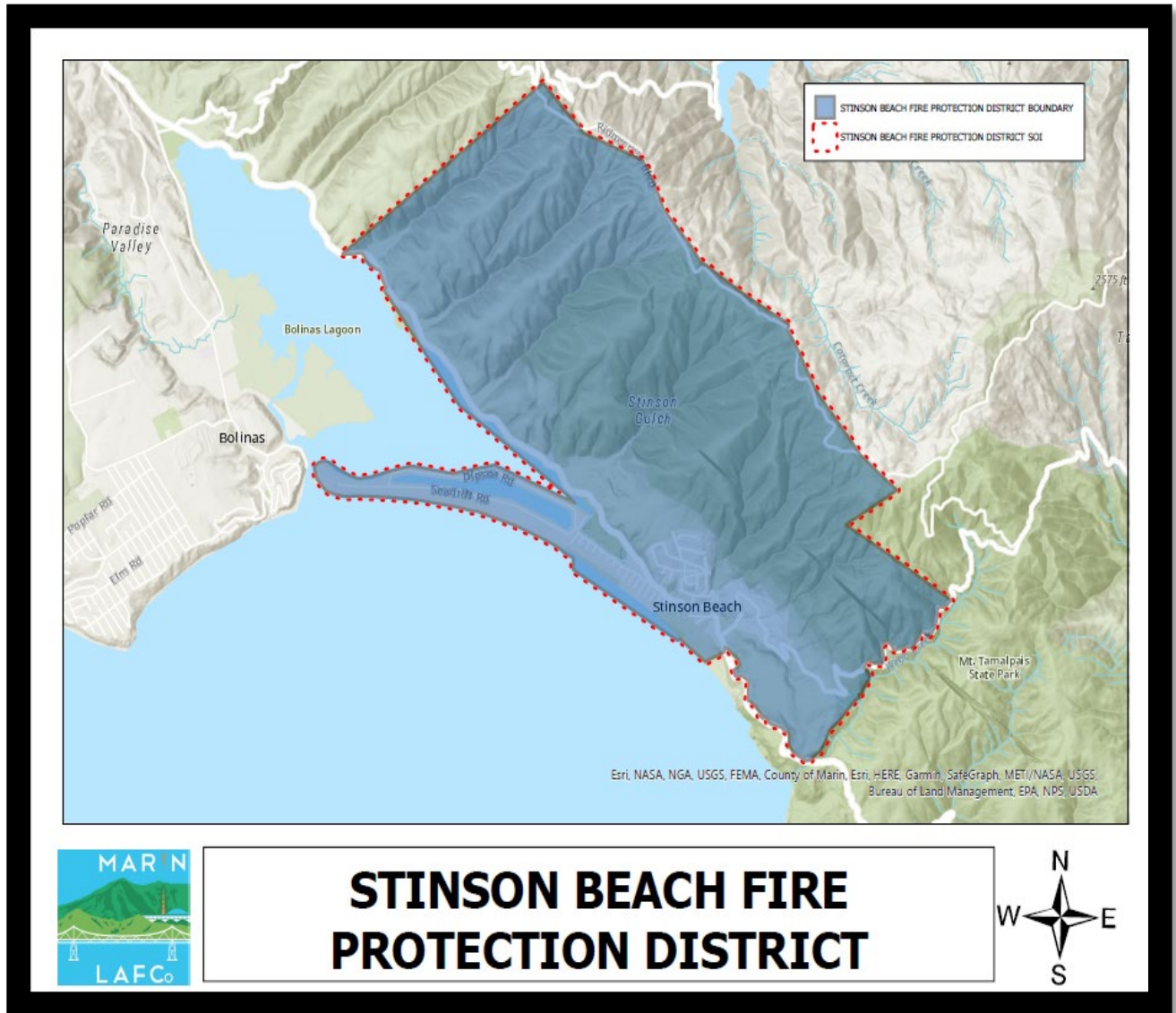
The Stinson Beach Fire Protection District was established as an independent Special District whose legal authority and responsibilities are contained in the State of California Health and Safety Code Sections 13800-13970. While the official formation of the Stinson Beach Fire Protection District took place on March 7, 1958, historical documents show that the Stinson Beach Fire Department was most likely formed in 1921 and was the first organization created in Stinson Beach. This action was taken at the time by property owners within Stinson Beach that had structures on their properties contributing to a fund for the purchase of a large chemical fire extinguisher apparatus. The contributions ranged from \$10 to \$250. As it was not conjoined to any specific vehicle, the apparatus had to be towed to the necessary location for fire suppression efforts. The first firehouse was built by volunteers with materials that were purchased by funds raised in the community’s 4<sup>th</sup> of July carnivals. The building was completed and the fire truck moved inside in June of 1949. The building was remodeled and expanded to hold three vehicles in 1970. The second firehouse was built in 1980 by an additional volunteer effort. The first

---

<sup>7</sup> [SBFPD 17-18 Audit; Pg. 13](#)

officially named Fire Chief of the district was William Airey in 1947. The Volunteer Ambulance Corps overseen by the District was established in 1962 and today is the only volunteer ambulance corps in the Bay Area and is one of only a handful in the entire state.

**Figure 6-1: Stinson Beach Fire Protection District Jurisdictional Boundary and Sphere of Influence**



### 6.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Stinson Beach Fire Protection District’s service boundary, which currently encompasses just under 6 square miles, includes all of the residential areas of the census-designated place of Stinson Beach, including the Seadrift area, and stretches to encompass a majority of Ridgecrest Boulevard to the north. The SBFPD’s northwestern boundary is contiguous with the Bolinas Fire Protection District’s southeastern boundary. The area also encompasses privately and publicly owned parklands including portions of the Golden Gate National Recreation Area and the Mount

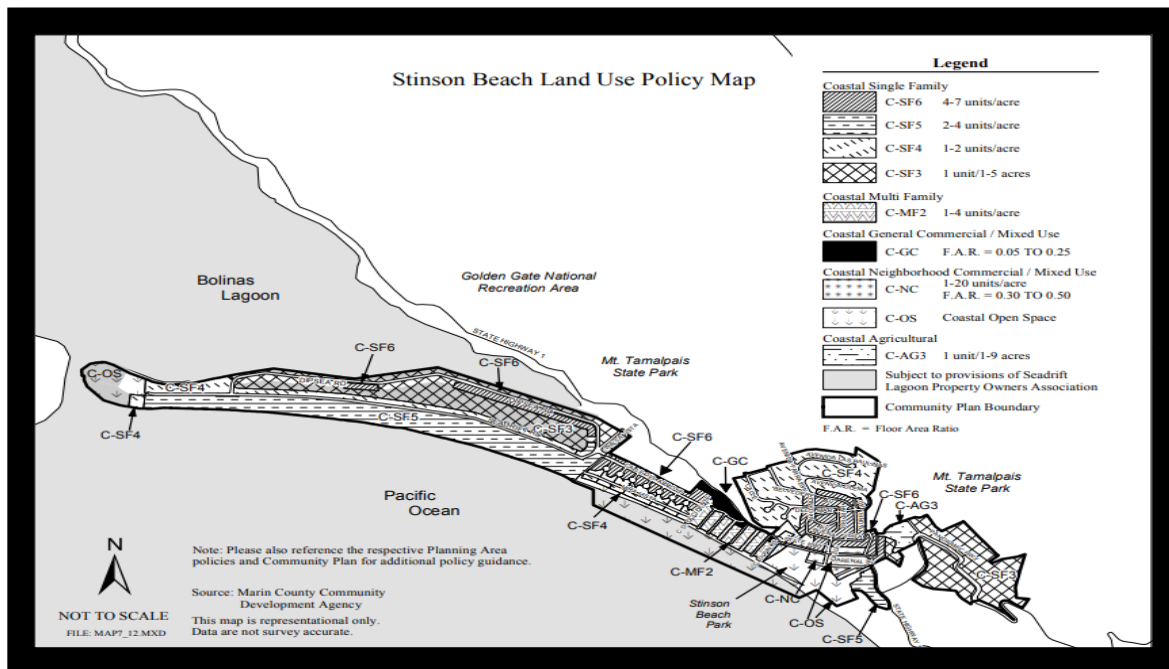
Tamalpais State Park. The District’s sphere of influence is coterminous with its jurisdictional boundary. The sphere of influence was last updated in December of 2007.

## 6.4 GROWTH AND POPULATION

The Stinson Beach Fire Protection District encompasses the census-designated place (CDP) of Stinson Beach. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 541, which is approximately a 14% decrease from the 2010 population number 632<sup>8</sup>. The most recent census data shows the CDP to have 751 total housing units, with only 290 of those units occupied. With the Stinson Beach area having numerous weekend residents, it is difficult to ascertain the actual full-time population. Due to this, the number of registered voters is another measurement of population that is used. According to 2020 U.S. Census Redistricting Data, the number of registered voters in Stinson Beach is 505.

According to the Stinson Beach Community Plan, Stinson Beach has limited opportunity for future expansion since federal and state lands (Golden Gate National Recreation Area and Mount Tamalpais State Park) and the Pacific Ocean surround the community. As such, all future residential and commercial development will occur within the existing developed area. Stinson Beach is already extensively developed and there remain few infill opportunities for growth. A map with the current zoning for the area is shown below in Figure 6-2.

Figure 6-2: Stinson Beach Land Use Policy Map



<sup>8</sup> [2020 US Census Redistricting Data](#)



## 6.5 MUNICIPAL SERVICES

### Fire Protection and Emergency Response

The SBFPD provides fire protection, emergency medical response, and disaster planning and response services. Incident call types fielded by the agency include rescue/emergency medical response, fire, service calls, good intention calls, severe weather and natural disasters, false alarm, and hazardous conditions (no fire). The District has one station that is staffed by two paid personnel daily from 8:00 a.m. to 5:00 p.m. The District has an additional annex facility that houses apparatus. SBFPD has 4 full-time exempt employees (1 Fire Chief, 2 Duty Officers, 1 Office Manager), as well as 17 volunteer firefighters. 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 two full-time Duty Officers as well as an Office Manager.

On April 1, 2021, Stinson Beach Fire Protection District was given a Class 4/4x Public Protection Classification (PPC) rating by the Insurance Services Office (ISO), an organization that independently evaluates municipal fire-protection efforts throughout the United States. Ratings range on a scale of 1 to 10. Class 1 generally represents superior property fire protection, and class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.<sup>9</sup> While many communities receive a single number classification, many smaller and more rural communities receive a split classification to reflect the risk of loss more precisely. In the case of a split classification, the first number refers to the classification of properties within 5 road miles of a fire station and within 1,000 feet of a creditable water supply. The second number, with either the X or Y designation, applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply (i.e. fire hydrant). ISO generally assigns Class 10 to properties beyond 5 road miles. The majority of insurance agencies throughout the country use the PPC classification for underwriting and calculating premiums on residential, commercial, and industrial properties. SBFPD's rating of 4/4x puts the district in the top 30% of fire protection agencies in the country. Figures 6-3 and 6-4 below show the breakdown of PPC rating data throughout both the United States and California.

---

<sup>9</sup> [How the PPC Program Works](#)

Figure 6-3: PPC Rating Distribution by Class Throughout California

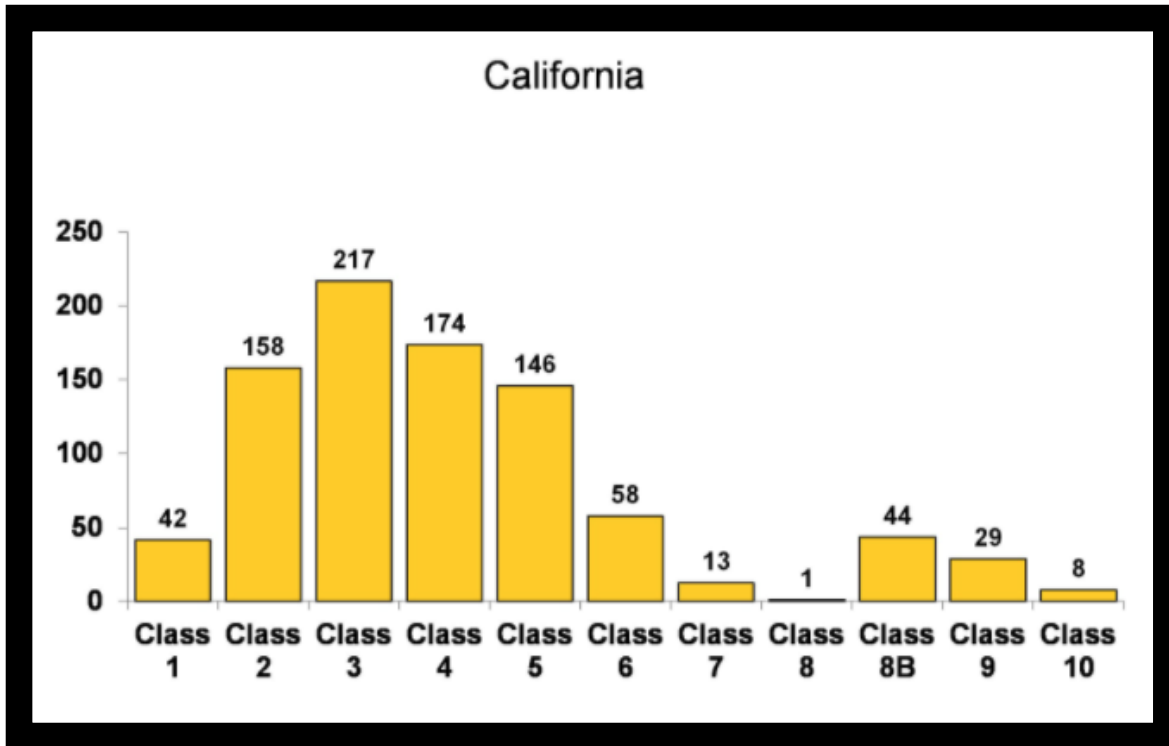
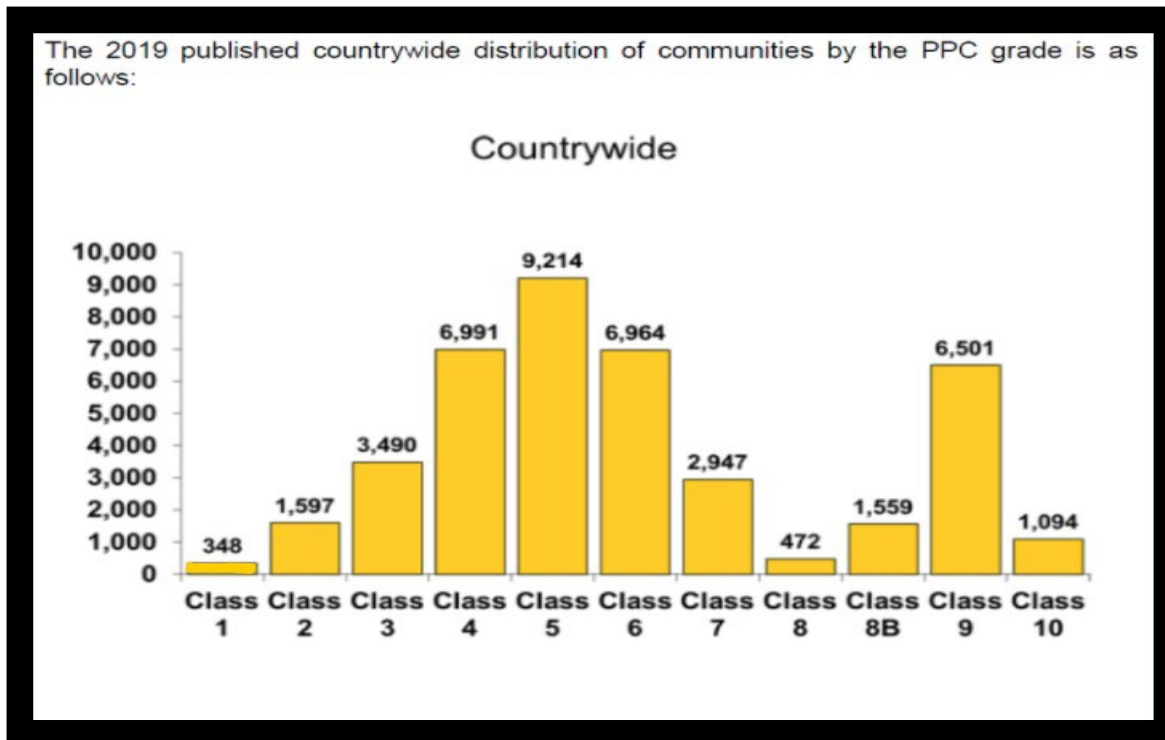


Figure 6-4: PPC Rating Distribution by Class Throughout the United States



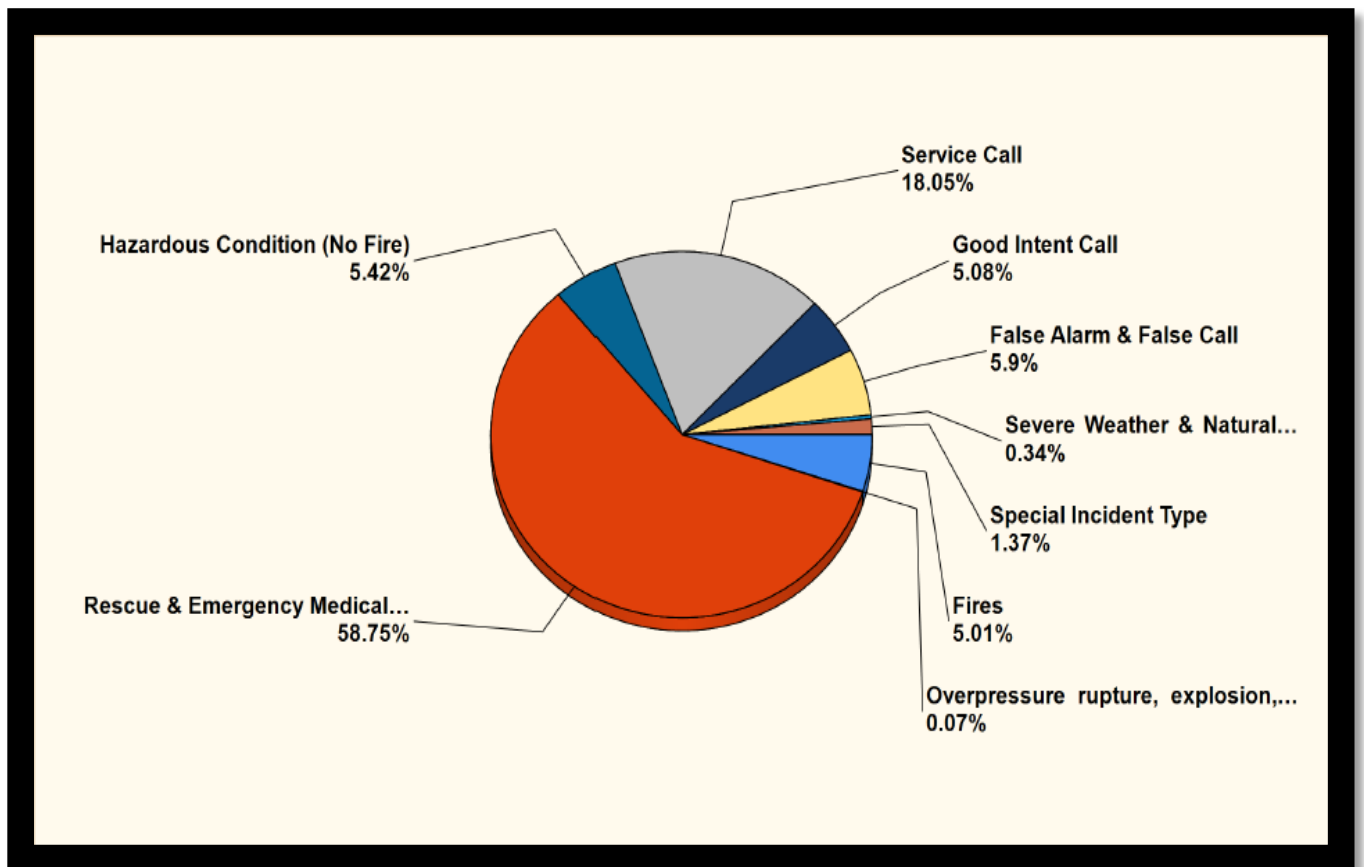


The SBFPD receives an average of 291 calls per year (2016-2021) with the majority being for Rescue and Emergency Medical Service. The District provides one of the only remaining volunteer ambulance programs in the state. Initially established in 1938, the Stinson Beach Ambulance Corps has 9 volunteer Emergency Medical Technicians (EMT). These EMTs staffing the District’s ambulance, A91, are supported with advanced life support (ALS) services when necessary by the Marin County Fire Department from the station in Point Reyes. When support is unavailable from Point Reyes, aid is provided by the Southern Marin Fire Protection District from either Tam Valley or Mill Valley. During the high visitation summer months in the area, a part-time ALS ambulance is staffed by Marin County Fire Department to serve the areas of Stinson Beach, Bolinas, and Mount Tamalpais State Park.

The District also provides the area with water rescue services. With a large apportionment of the District’s boundary being beachfront and the area being a popular visitation destination, the District has developed a program and trained a team of 10 rescue swimmers and 7 rescue watercraft operators. Water-based emergencies are responded to by way of tube and fin, paddleboard, or the District’s water rescue craft.

Fire calls for the District over the past five years accounted for just over 5% of the total calls the district received. A summary of call numbers over the last 5 years is shown below in Figure 6-3.

**Figure 6-5: Stinson Beach Fire Protection District Total Responses**



## Facilities and Apparatuses

The Stinson Beach Fire Protection District owns, operates, and maintains two fire stations with one concurrently used as its administrative building, and the other operating as an unstaffed annex. The stations are:

- *Station 1* – 3410 Shoreline Highway, Stinson Beach, CA 94970
- *Station 2 (Annex)* – 100 Calle Del Arroyo, Stinson Beach, CA 94970

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

- *Station 1* – 1 Type 1 Engine, 1 Ambulance, 1 Type 3 Engine, 1 4x4 Utility Pickup Truck
- *Station 2 (Annex)* – Type 1 Engine, 1 Water Tanker, 1 Off-Road Utility Vehicle, 1 Rescue Water Craft

## 6.6 ORGANIZATION STRUCTURE

### Board of Directors

The Stinson Beach Fire Protection District has a five-member board that is elected to four-year terms through an at-large election. All directors are required to live within the District’s jurisdictional boundary. The Board of Directors maintains current certificates for the AB 1234 Ethics Training Compliance as well as AB 1666 Sexual Harassment Prevention Training. Certificates for each of the board members can be requested by contacting the SBFPD office. The Board of Directors meets regularly on the 4<sup>th</sup> Monday of each month at 5:00 p.m. at the Stinson Beach Fire Protection District Headquarters located at 3410 Shoreline Highway in Stinson Beach.

Table 6-2: Stinson Beach Fire Protection District Board of Directors

Member	Position	Term Expiration
Jeffrey Walsh	President	November 2024
James Ritchie	Vice President	November 2024
Robert Guidi	Director	November 2024
Mark White	Director	November 2022
Will Mitchell	Director	November 2022

## 6.7 ACCOUNTABILITY AND TRANSPARENCY

The Stinson Beach Fire Protection District makes a concerted effort to maintain high accountability and transparency with all its activities. The SBFPD website ([www.stinsonbeachfire.org](http://www.stinsonbeachfire.org)) provides information on Board meetings, financial reports, stations, history, apparatus, disaster preparedness, and more.

## Meeting and Agendas

The SBFPD Board of Directors meets regularly on the 4<sup>th</sup> Monday of each month at 5:00 p.m. at the Stinson Beach Fire Protection District Headquarters at 3410 Shoreline Highway in Stinson Beach. 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 SBFPD website ([www.stinsonbeachfire.org/boardmeetings](http://www.stinsonbeachfire.org/boardmeetings)).

## Annual Budget Review

The District's budget, adopted no later than the June 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 Bookkeeper produces monthly reports on expense activity that assist the Chief in monitoring activities and programs. These reports are reported to the Board every month to assure budgetary compliance.

## 6.8 FINANCIAL OVERVIEW

Approximately 80% of all annual district revenue<sup>10</sup> comes from property taxes. Additional revenue comes from the transient occupancy tax within the District's boundaries (9%), annual funding disbursement from the Marin Wildfire Prevention Authority (4%), and the West Marin Emergency Fund (.6%). The Stinson Beach Fire Protection District maintains a goal of providing a high level of community service while maintaining sustainable fiscal practices. Over the past three years of available audited financial statements, the District has ended with budget surpluses that have helped to bolster the District's net position. This year-over-year increase in net position is due primarily to a steady increase in home sales in the area over the past decade which in turn has increased property tax revenue.

## Revenue

Revenue sources for the SBFPD come primarily from a portion of the 1% property tax on residents within its district boundaries. Of the 1% property tax, the SBFPD receives an average of 8.7% which amounts to approximately \$1.0 million for FY 2021-22. The other major source of revenue for the District is the transient occupancy tax funding it receives, as well as an annual disbursement from the Marin Wildfire Prevention Authority by way of the voter-approved Measure C parcel tax. A breakdown of the most recent 5-year span currently available of audited actuals for expenditures and revenues for the district is available below in Table 6-3.

Table 6-3: Stinson Beach Fire Protection District Financial Overview

Fiscal Year	Revenues	Expenditures	Net
FY 2013-14	\$671,382	\$406,171	\$265,211
FY 2014-15	\$700,987	\$468,226	\$232,761
FY 2015-16	\$725,347	\$528,993	\$196,354
FY 2016-17	\$821,433	\$511,115	\$310,318
FY 2017-18	\$876,659	\$520,930	\$355,729

<sup>10</sup> [Stinson Beach Fire Protection District Operating Budget FY 2020-21](#)

## Debt

The Stinson Beach Fire Protection District carries no long-term debt. Any large-scale purchases, like the recent acquisition of a parcel of land in Stinson Beach, are paid for by way of the District's reserves and grant funding. Additionally, there are no current pension or other post-employment benefit (OPEB) obligations as the agency offers retirement benefits to just its 4 full-time employees. These benefits are provided through the International City/County Management Association (ICMA) and are paid for annually in full. While the District currently has no official reserve fund policy for maintaining a specific level of reserve funds, SBFPD has consistently maintained reserves of approximately 15% of annual operating costs over recent years. The District is currently contracted with a private firm to assist in building out its formal policies and bylaws.

## Financial Audit

The Stinson Beach Fire Protection District has its financial statements audited on a biennial basis. The District contracts with an outside accounting firm, most recently Maher Accountancy, to conduct the audit. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2018.

Table 6-4: Stinson Beach Fire Protection District Financial Audit Summary

Revenues	FY 2017 2018 Audit
Property Taxes	\$771,724
ERAF	\$54,057
West Marin Emergency Fund	\$7,490
HOPTR subvention	\$3,801
Assessments and other taxes	\$23,514
Other State Aid	\$7,102
Investment Earnings	\$2,719
Miscellaneous	\$6,252
<b>Total Revenues</b>	<b>\$876,659</b>

Expenditures	FY 2017-2018 Audit
Capital	\$29,995
Maintenance	\$210,914
Salaries	\$280,021
<b>Total Expenditures</b>	<b>\$520,930</b>

## 6.9 WILDLAND FIRE PREPAREDNESS

Local agencies such as the Stinson Beach 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 SBFPD participated in the Community Wildfire Protection Plan that was released in 2020. 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 SBFPD is working towards providing more education to the community about this topic. The District offers guidelines on its website for community members to create a personal preparedness plan to help residents stay informed and be ready to evacuate quickly if necessary. The District has also prioritized projects aimed towards defensible space such as chipper days to help reduce fire hazards throughout neighborhoods in Stinson Beach, and the mowing of the Highlands in order to help create a greater fuel break.

---

## 7.0 STINSON BEACH COUNTY WATER DISTRICT

---

### 7.1 OVERVIEW

The Stinson Beach County Water District (SBCWD) was established in 1962 as an independent special district under Sections 30000-33900 of the California Water Code. The SBCWD boundary surrounds just over 9.3 square miles of the Stinson Beach area of Marin County's Pacific Coast. The district serves a population of approximately 2,102<sup>11</sup> persons. The last Municipal Service Review that included the SBFPD was conducted in January of 2016 as part of the Countywide Water Municipal Service Review.

As a multi-purpose agency, SBCWD provides potable water, solid waste, and onsite wastewater management to the census-designated place (CDP) of Stinson Beach. The District's potable water supplies are collected locally from creeks and groundwater sites with Sinson Gulch Creek serving as SBCWD's primary source.

Table 7-1: Stinson Beach County Water District Overview

Stinson Beach County Water District			
<b>Primary Contact:</b>	Ed Schmidt	Phone:	(415)-868-1333
<b>Main Office:</b>	3785 Shoreline Highway, Stinson Beach, CA		
<b>Formation Date:</b>	November 1962		
<b>Services Provided:</b>	Potable Water, Onsite Waste Water Management, Solid Waste		
<b>Service Area:</b>	5,975 acres	Population Served:	2,102

### 7.2 FORMATION AND DEVELOPMENT

The Stinson Beach County Water District was formed in 1962 by way of the County of Marin approving the official service area and the residents within the boundary voting to approve the formation. The driving force behind the creation of the district was the necessitation of management of – both directly and indirectly – wastewater service within the growing community due to concerns about septic tank seepage into open waters. In addition to wastewater management, the district was also authorized to provide solid waste and water services, though these powers were not immediately activated.

In 1972, the Golden Gate National Recreation Area (GGNREA) was established and covered just under one-third of SBCWD's jurisdictional boundary. This new public land designation, in combination with the already established Mount Tamalpais State Park, meant that approximately 80% of the district's boundary was composed of public use lands.

Between 1965 and 1974, ten different sewer studies were completed on the area. Each of the studies was rejected for a myriad of reasons such as excessive cost, the potential for inducing population growth and density, environmental concerns, and project reliability. A sewer plan was finally taken to a bond election in 1974 and was defeated by the voters by a count of 205 to 146. In that same 1974 election, SBCWD was approved by a ballot measure to purchase the

---

<sup>11</sup> Population served calculated through the means given in California Code of Regulations Section 64412

Stinson Beach Water Company from its then-owner, George Leonard, who was the largest landowner in the Stinson Beach area with 2,200 acres. The purchase included all related water rights and facilities that had been previously merged from Leonard's purchase and consolidation of the Stinson Water Company and Golfito Water Company in 1965.

In 1977, special legislation was adopted amending California Water Code that provided SBCWD the authority to regulate private septic systems within its jurisdictional boundary. This legislation received support from the County of Marin and empowered SBCWD to regulate, prohibit, and control public and private septic systems through a district permitting process. In the same calendar year, the voters within SBCWD's boundary approved a \$600,000 bond measure to upgrade the district's water system in order to repair the distribution system as well as create additional storage tanks. The work from this measure was completed in full in 1983.

In 2006, SBCWD completed and adopted an Urban Water Management Plan to assess water reliability for the District over the coming 20 years. California State law requires every urban water supplier that either provides over 3,000 acre-feet of water annually or serves more than 3,000 or more connections to assess the reliability of its water sources over a 20-year planning horizon considering normal, dry, and multiple dry years as part of an Urban Water Management Plan. As the district is well below both of these thresholds, the creation and the adoption of the plan was done voluntarily.

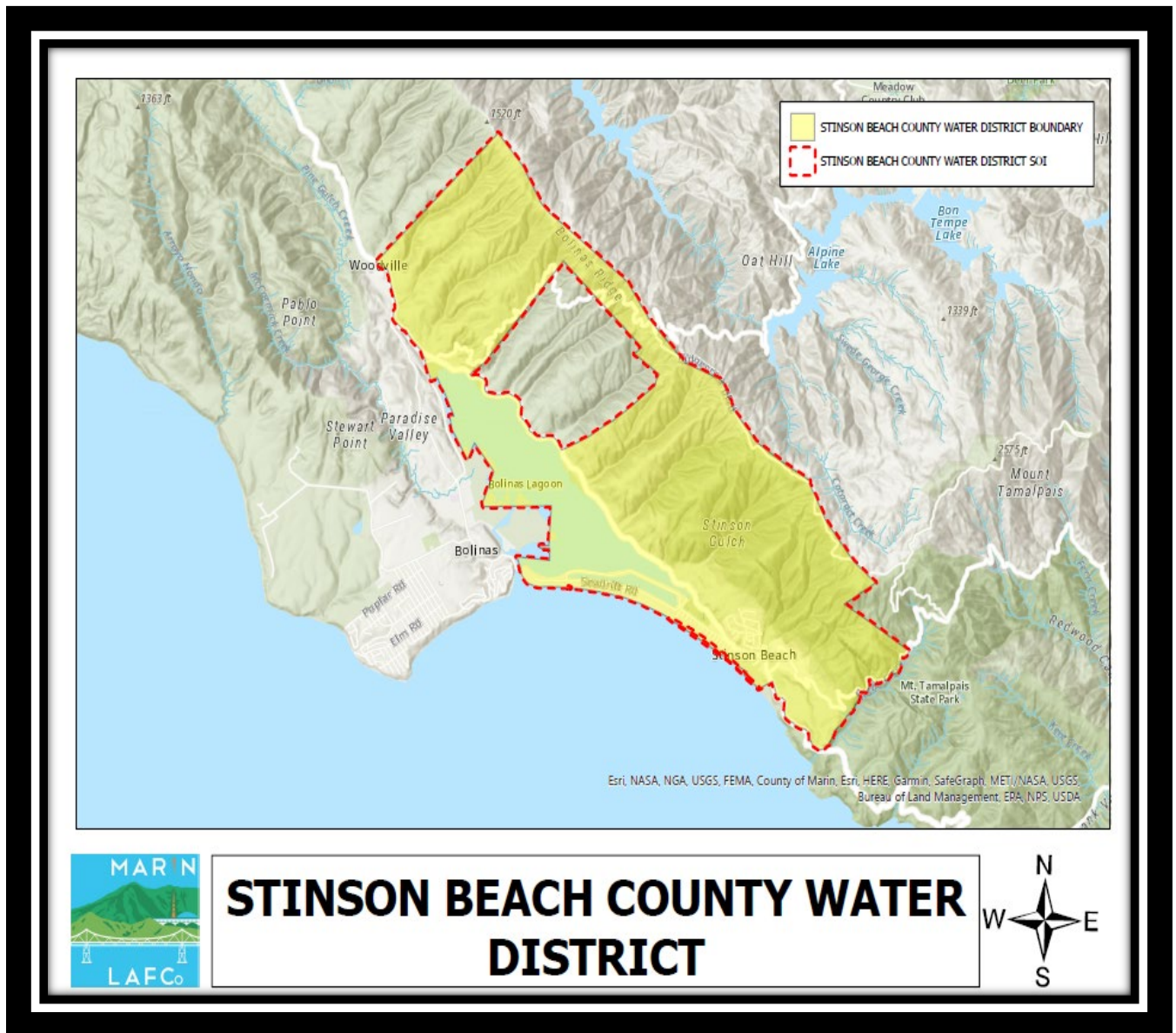
### **7.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE**

Stinson Beach County Water District's service boundary currently encompasses just over 9.3 square miles and covers 5,975 acres of unincorporated Marin County. Approximately one-fourth of that acreage (1,445) is underwater within the Bolinas Lagoon. A majority (approximately four-fifths) of the land within the jurisdictional boundary is made up of the undeveloped public lands of the Golden Gate National Recreation Area and Mount Tamalpais State Park. The jurisdictional boundary has remained entirely unchanged with no recorded boundary changes since LAFCOs were created in 1963.

The District's sphere of influence was established by Marin LAFCo in December of 1984. Both the sphere of influence and the jurisdictional boundary purposely exclude the noticeable land area within the middle of the boundary that is owned by the Audubon Society. This area is approximately 1,440 acres. The sphere of influence was most recently updated in 2007 and remains coterminous with its jurisdictional boundary.



Figure 7-1: Stinson Beach County Water District Jurisdictional Boundary and Sphere of Influence



## 7.4 GROWTH AND POPULATION

The Stinson Beach County Water District encompasses the developed community of Stinson Beach. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 541, which is approximately a 14% decrease from the 2010 population number 632<sup>12</sup>. The most recent census data shows the CDP to have 751 total housing units, with only 290 of those units occupied. With the Stinson Beach area having numerous weekend and seasonal residents, it is difficult to ascertain the actual full-time population. California Code of Regulations Section 64412 identifies three methods to calculate the number of persons served by a public water

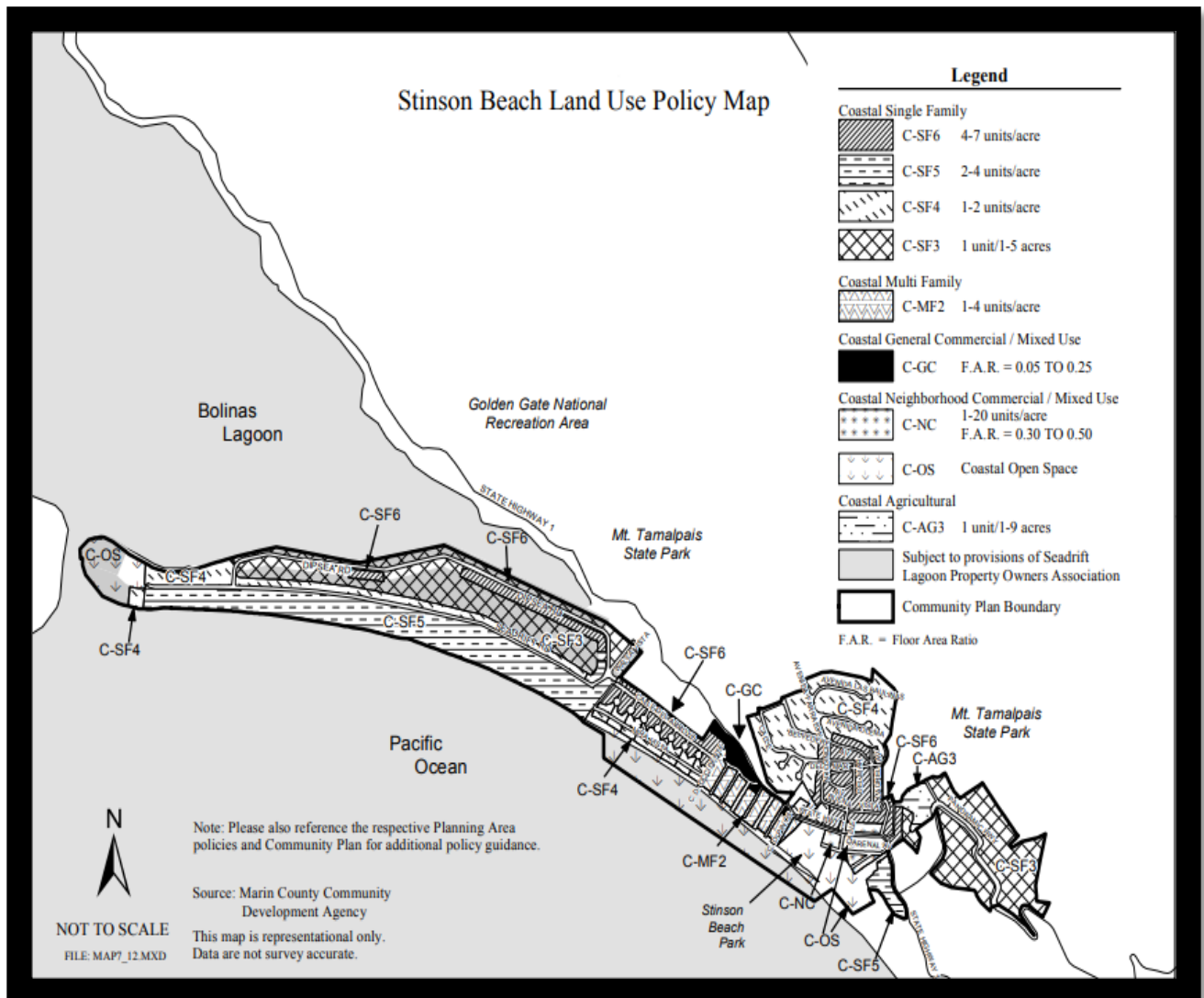
<sup>12</sup> [2020 US Census Redistricting Data](#)



system: census data, service connections multiplied by 3.3, or living units multiplied by 2.8. With recent census data giving a housing unit total of 751, it can be calculated that the number of individuals served by SBCWD is approximately 2,102.

According to the Stinson Beach Community Plan, Stinson Beach has limited opportunity for future expansion since federal and state lands (Golden Gate National Recreation Area and Mount Tamalpais State Park) and the Pacific Ocean surround the community. As such, all future residential and commercial development will occur within the existing developed area. Stinson Beach is already extensively developed and there remain few infill opportunities for growth. A map with the current zoning for the area is shown below in Figure 7-2.

Figure 7-2: Stinson Beach Land Use Policy Map



## 7.5 MUNICIPAL SERVICES

### Potable Water

The Stinson Beach County Water District provides retail potable water services through its own supply, treatment, storage, and distribution facilities. The distribution system spans approximately 10 miles with the original service lines of the system having been laid as far back as 1904. The District's water supplies are locally sourced from both surface water and groundwater lying within approximately 4 square miles of the Pine Gulch Watershed in the southern portion of the District. The multiple sources within this area combine to provide SBCWD with an estimated maximum available annual yield of 1,262 acre-feet based on the current capacities of flow and pumping infrastructure.

Historically, surface water has accounted for a slight majority of all annual potable water supplies that are utilized by the District, though annual averages fluctuate depending upon precipitation yield. This supply is generated by way of four area creeks: Blackrock Creek, Fitzhenry Creek, Stinson Gulch Creek, and Webb Creek. SBCWD diverts water from each of the surface sources through pre-1914 appropriative rights with the State Water Resources Control Board. Any appropriative water right<sup>13</sup> that was acquired before 1914 is called a pre-1914 appropriative water right and allows the holder of that right to forgo the necessitation of a water right permit unless the use of water from that source has increased since 1914. Stinson Gulch Creek serves as the main surface source and typically accounts for approximately 40% of all annual surface water diversions by the District. The diversion point to Stinson Gulch Creek is located at a higher elevation in relation to the remainder of the water system and directs water by gravity to SBCWD's treatment facilities. The Diversion points at Black Rock Creek and Fitzhenry Creek are also located at higher elevations and provide gravity delivery to the treatment facilities and typically make up the remaining majority of the District's annual surface water supplies. Obtaining water from Webb Creek requires the use of a pump station to transport water from the source to the treatment facility and it is therefore used on a fairly infrequent basis. The estimated total annual maximum yield for these four surface sources is 1,072 acre-feet.

Groundwater accounts for the remaining potable water supply for SBCWD and is obtained by the pumping of four different wells within the District's jurisdictional boundary. These wells do not require permits from the State Water Resources Control Board as they are pumped from local aquifers. The primary well for the District's groundwater production is the Alder Grove Well. The well is approximately 80 feet deep and resides towards the southern end of the Stinson Gulch Creek. The Ranch Well, sitting just to the north of the Alder Grove Well, and the Highland Well, situated to the east of the Alder Grove Well, are each slightly less productive than Alder Grove albeit still regularly used. The Ranch Well was drilled in 1981 and has a depth of approximately 104 feet while the Highlands Well, also drilled in 1981, has a depth of

---

<sup>13</sup> An appropriative water right is water taken for use on non-riparian land or water that would not be there under natural conditions on riparian land. Water right permits and licenses issued by the State Water Board are appropriative rights.

approximately 265 feet. The remaining Steep Ravine Well was drilled in 2010 and has an approximate depth of 310 feet. This source is used only as an emergency source. The pumping capacity of each well is as follows: Alder Grove – 70 gallons per minute; Ranch – 23 gallons per minute; Highlands – 20 gallons per minute; Steep Ravine – 5 gallons per minute. The maximum annual yield for these four wells, if they were to pump continuously, would be 190.5 acre-feet. The District's annual average potable water yield from both surface water and groundwater combined is approximately 136 acre-feet.

The water that is produced and collected by SBCWD at seven of its eight surface water and groundwater sources receives treatment at the Laurel Treatment Facility. The Laurel Treatment Facility, also referred to as the Laurel Plant, processes the raw water from Stinson Gulch Creek, Black Rock Creek, Fitzhenry Creek, Webb Creek, Ranch Well, Highlands Well, and Steep Ravine Well. The Laurel Plant was constructed in 2012 and provides membrane filtration treatment to coagulate and separate solids with the assistance of two chemical agents: aluminum sulfate and polymer. A third chemical agent of sodium hypochlorite (chlorine) is added to the filtered water before settling into a 320,000-gallon clearwell tank. The daily treatment capacity of the Laurel Plant is approximately 200 gallons per minute with a maximum total of 288,000 gallons or .88 acre-feet of treated water production.

The groundwater taken from the Alder Grove Well is treated through an onsite flash contact tank chamber injected with chlorine. Treatment capacity for the Alder Grove Well is directly tied to the well pump and is currently tested to provide a maximum yield of 70 gallons per minute with a daily maximum total of 101,000 gallons or .31 acre-feet.

The distribution system for SBCWD contains roughly ten miles worth of mains and overlays five connected pressure zones. The main pressure zone provides water to the downtown area of Stinson Beach as well as the surrounding areas in the Calles and Seadrift. This pressure zone relies on gravity recharge from the Alder Grove Well as well as the Laurel Clearwell Tank. The other four pressure zones all reside at higher elevations and require pumping from the Laurel Clearwell Tank's pump station. From this pump station, water enters three separate Highlands pressure zones (Highlands One, Highlands Two, and Highlands Three) and is stored in one of two 320,000 gallon storage tanks that combine to hold approximately 1.96 acre-feet. A separate pump station in the Highlands is used to push water to the fifth and final pressure zone, Steep Ravine. This pressure zone serves the upper Panoramic Highway area and relies on a single storage tank with a 225,000-gallon capacity. There are a total of 734 active potable water service connections within the District with 28 of those connections being non-residential. None of the current connections reside outside of the District's jurisdictional boundary.

Stinson Beach County Water District collects fees for its water service by way of two separate monthly charges: service charge and usage charge. The usage charge is set by a Board of Director's ordinance and is intended to provide full cost-recovery for the daily operation of the water system. The service charge was last updated by the Board in 2010 and is constructed in a tiered manner with rates to escalate based upon consumption. The service charge is based on meter size with the majority of the District's users having a 3/4" meter that carries a monthly

charge of \$38.55. SBCWD also collects a water connection fee for new customers. The connection fee for a single-family home is \$17,500.

### **Onsite Wastewater Management**

At its inception, onsite wastewater management was the only service provided by the Stinson Beach County Water District. The need for this service was the driving force behind the creation of the District and would remain as the only service provided for the first twelve years. Between 1975 and 1977, the private consulting firm of Eutek Engineering performed a study that indicated that on-site management for wastewater was the best option for the area moving forward and the study offered the District a road map developing procedures and regulations to help move forward. In 1978 the District adopted its set of rules and regulations governing onsite wastewater management within the jurisdictional boundary, and the San Francisco Regional Water Quality Control Board passed Resolution 78-01 to allow for continued use of systems in the area under the management of SBCWD. In 1988 the District was given the authority for permitting new systems which was previously solely the power of the County of Marin, and in 1994 the District's Board of Directors updated the Wastewater Code after sixteen years of use. The code eliminated the older relaxed repair standards, standardized design specifications for sand filters, and required the installation of a system that meets the current code if there is new construction on a property.

Today, the District is viewed as one of the key models for success, having been included as an example in "Model for Success In On-Site Wastewater Management" published in the Journal of Environmental Health. The District's Onsite Wastewater Management Program was also described as "...successful in demonstrating the technical and financial viability of onsite systems serving the wastewater needs of an existing community" by an expert in the field, William Whipple Junior. The District offers its residents renewable 2-year permits for onsite systems that are subject to routine inspection. The District requires that homeowners file information on all contractors used to perform service and homeowners are required to apply for necessary permits regarding their systems during the construction and maintenance processes. The District also maintains the right of entry to the property if owners do not cooperate.

### **Solid Waste Removal**

SBCWD provides the residents within its jurisdictional boundary with solid waste (garbage) management by way of a contract with the waste removal company Recology. The contract for service was initially agreed to in April of 1990 with Shoreline Disposal Inc. In 2017, Shoreline Disposal Inc. was purchased by Recology, and by approval of the Board of Directors for SBCWD, the contract was assigned to the purchasing entity. The most recent update to the contract was May of 2021. Recology charges the District's residents fees for services that are agreed upon by the SBCWD Board of Directors. SBCWD receives trash collection service from Recology free of charge to seven District-owned locations.

## 7.6 ORGANIZATION STRUCTURE

### Board of Directors

The Stinson Beach County Water District has a five-member board that is elected to four-year terms through an at-large election. All directors are required to live within the District’s jurisdictional boundary. The Board of Directors maintains current certificates for the AB 1234 Ethics Training Compliance that can be viewed on the District’s website. The Board of Directors meets regularly on the 3<sup>rd</sup> Saturday of each month at 9:30 a.m. at the Stinson Beach County Water District Administrative Office located at 3785 Shoreline Highway in Stinson Beach.

Table 7-2: Stinson Beach County Water District Board of Directors

Member	Position	Term Expiration
Barbara Boucke	Director	November 2024
Lawrence Baskin	Director	November 2024
Sandra Cross	President	November 2024
Morey Nelsen	Vice-President	November 2022
Jim Zell	Director	November 2022

### Administration

The Board of Directors of SBCWD appoints a General Manager who serves on an at-will basis to oversee all District activities. The General Manager oversees seven employees that include a supervisor dedicated to overseeing the water system, one water plant operator, one wastewater inspector, two utility operators, and two office employees.

## 7.7 ACCOUNTABILITY AND TRANSPARENCY

The Stinson Beach County Water District makes a concerted effort to maintain high accountability and transparency with all its activities. The SBCWD website ([www.stinson-beach-cwd.dst.ca.us](http://www.stinson-beach-cwd.dst.ca.us)) provides information on Board meetings, financial reports, services, history, water conservation, disaster preparedness, and more. At this time the District is meeting all of the requirements by the State of California for a public agency website.

### Meeting and Agendas

The SBCWD Board of Directors meets regularly on the 3<sup>rd</sup> Saturday of each month at 9:30 a.m. at the Stinson Beach County Water District Administrative Office located at 3785 Shoreline Highway in Stinson Beach. 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 SBCWD website ([www.stinson-beach-cwd.dst.ca.us/bmm.html](http://www.stinson-beach-cwd.dst.ca.us/bmm.html)).

### Annual Budget Review

The District’s budget, adopted no later than the June 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 Office Assistant produces monthly reports on expense activity that assist

the General Manager in monitoring activities and programs. These reports are presented to the Board every month to assure budgetary compliance.

## 7.8 FINANCIAL OVERVIEW

Revenue sources for SBCWD are split between two main sources. The first, charges for service, makes up approximately 40% of the District’s annual revenue and is derived from the sale of water and wastewater permitting and monitoring fees. The remaining 60% is composed primarily of ad valorem property tax and supplemented by Educational Revenue Augmentation Fund (ERAF) tax monies as well as investment and interest accrual. While the revenues for charges for services have seen slight declines over the past three fiscal years due to diminished water usage and minimal new water connection fees, total revenue has not declined due to the rising property values within the District’s boundary. The projected revenue for the District for fiscal year 2021-22 is \$2,484,644. The average year-end revenues for the SBCWD over the past 5 audited years (FY 2015-16 to FY 2019-20) has been \$2,398,301.

The primary annual expense for the District comes in the form of staff salary and benefits (approximately 55%). The total projected expenses for the District for FY 2021-22 totaled \$2,119,135. The average year-end revenues for the SBCWD over the past 5 audited years has been \$2,060,946. A breakdown of the past 5 audited years of revenues and expenses can be seen below in Table 7-3.

**Table 7-3: Stinson Beach County Water District Financial Audit Summary**

Revenue	FY 2019 20	FY 2018 19	FY 2017 18	FY 2016 17	FY 2015 16	Averages
<b>Charges for Services</b>	\$994,713	\$1,077,626	\$1,177,483	\$1,102,351	\$1,023,447	\$1,075,124
<b>Investment and Interest</b>	\$186,099	\$18,907	\$56,725	\$42,822	\$41,052	\$69,121
<b>Property Taxes</b>	\$1,302,096	\$1,158,309	\$1,093,170	\$1,012,187	\$912,371	\$1,095,626
<b>Grant Revenues</b>	\$0	\$0	\$59,528	\$397,611	\$485,313	\$188,490
<b>Total Revenues</b>	\$2,482,908	\$2,254,842	\$2,386,906	\$2,554,981	\$2,462,183	\$2,428,364

Expenses	FY 2019 20	FY 2018 19	FY 2017 18	FY 2016 17	FY 2015 16	Averages
<b>Salaries and Benefits</b>	\$1,490,830	\$1,160,754	\$1,145,826	\$1,085,822	\$1,129,364	\$1,202,519
<b>Board Officer Costs</b>	\$14,000	\$13,200	\$13,950	\$13,900	\$17,813	\$14,572
<b>Professional Services</b>	\$264,377	\$261,747	\$301,277	\$241,013	\$196,243	\$252,931
<b>Other Operating Expenses</b>	\$284,893	\$294,432	\$290,903	\$222,778	\$176,626	\$253,926
<b>Depreciation</b>	\$337,962	\$312,743	\$262,966	\$263,038	\$240,845	\$283,510

<b>Interest on Long-Term Debt</b>	\$43,125	\$49,387	\$56,452	\$63,155	\$69,457	\$56,315
<b>Loss on Disposal of Assets</b>	\$0	\$0	\$1,906	\$0	(\$3,051)	(\$572)
<b>Pension Expense</b>	(\$112,522)	(\$17,025)	\$161,477	(\$288,839)	\$225,626	(\$6,256)
<b>Other Expenses</b>	\$14,333	\$0	\$1,837	\$2,111	\$0	\$3,656
<b>Total Expenses</b>	\$2,336,998	\$2,075,238	\$2,236,594	\$1,602,978	\$2,052,923	\$2,060,946

## Debt

As of June 30, 2020, SBCWD was carrying two main sources of long-term debt. In 2013, the District authorized the issuance of Water Revenue Refunding Bonds in the principal amount of \$1,997,614 for the purpose of construction financing for water system improvements. The bond bears interest at 3.47% and is payable in semi-annual payments each April 1<sup>st</sup> and October 1<sup>st</sup> through October 1, 2032. As of June 30, 2020, the balance remaining on the bonds was \$1,196,502 and all required payments had been made within that fiscal year.

The second source of long-term debt for the District comes in the form of a pension plan for employees that 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, 2019, the SBCWD Net Pension Liability was \$1,573,260. The SBCWD pension-funded ratio is approximately 69%. In addition to the pension plan, the SBCWD provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2019, the District carried a Net OPEB Liability total of \$118,380. The District currently has 10 employees, both active and inactive, in their OPEB plan.

## Financial Audit

The Stinson Beach County Water District annually has its financial statements audited and contracts with an outside accounting firm, Cropper Accountancy Corporation. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2020.



## 7.9 SUSTAINABILITY

Local agencies such as the Stinson Beach County Water District play a critical role in protecting natural resources and the environment. Extended periods of drought and increasingly unpredictable climate patterns have significantly increased the importance for local agencies to step up their own conservation and long-term planning measures as well as making a concerted effort towards higher levels of public outreach.

SBCWD offers the users in its boundary a “Master List of Water Saving Ideas” on its website in order to help educate residents on ways that they can take charge in the effort to minimize water waste. The District also offers a software application called “Eye on Water” that allows users the opportunity to view a detailed water usage history to better understand their peak usage times. It also allows users to set up alerts to help detect leaks and attend to them in a timely manner. The District is continuously making capital improvement efforts in order to curtail any waste of its own by way of worn-out infrastructure. Over the past decade, the District has replaced thousands of feet of piping throughout its boundary, with a significant amount of this occurring in 2014 within the Calles and Patio area of Stinson Beach.

The District also plays a critical role in protecting the environment of Stinson Beach through its Onsite Wastewater Management Program to ensure a high level of water contamination prevention and the mitigation of leaks within the sensitive coastal habitat. The program includes regular review of proposed systems, inspection and monitoring of existing systems, enforcement of District criteria for wastewater performance, surface and groundwater quality, and public education on the proper use of onsite wastewater systems.



---

## 8.0 BOLINAS FIRE PROTECTION DISTRICT

---

### 8.1 OVERVIEW

The Bolinas Fire Protection District (BFPD) was established in February of 1958 as an independent special district. The BFPD boundary surrounds just over 9.3 square miles of the area including and surrounding the census-designated place of Bolinas along Marin County’s Pacific Coast. The district serves a population of approximately 1,483 persons<sup>14</sup>. The last Municipal Service Review that included the BFPD was conducted in August of 2007 as part of the Bolinas Area Service Review and Sphere of Influence Update.

The primary function of BFPD is to provide fire protection, emergency medical response, disaster planning and response, fire prevention, and fire prevention education services to the unincorporated town of Bolinas and the surrounding area. The District also provides first responder services to the Point Reyes National Seashore and the Golden Gate National Recreation Area. The jurisdictional boundary of the District reaches to the top of the Bolinas Ridge to the north down to Duxbury Point at its southern tip. Part of the BFPD’s eastern border is contiguous with the border of the Stinson Beach Fire Protection District’s boundary. The BFPD participates in the Marin County and California Mutual Aid System with nearby fire districts and responds to wildland fires as needed. The District is also a member agency of the Marin Wildfire Prevention Authority (MWPA). MWPA aids local fire agencies throughout Marin County with funding for fuel removal projects, defensible space evaluations, and other helpful resources. BFPD is allocated .61% of MWPA’s total annual funding.

**Table 8-1: Bolinas Fire Protection District Overview**

Bolinas Fire Protection District			
<b>Primary Contact:</b>	Chief George Krakauer	Phone:	(415)-868-1566
<b>Headquarters:</b>	100 Mesa Road, Bolinas, CA 94924		
<b>Formation Date:</b>	March 7, 1958		
<b>Services Provided:</b>	Fire Protection and Emergency Response		
<b>Service Area:</b>	6,009 acres	Population Served:	1,483

### 8.2 FORMATION AND DEVELOPMENT

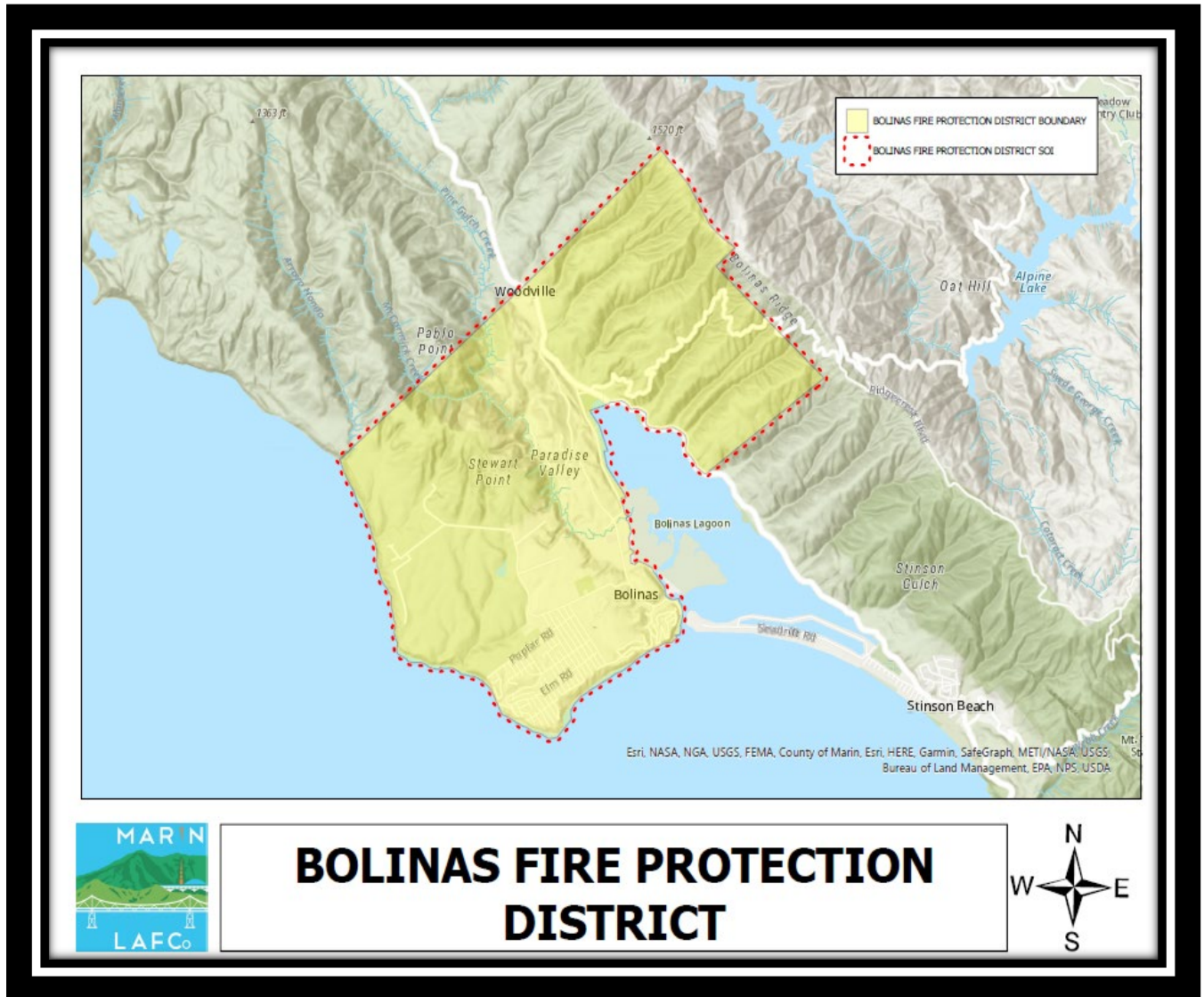
The Bolinas Fire Protection District was established as an independent Special District whose legal authority and responsibilities are contained in the State of California Health and Safety Code Sections 13800-13970. The Bolinas Volunteer Fire Department began providing fire protection services to the community years before the official formation of the District, but on February 14<sup>th</sup>, 1958, the Bolinas Fire Protection District was formally organized. The District’s firehouse was originally built on Mesa Road in 1970. In 1998, engineers determined that the building did not meet state building codes and would not withstand an earthquake larger than 6.5. In 2003, a tax measure (Measure F) was passed by the voters agreeing to a new parcel tax in

---

<sup>14</sup> [2020 US Census Redistricting Data](#)

order to fund the construction of a new firehouse. In February of 2006, the old firehouse was demolished and in July of 2007, the new firehouse was opened on the same site.

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



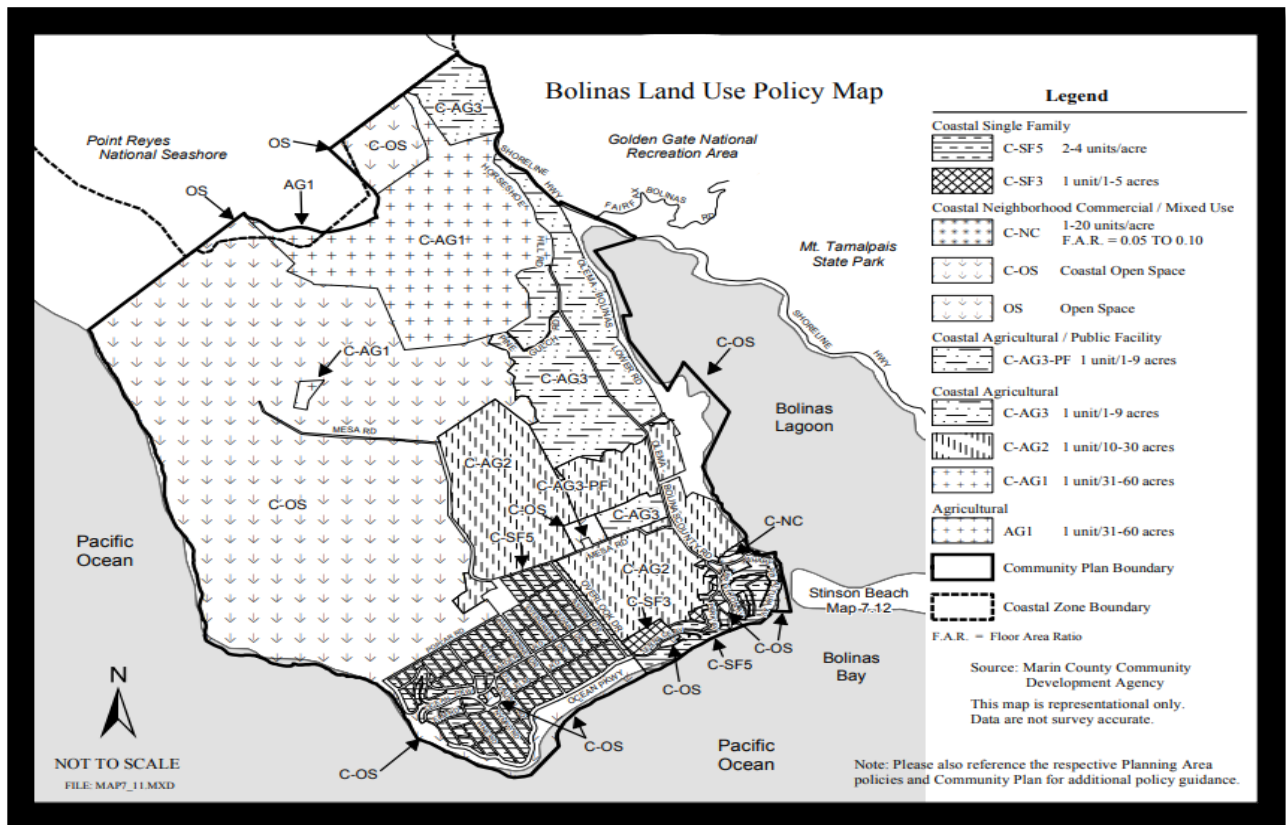
### 8.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Bolinas Fire Protection District's service boundary, which currently encompasses just under 9.4 square miles, includes all of the residential areas of the census-designated place of Bolinas and stretches to the north up to the top of the Bolinas Ridge. The boundary encompasses agricultural lands, privately owned parklands like the Audubon Canyon Ranch, and publicly owned parklands like parts of the Golden Gate National Recreation Area and the Point Reyes National Seashore. There are a total of 1,207 parcels within the District's boundary and 887 total living units. The BFPD's southeastern boundary is contiguous with the Stinson Beach Fire Protection District's northern boundary. The District's sphere of influence is coterminous with its jurisdictional boundary. The sphere of influence was last updated in August of 2007.

## 8.4 GROWTH AND POPULATION

The Bolinas Fire Protection District encompasses the census-designated place (CDP) of Bolinas. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 1,483, which is approximately an 8% decrease from the 2010 population number 1,620<sup>15</sup>. The most recent census data shows the CDP to have 887 total housing units, with 660 of those units occupied. The theoretical buildout for the planning area is 975 units. The estimated maximum population projection (2030) based on the County Wide Plan is 2,362, which would be over an 85% increase. This projection, however, does not account for the constraints on water and sewer capacity within the CDP that are currently in place. While the planning area has approximately 110 parcels remaining that are currently zoned to allow for new construction, the community's water district, Bolinas Community Public Utility District, has had a moratorium in place on new connections to the municipal water supply since 1971. This moratorium poses a significant hurdle for any new development. A land-use map for the planning area can be seen below in Figure 8-2.

Figure 8-2: Bolinas Fire Protection District Land Use Policy Map



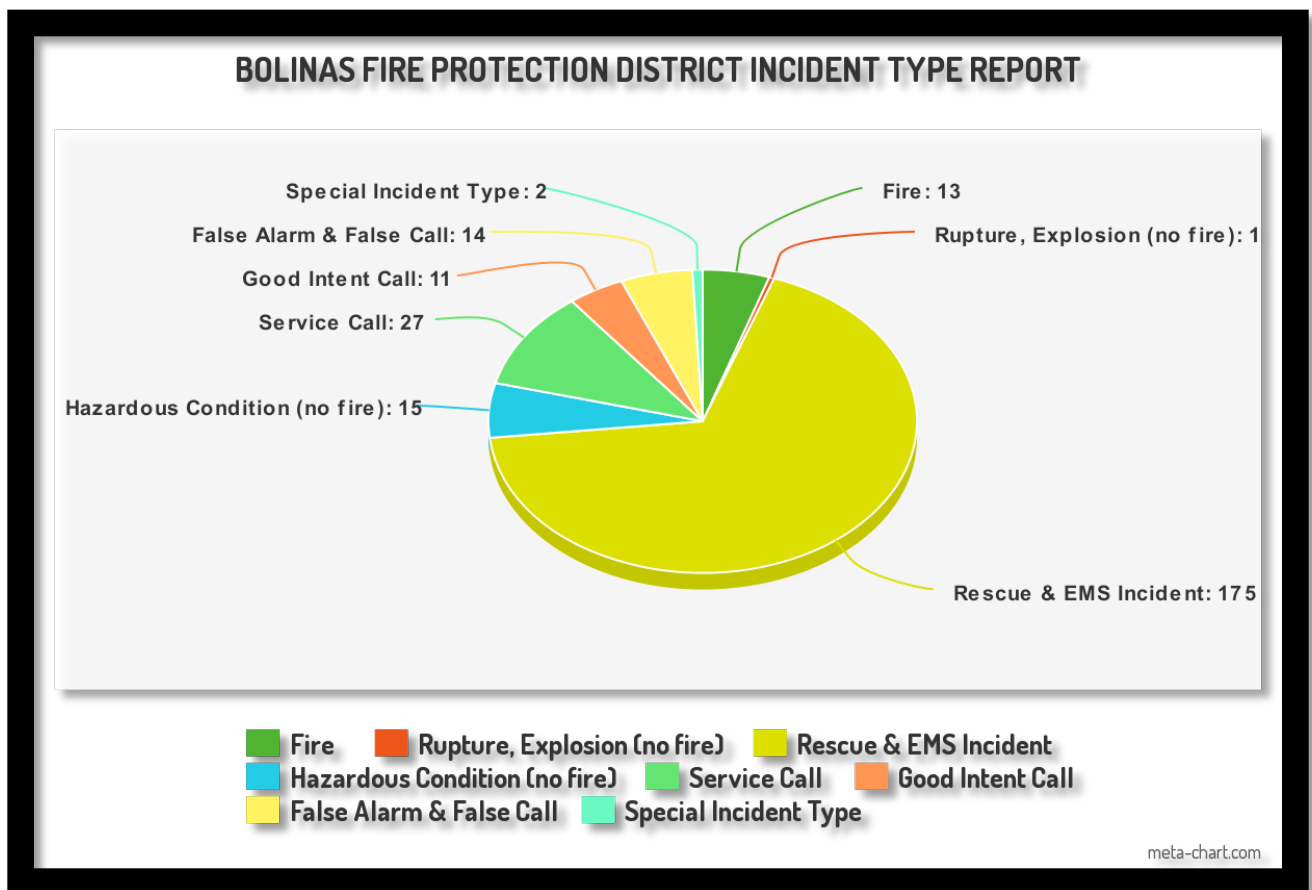
<sup>15</sup> [2020 US Census Redistricting Data](#)

## 8.5 MUNICIPAL SERVICES

### Fire Protection and Emergency Response

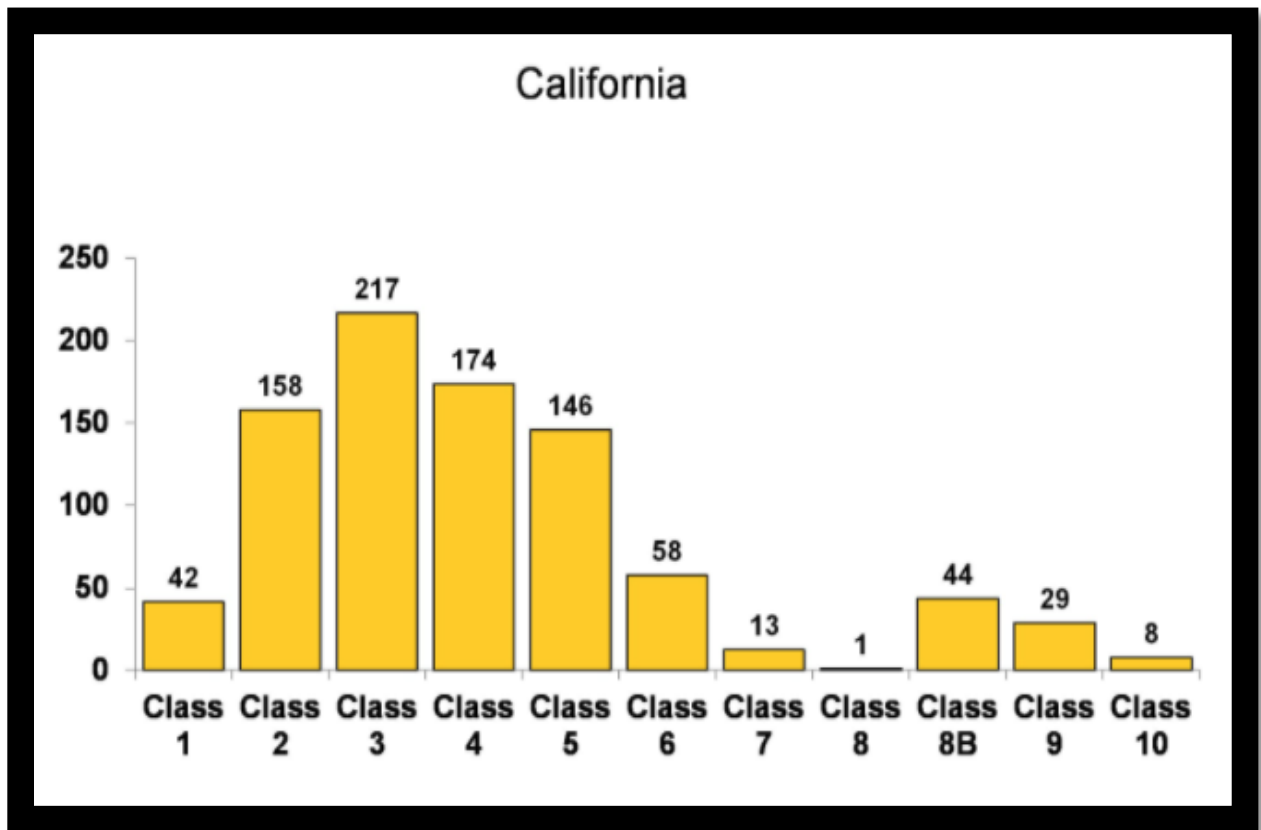
The Bolinas Fire Protection District provides fire protection, emergency medical aid, disaster management/preparedness. Incident call types fire, overpressure rupture/explosion/overheat, rescue and emergency medical service incident, hazardous conditions, service call, good intent call, and special incident type. The BFPD receives an average of 248 calls per year (2010-2020) with the majority being for Rescue/Emergency Medical. During the calendar year of 2020, the BFPD responded to 258 incidents. Of these, 68 percent were for emergency medical services and 5 percent were for fires. Figure 8-3 below shows a complete breakdown of the calls for service received in 2020 for BFPD. The District has one station with 4.0 full-time equivalent (FTE) paid employees, as well as 21 volunteer firefighters. A majority of the firefighters are also Emergency Medical Technician (EMT) certified. 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 an Assistant Chief, three Duty Officers, and an Administrative Manager.

Figure 8-3: Bolinas Fire Protection District Incident Type Report



Effective January 1, 2022, from a report that was created in September of 2021, Bolinas Fire Protection District was given a Class 3/3x Public Protection Classification (PPC) rating by the Insurance Services Office (ISO), an organization that independently evaluates municipal fire-protection efforts throughout the United States. Ratings range on a scale of 1 to 10. Class 1 generally represents superior property fire protection, and class 10 indicates that the area’s fire suppression program does not meet ISO’s minimum criteria.<sup>16</sup> While many communities receive a single number classification, many smaller and more rural communities receive a split classification to reflect the risk of loss more precisely. In the case of a split classification, the first number refers to the classification of properties within 5 road miles of a fire station and within 1,000 feet of a creditable water supply. The second number, with either the X or Y designation, applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply (i.e. fire hydrant). ISO generally assigns Class 10 to properties beyond 5 road miles. The majority of insurance agencies throughout the country use the PPC classification for underwriting and calculating premiums on residential, commercial, and industrial properties. BFPD’s rating of 3/3x puts the district in the top 14% of fire protection agencies in the country. Figures 8-4 and 8-5 below show the breakdown of PPC rating data throughout both the United States and California.

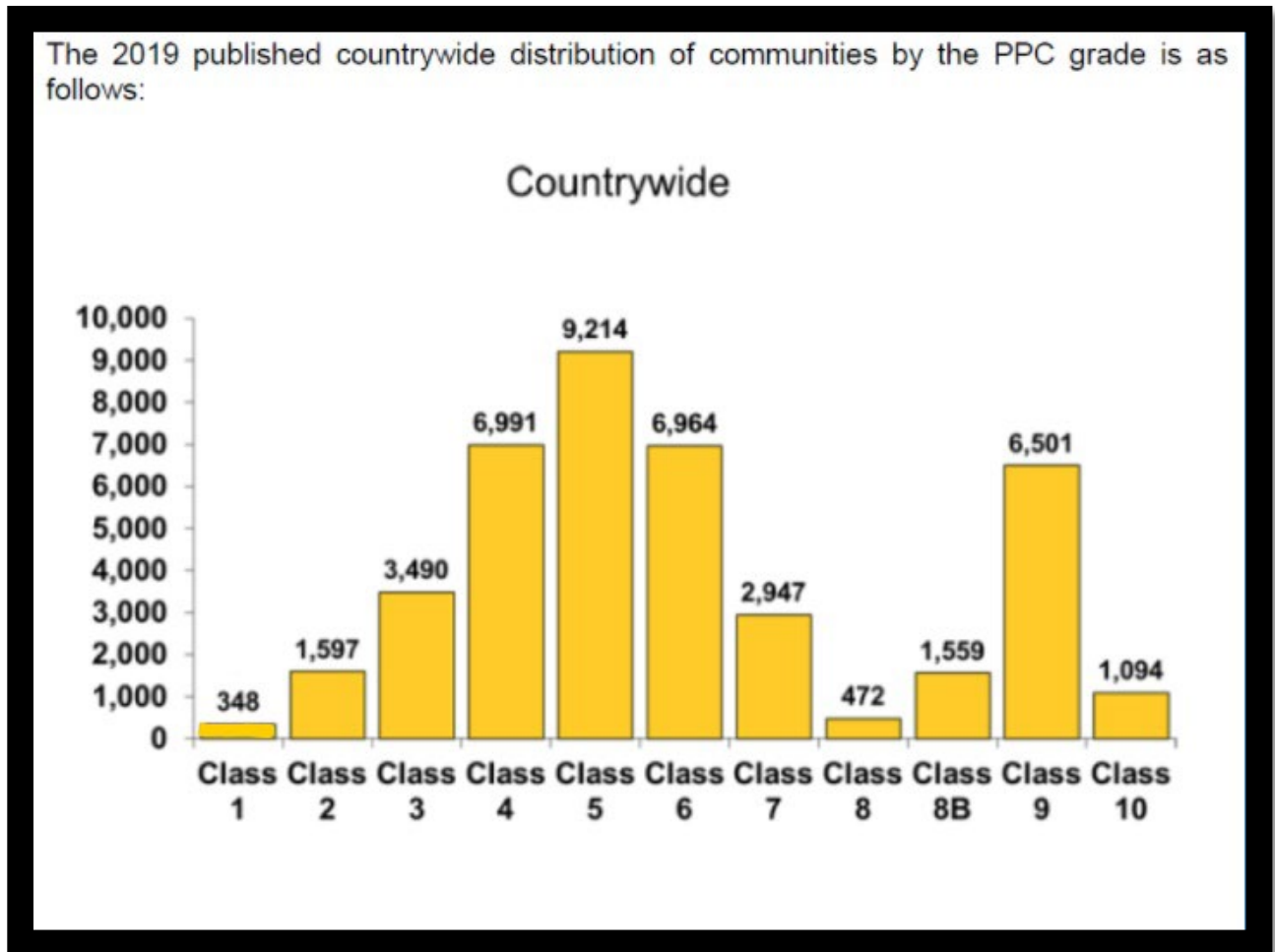
Figure 8-4: PPC Rating Distribution by Class Throughout California



<sup>16</sup> [How the PPC Program Works](#)



Figure 8-5: PPC Rating Distribution by Class Throughout the United States



### Facilities and Apparatuses

The Bolinas Fire Protection District owns, operates, and maintains one fire station which is concurrently used as its administrative building. The station is located at 100 Mesa Road in Bolinas. The BFPD also has a variety of apparatus that serves the community ranging from support vehicles to fire engines. The District maintains a Vehicle Replacement Reserve fund that receives annual allocations based on revenue and expenditure projections. The fund currently sits at approximately \$100,000 in the event that one of their current vehicles requires replacement. The District's apparatus are as follows:

- 2010 Spartan Type 1 Engine
- 1997 Ford Type 1 Engine
- 1999 International Type 3 Engine
- 2012 Ford Utility Vehicle
- 2002 Chevrolet Command Vehicle
- 2002 Chevrolet Flatbed Pickup

## 8.6 ORGANIZATION STRUCTURE

### Board of Directors

The Bolinas Fire Protection District has a five-member board that is elected to four-year terms through an at-large election. All directors are required to live within the District’s jurisdictional boundary. Elections for board seats take place in November of each even-numbered year. The Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 7:00 p.m. at the Bolinas Fire Protection District Headquarters located at 100 Mesa Road in Bolinas.

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

Member	Position	Date of Next Seat Election
Claire Molesworth	President	November 2022
David Kimball	Vice President	November 2024
Nancy Torrey	Director	November 2022
Chris Martinelli	Director	November 2024
Simon Dunne	Director	November 2024

## 8.7 ACCOUNTABILITY AND TRANSPARENCY

The Bolinas Fire Protection District makes a concerted effort to maintain high accountability and transparency with all its activities and currently either meets or exceeds all California State mandates on agency transparency. The BFPD website ([www.bolinasfire.org](http://www.bolinasfire.org)) provides information on defensible space, board meetings, financial reports, stations, history, response statistics, disaster preparedness, and more.

### Meeting and Agendas

The BFPD Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 7:00 p.m. at the Bolinas Fire Protection District Headquarters at 100 Mesa Road in Bolinas. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the BFPD website ([www.bolinasfire.org/board-meetings-1](http://www.bolinasfire.org/board-meetings-1)).

### Annual Budget Review

The District’s budget, adopted no later than the June 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 Administrative Manager produces monthly reports on expense activity that assist the Chief in monitoring activities and programs. These reports are presented to the Board every month to assure budgetary compliance.

## 8.8 FINANCIAL OVERVIEW

The majority of the annual operating revenue brought in by the Bolinas Fire Protection District is collected in property taxes within the District’s boundaries. Ad valorem property tax accounts for approximately 60% of annual revenue. In November of 2005, the BFPD Board of Directors officially adopted a balanced budget policy requiring the District’s budgeted expenses not to

exceed budgeted revenues in any given fiscal year.<sup>17</sup> Over the past decade, the District has upheld this policy and consistently shown revenues outpacing expenses.

## Revenue

Revenue sources for the BFPD come primarily from a portion of the 1% property tax on residents within its district boundaries. Of the 1% property tax, the BFPD receives an average of 12% which is projected to amount to \$554,000 for FY 2021-22. The other major sources of revenue for the District include rental income (14%), Measure F parcel tax (9%), transient occupancy tax (7%), a voter-approved tax assessment for paramedic services (6%), as well as an annual disbursement from the Marin Wildfire Prevention Authority by way of the voter-approved Measure C parcel tax (4%). For FY 2019-20 (the most recent audited financials available) the District saw a revenue increase of \$152,562 (17.15%) primarily due to an increase in property tax revenue of \$35,386 and the West Marin Transient Occupancy Tax Sharing (Measure W) of \$100,224. Total revenue for the District for FY 2021-22 is projected to be \$1,055,616. A breakdown of the most recent 5-year span currently available of audited actuals for expenditures and revenues for the district is available below in Table 8-3.

**Table 8-3: Bolinas Fire Protection District Budget Analysis**

Fiscal Year	Revenues	Expenditures	Net
<b>FY 2015-16</b>	\$691,905	\$589,394	\$102,511
<b>FY 2016-17</b>	\$746,631	\$578,955	\$167,676
<b>FY 2017-18</b>	\$809,458	\$592,710	\$216,748
<b>FY 2018-19</b>	\$883,457	\$656,542	\$226,915
<b>FY 2019-20</b>	\$1,052,268	\$707,792	\$344,476

## Debt

As of June 30, 2020, the Bolinas Fire Protection District had approximately \$1,518,057 in long-term debt. In 2003, the District entered into a “lease, lease-back” agreement in order to procure bonds in the amount of \$2,260,000 were issued in order to finance the acquisition and construction of a new District Headquarters. The bonds were (and continue to be) paid by the voter-approved parcel tax (Measure F). On December 15, 2016, the District refinanced the bonds in the principal amount of \$1,555,000. The refinancing reduced the principal and interest payments from the original rates of 4.0% - 5.1% to the updated rates of 3.5% - 4.5%. The bonds are scheduled to be repaid in August of 2045. In June of 2008, the District was issued Clean Renewable Energy Bonds (Solar Bonds) in the amount of \$189,000 in order to finance the purchase and installation of solar panels to provide electricity to the District Headquarters. The panels were installed in 2009. These bonds are scheduled to be fully repaid in 2023, and there is no interest due on these bonds.

The BFPD 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,

<sup>17</sup> [BFPD Balanced Budget Policy](#)



2020, the BFPD Net Pension Liability was \$222,536. The BFPD pension funded ratio is 81% which is above average for fire districts.

## Financial Audit

The Bolinas Fire Protection District has its financial statements audited on an annual basis. The District contracts with an outside accounting firm, most recently Nigro & Nigro, to conduct the audit. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2020.

**Table 8-4: Bolinas Fire Protection District Financial Audit Summary**

Revenues	FY 2019 2020 Audit
Property Taxes	\$572,894
Special Tax – Paramedic Services	\$64,502
Parcel Tax	\$99,024
Solar Recovery Revenue	\$11,072
Other Revenue and Reimbursements	\$5,940
Transient Occupancy Tax	\$100,224
Rental Revenue	\$139,798
Investment Earnings	\$50,769
<b>Total Revenues</b>	<b>\$1,052,268</b>

Expenditures	FY 2019 2020 Audit
Salaries and Wages	\$267,862
Employee Benefits	\$92,710
Materials and Services	\$231,458
Capital Outlay	\$8,839
Debt Service: Principal Payments	\$46,812
Debt Service: Interest Payments	\$60,111
<b>Total Expenditures</b>	<b>\$707,792</b>
<b>Excess of Revenues Over Expenditures</b>	<b>\$344,476</b>

## 8.9 WILDLAND FIRE PREPAREDNESS

Local fire protection agencies like the Bolinas 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 BFPD participated in the Marin Community Wildfire Protection Plan that was released in 2020. 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. The plan identified BFPD as having the 4<sup>th</sup> highest amount of total burnable acres, 5,947, of any fire agency in Marin County. Within the plan, several goals were stated and associated action items were created to better prepare the

participating fire agencies throughout 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 BFPD is working towards providing more education to the community about this topic. The District offers educational material on its website on defensible space for property owners, as well as guidelines for community members to create a personal preparedness plan to help residents stay informed and be ready to evacuate quickly if necessary. The District has also prioritized projects aimed towards defensible space such as chipper days, roadside mowing, and other fuel reduction efforts to help reduce fire hazards throughout neighborhoods in Bolinas.

---

## 9.0 BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

---

### 9.1 OVERVIEW

The Bolinas Community Public Utility District (BCPUD) was established in 1967 as an independent special district under Section 15501 of the California Public Utilities Code following a vote to approve a resolution of the Marin County Board of Supervisors to consolidate the Bolinas Public Utility District and the Bolinas Beach Public Utility District. The District is located on the western Pacific shoreline of Marin County on a peninsula with the Bolinas Lagoon to its east. The District’s jurisdictional boundary encompasses just under 2.6 square miles. BCPUD serves a population of approximately 1,483<sup>18</sup> persons. The last Municipal Service Review that included the BCPUD was conducted in January of 2016 (though only one of the District’s services was reviewed) as part of the Countywide Water Municipal Service Review, and the last review of all services offered was in August of 2007.

BCPUD’s currently activated service powers include potable water, wastewater collection and treatment, solid waste disposal, drainage, and parks and recreation. These services are primarily provided to the census-designated place (CDP) of Bolinas. The District’s primary potable water supply is collected locally from the Arroyo Hondo Creek and is secured through permits with the State Water Resources Control Board. The District has upheld a moratorium on new water service connections since 1971 when the Board of Directors declared a water shortage emergency.

Table 9-1: Bolinas Community Public Utility District Overview

Bolinas Community Public Utility District			
<b>Primary Contact:</b>	Jennifer Blackman	Phone:	(415)-868-1224
<b>Main Office:</b>	270 Elm Road, Bolinas 94924		
<b>Formation Date:</b>	July 1, 1967		
<b>Services Provided:</b>	Potable Water, Wastewater, Drainage, Solid Waste, Parks & Recreation		
<b>Service Area:</b>	1,649 acres	Population Served:	1,483

### 9.2 FORMATION AND DEVELOPMENT

The Bolinas Community Public Utility District’s formation took place in July of 1967, taking over as the chief provider of organized utility services in the area nearly sixty years after the formation of the community’s first public service agency in 1908 in Sanitary District No. 3 (SD3). SD3 was initially formed to serve the first residential subdivision on the Bolinas peninsula, Little Mesa, and the surrounding downtown and harbor areas with wastewater collection and disposal. Another larger subdivision, Big Mesa, was constructed in the late 1920s and water services for the entire area were organized by a private company that had built a dam on the nearby Arroyo Hondo Creek. In 1927, voters in the area approved the formation of the Bolinas Beach Public Utility District to take over potable water services to the Big Mesa area,

---

<sup>18</sup> Population served calculated through the means given in California Code of Regulations Section 64412 using 2020 US Census Redistricting Data on population.

and in 1935 a second district, the Bolinas Public Utility District, was formed for water services to the Little Mesa and downtown/harbor areas. The creation of the second district included the merger and acquisition of wastewater services from Sanitation District No. 3.

As development within Big Mesa surged throughout the 1940s and 1950s, in 1958 voters approved the formation of the Bolinas Fire Protection District from what had been the Bolinas Volunteer Fire Department. In 1967 a reorganization of the local governmental structure was deemed prudent and the merger of the Bolinas Beach Public Utility District and the Bolinas Public Utility District was approved in order to form the Bolinas Community Public Utility District. At the time of formation, LAFCo authorized BCPUD to move forward with the activated service powers of potable water, wastewater, drainage, solid waste, and parks and recreation. In 1968 LAFCo approved a joint consolidation application submitted by BCPUD and the Bolinas Fire Protection District. The consolidation<sup>19</sup> was intended to dissolve the Bolinas Fire Protection District and transfer all assets and liabilities to BCPUD but was ultimately terminated due to conditions lapsing over a dispute involving the allocation of property taxes.

In 1971 the Board of Directors of BCPUD approved a moratorium on new water connections within the District following an assessment of its water supply and a declaration of a water shortage emergency. Despite multiple legal challenges, the courts upheld the Board's decision with the determination that the District had a solid factual basis for declaring the emergency.

In 1975 the District completed the construction of a new lift station, force main, and wastewater treatment facility in response to an order from the State of California to discontinue the disposal of wastewater effluent in the Bolinas Lagoon. The project was funded by a voter-approved bond measure in 1973 for \$144,000 that included the acquisition of 90 acres of land for the construction of an intergraded pond system for biological aeration with the intention of avoiding the use of chemicals.

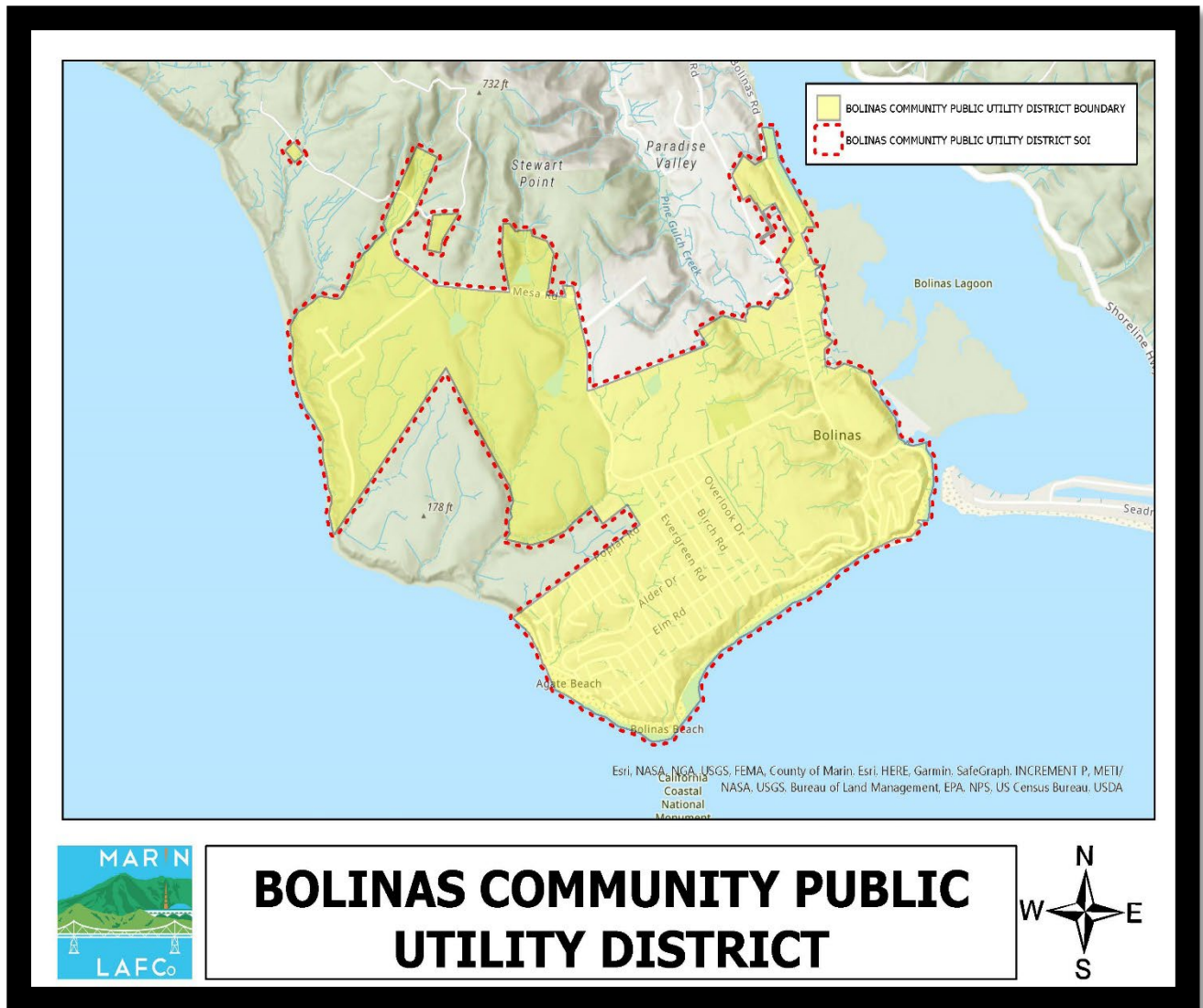
The Bolinas Community Plan was adopted by the County of Marin Board of Supervisors in December of 1975. The plan, serving as the chief visioning document for land use and related management policies, was updated in 1983 and again in 1997. The most recent iteration anticipates a build out of the area of 815 dwelling units with the majority of the remaining development opportunities existing in the vacant lots within Big Mesa.

In 1996, the District completed the construction of a new water treatment plant with microfiltration technology in order to reduce the necessitation of chemical treatment of the water. The project was funded by a loan from the State of California.

---

<sup>19</sup> Marin LAFCo Resolution #2

**Figure 9-1: Bolinas Community Public Utility District Jurisdictional Boundary and Sphere of Influence**



### 9.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Bolinas Community Public Utility District’s jurisdictional boundary is comprised of just over 2.6 square miles and covers 1,649 acres of unincorporated Marin County. Approximately one-fifth of that acreage (350 acres) is part of the Point Reyes National Seashore. In total there are 1,168 legal parcels encompassed within BCPUD’s boundary. Since its formation, the boundary for the District has only been amended one time, in October of 2017, with the annexation of 20.6 acres along Mesa Road<sup>20</sup>.

The District’s sphere of influence was established by Marin LAFCo in December of 1984. At that time, the sphere of influence was coterminous with the jurisdictional boundary. Marin

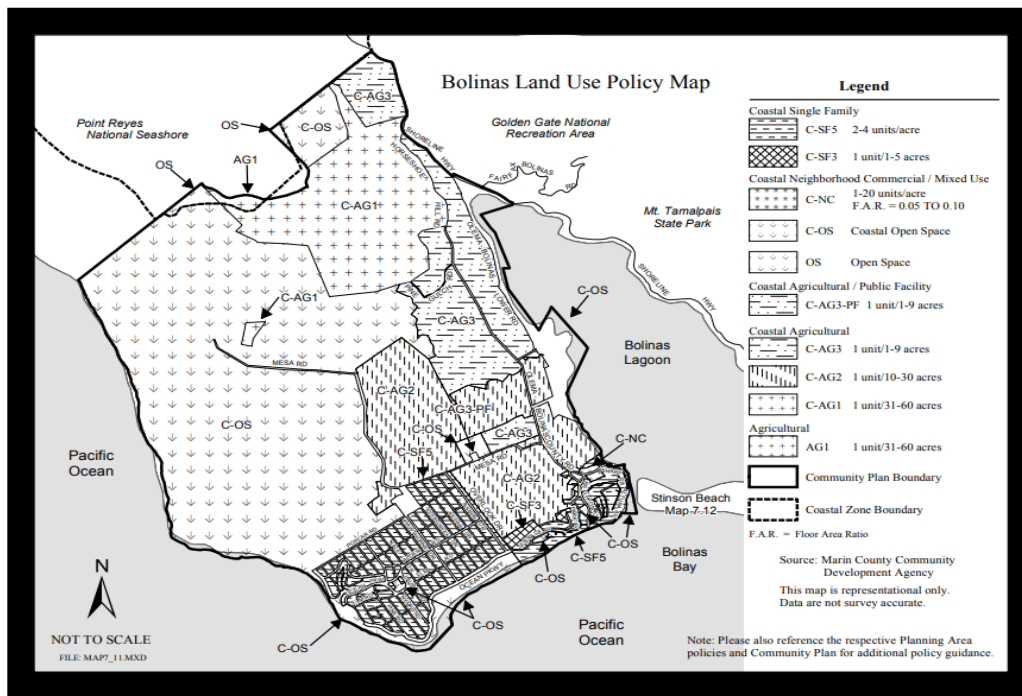
<sup>20</sup> Marin LAFCo File #1337

LAFCo reaffirmed the sphere of influence in 2007. The SOI was most recently updated in 2017 coinciding with a property annexation.

## 9.4 GROWTH AND POPULATION

The Bolinas Community Public Utility District encompasses the census-designated place (CDP) of Bolinas. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 1,483, which is approximately an 8% decrease from the 2010 population number 1,620<sup>21</sup>. The most recent census data shows the CDP to have 887 total housing units, with 660 of those units occupied. The theoretical buildout for the planning area is 975 units. The estimated maximum population projection (2030) based on the County Wide Plan is 2,362, which would be over an 85% increase. This projection, however, does not account for the constraints on water and sewer capacity within the CDP that are currently in place. While the planning area has approximately 110 parcels remaining that are currently zoned to allow for new construction, the BCPUD has had a moratorium in place on new water connections to the municipal water supply since 1971. This moratorium poses a significant hurdle for any new development. A land-use map for the planning area can be seen below in Figure 9-2.

Figure 9-2: Bolinas Land Use Policy Map



<sup>21</sup> [2020 US Census Redistricting Data](#)

## 9.5 MUNICIPAL SERVICES

### Potable Water

The Bolinas Community Public Utility District provides retail potable water services through its own supply, transmission, treatment, storage, and distribution facilities. The infrastructure originally was constructed by two separate agencies, the Bolinas Beach Public Utility District and the Bolinas Public Utility District. The distribution system stretches approximately 19 miles. The District's water supplies are locally sourced and obtained from surface sources contained within a 2 square mile watershed area of the Point Reyes National Seashore. These sources, in combination with the District's permitted diversions, provide BCPUD with an estimated maximum available annual yield of 167 acre-feet.

The primary potable water source for BCPUD is the Arroyo Hondo Creek and the direct surface diversions within it. The District possesses four separate post-1914 appropriated permit rights<sup>22</sup> from the State Water Resources Control Board to draw water from the creek at each of the diversion points and each with different usage allowances. The permits give the District a specific maximum daily and monthly water volume harvesting allocation that allow the District to divert up to 113 acre-feet directly from the Arroyo Hondo Creek annually for immediate use. The permits also stipulate that BCPUD is allowed to divert an additional 30 acre-feet annually from the creek to the Woodrat 2 reservoir for storage.

As a secondary source, the District also maintains separate permits to divert and use water from unnamed streams which also lie within the Point Reyes National Seashore. These permits allow the District to divert a maximum of 54 acre-feet (combined) annually for storage. It has been the general practice of BCPUD to reserve accessing water from these sources only for emergencies or during storm events, when turbidities levels in the Arroyo Hondo Creek are very high. Recently, BCPUD has also received approval from the State Water Resources Control Board to add two emergency groundwater well sources to the water system in a continued effort to diversify the available water sources to help the District be more drought resilient.

All water diverted by BCPUD from its surface water sources receives treatment at its Woodrat Water Treatment Plant. The plant was originally constructed in 1995 and its treatment system was upgraded in 2007 and again in 2017 to treat the raw water by way of inline coagulation prior to low-pressure micro-filtration. After filtration, chlorine is added to the water and it then settles in a 4,000-gallon clearwell tank. The daily treatment capacity of the facility is 144 gallons per minute which offers the District a daily maximum treatment potential of 207,360 gallons (.64 acre feet). This amount equates to 57% of the District's permitted daily allowance.

The distribution system for BCPUD is comprised of approximately 19 miles of water mains that supply the District's two pressure zones that connect a 300-foot range in elevation between service connections. The primary pressure zone is gravity-fed from the District's two treated water storage tanks, the West Tank and the East Tank, that can store a combined volume of

---

<sup>22</sup> Any appropriative water right that was acquired after 1914 is called a post-1914 appropriative water right and requires the holder of that right to apply for a water right permit.



860,000 gallons. This main pressure zone supplies over 80% of all active connections within the District. The District currently serves 587 active potable water service connections which are divided between 562 residential and 25 non-residential users.

BCPUD collects two separate fees from its users: a metered usage fee and an annual service charge. The charges are set by the Board of Director's by resolution in connection with the annual budget adoption process and are intended to provide full cost-recovery for the daily operation of the water system as well as to provide funding for projected capital improvement projects and debt services. The usage fee is tiered and escalates based on the total volume consumed. Usage of 100-1500 cubic feet is \$1 per 100 cubic feet. The annual charge for service is currently \$1,468 and is collected on the user's property tax bill. Unlike the other agencies that provide potable water that are reviewed in this study, BCPUD does not have an adopted connection fee for establishing new water service connections due to the moratorium negating its necessity.

## Wastewater

BCPUD provides wastewater collection, treatment, and disposal to 162 connections (residential and business) in the downtown area of the community of Bolinas as well as one additional connection on the Bolinas Mesa. Wastewater operations were taken over by BCPUD upon its formation in. The District's sewer service area encompasses approximately three square miles with a collection system of pipelines stretching approximately three linear miles and consisting of pipes ranging in size from two inches to six inches. The system collects, treats, and disposes of an average of approximately 30,000 gallons per day of wastewater. Within the system, wastewater is collected from the downtown connections and is pumped to the treatment facility on the Big Mesa. The treatment facility consists of a series of four oxidation ponds for stabilization and storage, with ultimate disposal through pond evaporation and spray disposal on 45 acres of grasslands. The District currently charges an annual sewer service charge of \$1,453 for residential service and a scalable commercial service rate between \$1,478 and \$1,903. The annual sewer service charge is set by the Board of Directors by resolution in connection with the annual budget adoption process. Sewer service charges are included on the rate payer's property tax bill.

In 1990, the District completed an infiltration and inflow correction project in an effort to eliminate unwanted stormwater runoff and seawater intrusion from the collection system. Infiltration is groundwater, or groundwater that is influenced by surface or sea water, that enters sewer pipes through holes, breaks, joint failures, connection failures, and other openings. Infiltration quantities often exhibit seasonal variation in response to groundwater levels. Storm events can trigger a rise in groundwater levels and increase infiltration flows. Inflow is surface water that enters the wastewater system from yard, roof, and footing drains, from cross-connections with storm drains and downspouts, and through holes in manhole covers. Inflow occurs as the result of storm events that contribute to excessive sewer flows. Upon the project's completion, only one small section (from the BCPUD lift station to the end of Wharf Road) of



the collection system was not improved, with the rest being slip-lined<sup>23</sup> with all manholes replaced and all service laterals replaced. While the project proved to significantly reduce the infiltration and inflow, the sewer collection system at times still experiences some inflow and infiltration during storm events. As such, the District has maintained its moratorium on new service connections that was enacted in 1985 as a system requirement imposed by the Regional Water Quality Control Board for Clean Water Grant Program Funding.<sup>24</sup>

Over the past two years, BCPUD has identified seven properties located on Canyon Road that are in close proximity to the collection system and whose owners desire to connect to the system. Two of these property owners have been ordered to connect to the system by Marin County due to non-performance of their septic systems. BCPUD is currently working with the Regional Water Quality Control Board staff in an effort to identify a path forward to modify the moratorium to allow the additional seven connections and possibly remove the moratorium as a whole. These efforts are taking place alongside the updating of the District’s wastewater discharge permit with the anticipation of a formal treatment capacity analysis.

## Recreation

BCPUD does not have any current direct involvement in day-to-day parks and recreation activities within the District’s boundary. While the District owns the property on which Mesa Park, a 12-acre parcel that has been improved with a parking lot, soccer field, baseball field, and a skate park, the land and the activities programmed there are managed by the Fire House Community Park Agency (FHCPA). FHCPA is a joint powers authority (JPA) whose member agencies include BCPUD and the Bolinas-Stinson Union School District. The JPA was created on January 21<sup>st</sup>, 1985, with the stated intention of the provision of recreational opportunities to the taxpayers and residents of the area and to the students of the school and their families. FHCPA receives no direct funding from BCPUD. The JPA receives funding by way of Measure A funds and ad valorem property taxes.

## Drainage

While BCPUD’s wastewater system has 163 connections, the remainder and majority of residences within the District’s boundary are served by on-site wastewater treatment systems (septic systems). In the 1980s, a pollution study was conducted by Marin County on the Big Mesa in Bolinas that concluded that the septic systems within the study area presented a “potential public health hazard”. Following a grant from the State Water Resources Control Board, a plan was put in place for BPCUD to assume authority for management and oversight of the construction and subsequent management of on-site wastewater treatment systems in the area. Ultimately, however, the project would be rejected due to local opposition.

---

<sup>23</sup> Sliplining is a technique for repairing leaks or restoring structural stability to an existing pipeline. It involves installing a smaller “carrier pipe” into a larger “host pipe”, grouting the annular space between the two pipes, and sealing the ends.

<sup>24</sup> BCPUD Sewer System Management Plan; Element 4

As such, BCPUD changed course along with the community and studied the surface water drainage on the Big Mesa in an effort to identify improvement projects to lower the water table and improve septic system functions. In 1993, the services of Todd Engineering were enlisted by BCPUD and the firm prepared a set of Drainage Improvement Maps. The end goal of the project was to provide a comprehensive path to improving drainage on the Big Mesa that was attainable by way of multiple smaller projects by individual residents (as well as groups) over time. Today BCPUD offers project consultation to District residents who are interested in implementing surface drainage projects on the Big Mesa. The District also provides culverts to for project implementation “at cost” for those that are eligible.

### Solid Waste

BCPUD provides residential and commercial properties within the District with solid waste disposal services by way of a contract with Recology Sonoma Marin (Recology). The franchise agreement was assigned to Recology in September of 2017. The District previously granted the franchise for solid waste disposal in 2003 to USA Waste of California, Incorporated. In 2007 the franchise agreement was assigned to Redwood Empire Disposal, who served the District until 2017 at which time the entirety of their assets were acquired by Recology. Recology provides residential and commercial properties in the District with weekly garbage, recycling, and organic waste disposal service.

## 9.6 ORGANIZATION STRUCTURE

### Board of Directors

The Bolinas Community Public Utilities District has a five-member board that is elected to staggered four-year terms. All directors are required to be registered voters within the District’s jurisdictional boundary. The Board of Directors meets regularly on the 3<sup>rd</sup> Wednesday of each month at 7:30 p.m. at the BCPUD District Office located at 270 Elm Road in Bolinas.

**Table 9-2: Bolinas Community Public Utility District Board of Directors**

Member	Position	Term Expiration
Jack Siedman	President	December 2022
Don Smith	Vice-President	December 2024
Lyndon Comstock	Director	December 2022
Grace Godino	Director	December 2022
Kirsten Walker	Director	December 2024

### Administration

The Board of Directors of BCPUD appoints a General Manager who serves on an at-will basis to oversee all District activities and is exclusively responsible for the implementation of policies established by the Board of Directors. The General Manager oversees five employees that include one Chief Operator, three Shift Operators, and an Administrative Assistant.

## 9.7 ACCOUNTABILITY AND TRANSPARENCY

The Bolinas Community Public Utility District makes a concerted effort to maintain high accountability and transparency with all its activities. The BCPUD website ([www.bcpud.org](http://www.bcpud.org)) provides extensive documentation and information on Board meetings, financial reports, services, history, water conservation, resolutions, and more. At this time the District is meeting all of the requirements by the State of California for a public agency website.

### Meeting and Agendas

The BCPUD Board of Directors meets regularly on the 3<sup>rd</sup> Wednesday of each month at 7:30 p.m. at the BCPUD District Office located at 270 Elm Road in Bolinas. Special meetings are held as needed to go over specific topics and, in relation to the other agencies reviewed in this study, BCPUD conducts a significantly higher number of special meetings annually. Meeting agendas and minutes can be found on the BCPUD website ([www.bcpud.org/administration/board-of-directors/boardminutes](http://www.bcpud.org/administration/board-of-directors/boardminutes)).

### Annual Budget Review

The District's budget, adopted no later than the July Board meeting each year, provides overall control of revenue and expenditures including appropriations on a line item basis and the means of financing them. A mid-year budget revision may occur in February of the fiscal-year after BCPUD has six months of actual operating revenues and expenses to project out year-end results and evaluate whether budget adjustments are necessary. The District's budget is broken down into four separate financial categories of water, sewer, septic/drainage, and general in order to maintain proper controls. The General Manager presents financial reports to the Board every quarter to assure budgetary compliance.

## 9.8 FINANCIAL OVERVIEW

BCPUD has maintained positive revenue to expense differences in each of the five fiscal years covered in the financial audits for FY 2015-16 to 2019-20. Average total annual revenues for the District over the 5-year period were \$1,649,018. The primary revenue source for the District is water and sewer charges which account for approximately two-thirds of the annual revenue. Property taxes and assessments provide approximately 25% of annual revenue and the Bolinas-Stinson Resource Recovery Project, a green waste disposal program established by the BCPUD, Bolinas Fire Protection District, Stinson Beach County Water District, and the Stinson Beach Fire Protection District that includes composting sales, provides approximately 7%. The primary annual expense for the BCPUD with approximately half of the District's annual expenses is staff salaries and benefits. The projected revenue for the District for fiscal year 2021-22 is \$1,894,277. A breakdown of the past 5 years of revenues and expenses can be seen below in Table 9-3.

**Table 9-3: Bolinas Community Public Utility District Financial Audit Summary**

Revenue	FY 2015 16	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	Averages
<b>Water/Sewer Charges</b>	\$970,364	\$1,033,948	\$1,101,285	\$1,170,885	\$1,185,955	\$1,092,487
<b>Taxes &amp; Assessments</b>	\$332,637	\$356,905	\$385,900	\$412,850	\$442,228	\$386,104
<b>Resource Recovery</b>	\$118,180	\$111,763	\$103,287	\$112,550	\$122,723	\$113,700
<b>Grant Income</b>	\$0	\$5,000	\$5,000	\$145,707	\$2,000	\$31,541
<b>Other</b>	\$28,290	\$22,965	\$23,546	\$25,740	\$25,386	\$25,185
<b>Total Revenues</b>	\$1,443,054	\$1,536,998	\$1,619,018	\$1,867,732	\$1,778,292	\$1,649,018

Expenses	FY 2015 16	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	Averages
<b>Salaries</b>	\$499,287	\$525,617	\$548,337	\$558,604	\$570,159	\$540,400
<b>Benefits</b>	\$164,263	\$237,587	\$261,393	\$260,907	\$314,689	\$247,767
<b>Insurance</b>	\$20,566	\$24,586	\$24,799	\$18,790	\$25,880	\$22,924
<b>Plant Expenses</b>	\$209,012	\$145,478	\$165,580	\$155,879	\$133,831	\$161,956
<b>Power &amp; Fuel</b>	\$19,707	\$27,342	\$24,991	\$29,621	\$29,804	\$26,293
<b>Office Expense</b>	\$31,963	\$29,906	\$30,094	\$33,860	\$41,446	\$33,453
<b>Trucks</b>	\$3,884	\$4,693	\$16,555	\$7,688	\$5,549	\$7,673
<b>Professional Fees</b>	\$57,666	\$52,235	\$66,080	\$72,248	\$56,198	\$60,885
<b>Depreciation</b>	\$233,838	\$248,566	\$272,318	\$272,961	\$273,583	\$260,253
<b>Fire Fuel Reduction</b>	\$0	\$0	\$2,036	\$173,203	\$0	\$35,047
<b>Other</b>	\$121,063	\$70,063	\$71,346	\$82,079	\$99,032	\$88,716
<b>Total Expenses</b>	\$1,376,249	\$1,381,063	\$1,498,529	\$1,680,840	\$1,565,171	\$1,500,370

## Debt

As of June 30, 2020, BCPUD was carrying \$558,752 in long-term debt. In 2008, the District received funds from the Municipal Finance Corporation for two issuances (one for water and one for wastewater) of Clean Renewable Energy Bonds. These funds were used for the purchase and installation of solar arrays at the District’s water treatment plant and at the wastewater treatment facility. The bond’s final payments are scheduled for August of 2023.

The second source of long-term debt for the District is in the form of a 2013 loan from the California Department of Public Health in the amount of \$485,000. The loan funds are part of the Safe Drinking Water State Revolving Fund and were used to pay for one of the District’s

water construction projects that was completed in July of 2014. The loan's final payment is scheduled for 2034.

BCPUD 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, 2020, the District's Net Pension Liability was reported at \$674,926 and is 73% funded.

## **Financial Audit**

The Bolinas Community Public Utility District annually has its financial statements audited and contracts with an outside accounting firm, R.J. Ricciardi, Inc. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2020.

## **9.9 SUSTAINABILITY**

Local agencies such as the Bolinas Community Public Utility District play a critical role in protecting natural resources and the environment. Extended periods of drought and increasingly unpredictable climate patterns have significantly increased the importance for local agencies to step up their own conservation and long-term planning measures as well as making a concerted effort towards higher levels of public outreach.

The Bolinas-Stinson Resource Recovery Project offers the residents of Bolinas and neighboring Stinson Beach a means of disposal for green waste materials. The primary focus of the Resource Recovery Project is to aid in the continued efforts towards local fire mitigation and fire safety by removing excessive vegetation throughout the communities. Residents have been shown to be more inclined to reduce vegetation and increase their property's defensible space when the process involves composting as opposed to landfilling. The Resource Recovery Project provides residents with a year-round facility whereas earlier chipper programs were only available a few weekends per year. Mulch and topsoil produced by grinding, aeration, and decomposition are added useful by-products of the process.

The District is also instrumental in water conservation within the community of Bolinas. BCPUD offers multiple resources on its website for helpful ideas on how residents can be active in efforts to save water on a daily basis. The site also provides a list of 23 water conservation tips from the Federal Emergency Management Agency (FEMA). The District redesigned the home page of its website in early 2021 to include a graphic with the current 7-day running average of total water consumption within the District after the Board of Directors on February 24, 2021 enacted BCPUD Resolution 682, declaring a prolonged drought condition and implementing mandatory conservation measures. This running average was used to set a threshold of 76,000 gallons per day (later reduced to 66,000 gallons per day due to worsening drought conditions during 2021) that would trigger mandatory water rationing. On November 17, 2021, the Board of Directors suspended BCPUD Resolution 682 due to improved water supply conditions following the October and November 2021 rain events.

---

## 10.0 MUIR BEACH COMMUNITY SERVICES DISTRICT

---

### 10.1 OVERVIEW

The Muir Beach Community Services District (MBCSD) was established in 1958 as an independent special district under Sections 61600 and 61601 of the California State Government Code. The District is located in the southwest portion of Marin County and its jurisdictional boundary encompasses just over 1.3 square miles. The district serves a population of approximately 448<sup>25</sup> persons. The last Municipal Service Review that included the MBCSD (though only reviewing one of its services) was conducted in January of 2016 as part of the Countywide Water Municipal Service Review.

MBCSD's currently activated service powers include potable water, roads, fire protection, and park and recreation. These services are primarily provided to the census-designated place (CDP) of Muir Beach. The District's potable water supplies are collected locally from two groundwater sites within the Redwood Creek watershed and are secured through a permit with the State Water Resources Control Board.

**Table 10-1: Muir Beach Community Services District Overview**

Muir Beach Community Services District			
<b>Primary Contact:</b>	Mary Halley	Phone:	(415)-297-1831
<b>Main Office:</b>	19 Seacape Drive, Muir Beach 94965		
<b>Formation Date:</b>	July 29, 1958		
<b>Services Provided:</b>	Potable Water, Roads, Fire Protection, Parks & Recreation		
<b>Service Area:</b>	848 acres	Population Served:	448

### 10.2 FORMATION AND DEVELOPMENT

The Muir Beach Community Services District formation took place in July of 1958 following the approval of the service area by the Marin County Boundary Change Commission and a majority vote by the residents within the new district boundary. At its inception, the District's boundary encompassed approximately 790 acres. At that time the majority of the area (nearly 85%) was undeveloped or being used for agriculture but had the expectation that it would be developed as the Muir Beach and Seacape neighborhoods expanded. Upon its formation, the MBCSD was only authorized with providing domestic water services. Beginning in 1928, the Muir Beach Water Company provided potable water to the approximately 40-acre Muir Beach Subdivision that was composed primarily of vacation cabins. As development in the area continued and progressed more towards permanent housing and the plans for a second residential subdivision, Seacape Subdivision, were formed, the quality of the water being provided came under scrutiny by the residents in the area. In 1957, landowners in the area submitted a formal petition to the County of Marin Board of Supervisors for the formation of a new community services district to

---

<sup>25</sup> Population served calculated through the means given in California Code of Regulations Section 64412 using 2020 US Census Redistricting Data on housing units.

take over management of the area's water service and in 1958 MBCSD was formed and took over the assets of the Muir Beach Water Company.

The District was authorized to activate the latent service powers of recreation as well as road and access easement maintenance by a vote of its residents in 1969. This was quickly followed by the addition of a second water system through the purchase of the Seacape Mutual Water Company in 1970 by way of a voter-approved tax assessment. The Seacape Subdivision had been developed throughout the 1960s and the developer of the subdivision established the neighborhood's own water supply from a reliable and high-quality well source in the nearby Frank Valley area due to the supply and quality limitations of the water supply of MBCSD during the time of construction.

In 1971 the District was again authorized to activate a latent service power with the addition of fire protection in order to replace the Bello Beach Volunteer Fire Department. MBCSD purchased all of the fire protection equipment from the Bello Beach Volunteer Fire Department and created the Muir Beach Volunteer Fire Department

In 1972, the United States Congress established the Golden Gate National Recreation Area (GGNRA). These now public lands covered approximately two-thirds of MBCSD's jurisdictional boundary. The creation of the GGNRA limited land uses both within and immediately surrounding the District's boundary while simultaneously creating a new service dynamic for the District in the form of day-time visitors for the areas of Muir Woods, Muir Beach, and the Muir Beach Overlook. In 1978 the County of Marin adopted the Muir Beach Community Plan which outlined guidelines and a vision for land use for the community in the future. The plan, eventually usurped by the Marin County Local Coastal Program upon its adoption in 2013, explicitly states the intention to "maintain the small-scale character of Muir Beach as a primarily residential community with recreation, small scale visitor, and limited agricultural use".

A formal water service plan was created for the District in 1987 by Harris Consultants. The study concluded that MBCSD's existing water supply of the three ground wells was sufficient to provide the necessary resources for the projected build-out of the District's service area of 175 connections with a per average daily demand of 100 gallons. While the plan confirmed that the supply was adequate, it noted that the District's water storage capabilities were lacking and needed to be addressed, in particular the immediate replacement of a 50,000-gallon tank in the lower pressure zone. In 1988, this capital improvement was completed with the construction of a 100,000-gallon tank. The District invested in a study performed by Henry Hyde and Associates and the Associated Business and Community Consultants in 1996 that provided them with a 20 Year Plan for Water System Capital Improvements (1997-2016). The study laid out a schedule for needed capital improvements for the water system including funding mechanisms for each. The total projected cost of the plan was \$530,000. In November of 2008, the District presented a ballot measure (Measure C) to the voters for a parcel tax that would levy an annual amount of \$3,250 per commercially zoned property and \$300 for all other parcels in order to provide funds for water capital improvements. The measure was adopted and renewed 4 years later (Measure







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

Muir Beach Community Services District’s jurisdictional boundary is comprised of just over 1.3 square miles and covers 834 acres of unincorporated Marin County. Approximately two-thirds of that acreage (525 acres) is part of the Golden Gate National Recreation Area. In total there are 187 legal parcels encompassed within MBCSD’s boundary. Since its creation, the boundary for the District has only been amended two times, with both instances occurring in 1971. Both of the boundary changes were annexations (Marin LAFCo files 71-33 and 71-53) along the coastline that were anticipated as new development properties but were soon after acquired by the United States Government as part of the GGNRA.

The District’s sphere of influence was established by Marin LAFCo in December of 1984. At that time, the sphere of influence was coterminous with the jurisdictional boundary. Marin LAFCo amended the sphere of influence in 2007 to include one additional .6 acre lot where MBCSD’s well-site is located in Frank Valley. The parcel is the only land within MBCSD’s sphere of influence that is outside of its jurisdictional boundary.

### **10.4 GROWTH AND POPULATION**

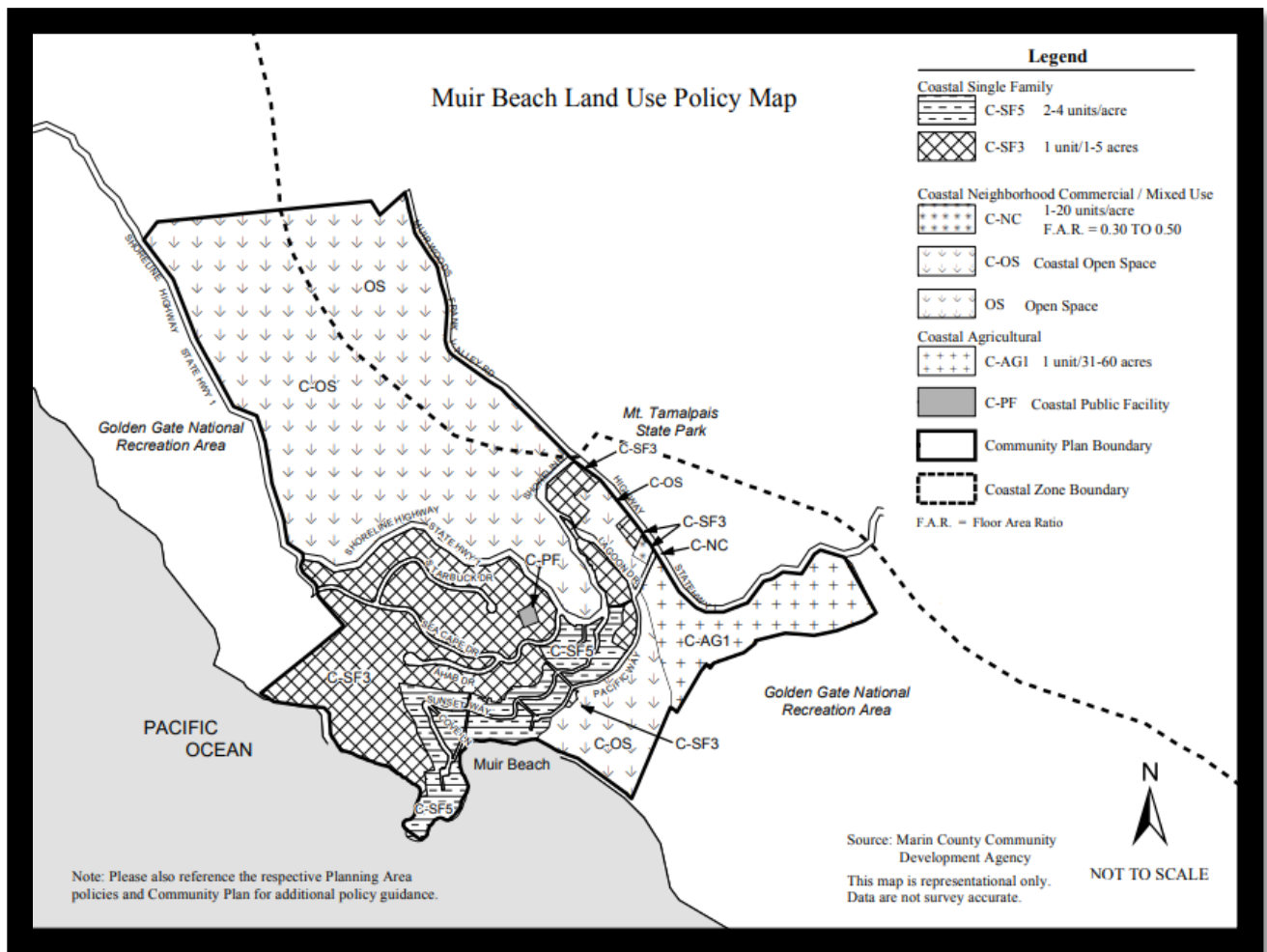
The Muir Beach Community Services District encompasses the developed community of Muir Beach and the surrounding areas that include the Slide Ranch and the Green Gulch Farm and Zen Center. According to 2020 U.S. Census Redistricting Data, the population of the census-designated place (CDP) is 304, which is approximately a 1.9% decrease from the 2010 population number 310<sup>26</sup>. The most recent census data shows the CDP to have 160 total housing units, with 135 of those units occupied. With the Muir Beach area having numerous weekend and seasonal residents, it is difficult to ascertain the actual full-time population. California Code of Regulations Section 64412 identifies three methods to calculate the number of persons served by a public water system: census data, service connections multiplied by 3.3, or living units multiplied by 2.8. With recent census data giving a housing unit total of 160, it can be calculated that the number of individuals served by MBCSD is approximately 448.

According to the Muir Beach Community Plan, Muir Beach has limited opportunity for future expansion as it is surrounded by both federal and state parklands, as well as agricultural preserves and the Pacific Ocean. As such, all future residential and commercial development will occur within the existing developed area. The current developed area has approximately 90% of the privately-owned parcels that are zoned for residential development having already been developed. As such, there remain few infill opportunities for growth. A map with the current zoning for the area is shown below in Figure 10-2.

---

<sup>26</sup> [2020 US Census Redistricting Data](#)

Figure 10-2: Muir Beach Land Use Policy Map



## 10.5 MUNICIPAL SERVICES

### Potable Water

The Muir Beach Community Services District provides retail potable water services through its own supply, treatment, storage, and distribution facilities. The distribution system spans approximately 2.5 miles and began with the lines that were laid by the Muir Beach Mutual Water Company back in the 1920s. The District’s water supplies are locally sourced and obtained from two groundwater sites lying within the approximately 8.8 square miles of the Redwood Creek Watershed. These sources in combination with the District’s equipment’s pumping capacities provide MBCSD with an estimated maximum available annual yield of 209 acre-feet. This figure is significantly reduced, however, to approximately 50 acre-feet based on the current permit allowances afforded to the agency.

The primary potable water source for MBCSD is a groundwater well on District-owned property in the Frank Valley area. This source, typically referred to as the 2002 Well, draws on an underflow from the Redwood Creek. The term “underflow” in California Water Code refers to

water moving through the sands and gravel under or next to a stream channel and is a sub-category of subterranean streams. Underflow is considered to be part of the stream and subject to the same riparian and appropriative rights<sup>27</sup> that guide the use of the stream itself. The 2002 Well's right to access the underflow is secured through a post-1914<sup>28</sup> appropriative permit<sup>29</sup> from the California State Water Resources Control Board. The permit allows MBCSD a maximum daily collection of .14 acre-feet and an annual maximum of 50.6 acre-feet. The pump that is attached to this well has a capacity of 60 gallons per minute which amounts to a possible maximum daily amount pumped of 86,400 gallons, which is nearly double the permitted daily ceiling of 45,000 gallons. This well has a depth of approximately 60 feet.

The District's second well, known simply as 2008 Well, is intermittently utilized as a backup source by MBCSD when necessary. The well sits in the same Frank Valley vicinity as the 2002 Well (approximately 100 feet from it), draws from Redwood Creek underflow, and is also 60 feet deep. The 2008 Well is typically drawn from when the 2002 Well is unavailable due to routine maintenance or repair work. The pump associated with the 2008 Well is rated at 40 gallons per minute which would allow for a maximum daily production of 57,600 gallons.

The District has no other sources of potable water outside of its currently permitted drawing of the underflow from Redwood Creek. If it were to become necessary, the only current viable option for MBCSD for a supplemental source would be trucking in water from outside vendors. Despite recent climate-related precipitation uncertainty, the District is in a uniquely advantageous position with its underflow source lying within a fairly secure watershed that is federally protected from significant future development adding strain to the supply.

All water drawn by MBCSD from both of its wells receives disinfectant treatment by way of metered injection of liquid chlorine (sodium hypochlorite) into its water main at a small service building. The district also injects soluble silica (starting in May of 2006) prior to the injection of chlorine in order to minimize the impact on copper plumbing in residents' homes. The District's treatment capacity is 100 gallons per minute which would allow for a maximum daily total of 144,000 gallons or .44 acre-feet, significantly above the District's daily accessible production of .14 acre-feet.

The distribution system for MBCSD is comprised of approximately 2.5 miles of water mains that supply the District's two pressure zones, upper and lower, that connect a 500-foot range in elevation between service connections. The distribution system is dependent upon gravity pressure for recharge from two storage tanks that have a maximum combined capacity of 300,000 gallons. On a nightly basis, water is pumped from the District's well site, receives treatment, and replenishes the amount used. Due to the reliance on gravity pressure, four

---

<sup>27</sup> An appropriative water right is water taken for use on non-riparian land or water that would not be there under natural conditions on riparian land. Water right permits and licenses issued by the State Water Board are appropriative rights.

<sup>28</sup> Any appropriative water right<sup>28</sup> that was acquired after 1914 is called a post-1914 appropriative water right and requires the holder of that right to apply for a water right permit.

<sup>29</sup> MBCSD's permit with the State Water Resources Control Board was originally issued in 1988 and marked a transition away from the way the Board viewed the underlying water source from groundwater to underflow.

connections to residences near the top of the water system require private pressure booster systems. The District currently serves 163 active potable water service connections which include 158 residential and five non-residential users. Three of the District's connections lie outside of the District's jurisdictional boundary and include the Mt. Tamalpais State Park Horse Camp, GGNRA's Park Ranger residences, and GGNRA's horse stables. As the service connections were established prior to the 2001 enactment of State Government Code Section 56133, the connections do not require an outside service agreement.

Muir Beach Community Services District collects fees for its water service on a bi-monthly basis based on the capacity and usage of each consumer. The charges are set by a Board of Director's ordinance and are intended to provide full cost-recovery for the daily operation of the water system as well as providing funding for projected capital improvement schedules. The current charges for meter reading are \$8.13. A meter charge for a 5/8" – 1" meter is \$71.60 and a 1.5" meter is \$358.04. The charge for water usage breaks down to \$2.02 per 100 gallons used. The District offers its users the opportunity for discounts for water conservation with users who consume less than 4,500 gallons in a single billing cycle receiving a 50% discount. MBCSD also collects a water connection fee for new customers. The connection fee for a single-family home is \$6,500.

## **Fire Protection**

The Muir Beach Community Services District provides fire protection, emergency medical aid, and disaster preparedness by way of a vote to activate the District's latent power in 1971 to aid the private organization of the Muir Beach Volunteer Fire Department (MBVFD). The Muir Beach Volunteer Fireman's Association (MBVFA), a private non-profit 501(c)3 entity, is responsible for generating and managing funding for MBVFD and has a separate eight-member Board of Directors from the MBCSD Board. The funds that are generated by MBVFA from its fundraising efforts and grants are transferred to MBCSD by way of a 1994 agreement to provide a proportional share of the costs of the District's Manager, worker's compensation insurance, general liability and vehicle liability insurance. The Fire Chief began receiving an annual stipend (paid monthly) in 202 by way of the 2018 Transient Occupancy Tax (Measure W) funds. MBCSD receives an 8% allocation of Measure W funding. MBCSD holds title to all assets of MBVFD. MBCSD does not allocate ad-valorem property tax revenue for emergency services in the Muir Beach Community. Supplemental funding for MBVFD operations is provided by an MBCSD parcel tax of \$200 per parcel annually that was originally adopted in 2008 (Measure B) and most recently reapproved for \$213 per parcel in 2016 (Measure L) with a ten-year lifespan. In 2019, MBCSD became a member agency of the Marin Wildfire Prevention Authority (MWPA). MWPA aids local fire agencies throughout Marin County with funding (Measure C) for fuel removal projects, defensible space evaluations, and other helpful resources. MBCSD is allocated .15% of MWPA's total annual funding.

The Muir Beach Volunteer Fire Department is a fully volunteer operation with ten firefighters that supplement services provided to the community by Marin County Fire (CSA #31) from the station at Throckmorton Ridge. Due to the geographical distance and travel time from this station to the Muir Beach community and the added seasonal necessity for emergency services

related to visitors to the coastal region, MBVFD response aid is a critical component for the area. Marin County Fire Department (MCFD) is the agency officially responsible for structure and wildland fire in the area. All emergency (911) calls in the Muir Beach Area are routed by the Marin County Sheriff's dispatch center. Both MCFD and MBVFD are dispatched for calls in the area and incidents are managed under the unifying command.

The general response area for MBVFD includes Muir Beach, Green Gulch Farm, Slide Ranch, Muir Woods National Monument, and Mount Tamalpais State Park. MBVFD receives an average of 78 calls for service annually (2015-2020) with the majority of the calls being for Emergency Medical Service for Basic Life Support. During the calendar year of 2020, the MBVFD responded to 67 calls for service, of which 23 were for Emergency Medical Service for Basic Life Support. Each of the firefighters maintains, at a minimum, an Emergency Medical Responder (EMR) certification. There are also two members who are Emergency Medical Technician (EMT) certified and one licensed medical physician.

Effective January 25, 2016, Marin County Fire Department (the chief agency responsible for fire services within Muir Beach Community Services jurisdictional boundary) was given a Class 3/3x Public Protection Classification (PPC) rating by the Insurance Services Office (ISO), an organization that independently evaluates municipal fire-protection efforts throughout the United States. Ratings range on a scale of 1 to 10. Class 1 generally represents superior property fire protection, and class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.<sup>30</sup> While many communities receive a single number classification, many smaller and more rural communities receive a split classification to reflect the risk of loss more precisely. In the case of a split classification, the first number refers to the classification of properties within 5 road miles of a fire station and within 1,000 feet of a creditable water supply. The second number, with either the X or Y designation, applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply (i.e. fire hydrant). ISO generally assigns Class 10 to properties beyond 5 road miles. The majority of insurance agencies throughout the country use the PPC classification for underwriting and calculating premiums on residential, commercial, and industrial properties. MCFD's rating of 3/3x puts the department in the top 14% of fire protection agencies in the country. Figures 10-3 and 10-4 below show the breakdown of PPC rating data throughout both the United States and California.

MBVFD currently uses a U.S. National Park Services (USNPS) structure at 1760 Shoreline Highway in Muir Beach as its firehouse and operations hub. Plans are in place and fundraising is ongoing for the construction of a new firehouse. MBVFD has two vehicles for responding to calls for service. Squad 660 is a 2011 Ford 550 brush truck and Engine 676 is a 1989 International Type 3 engine.

---

<sup>30</sup> [How the PPC Program Works](#)

Figure 10-3: PPC Rating Distribution by Class Throughout California

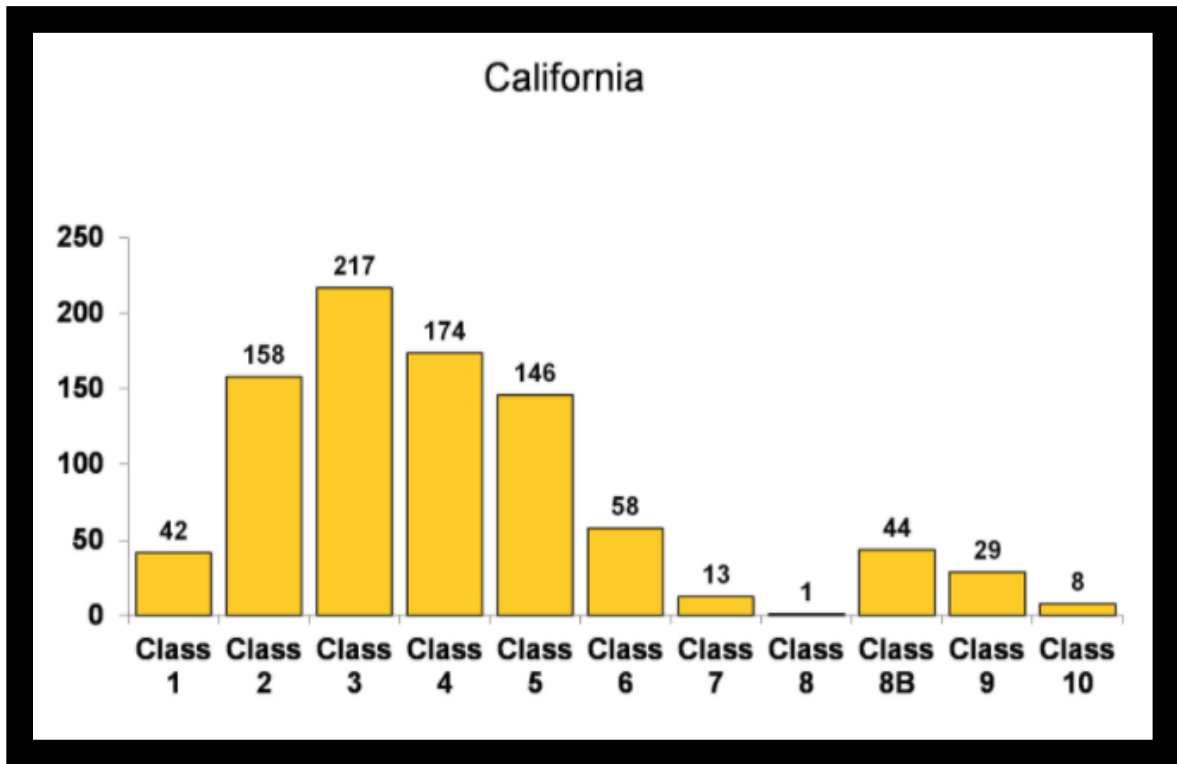
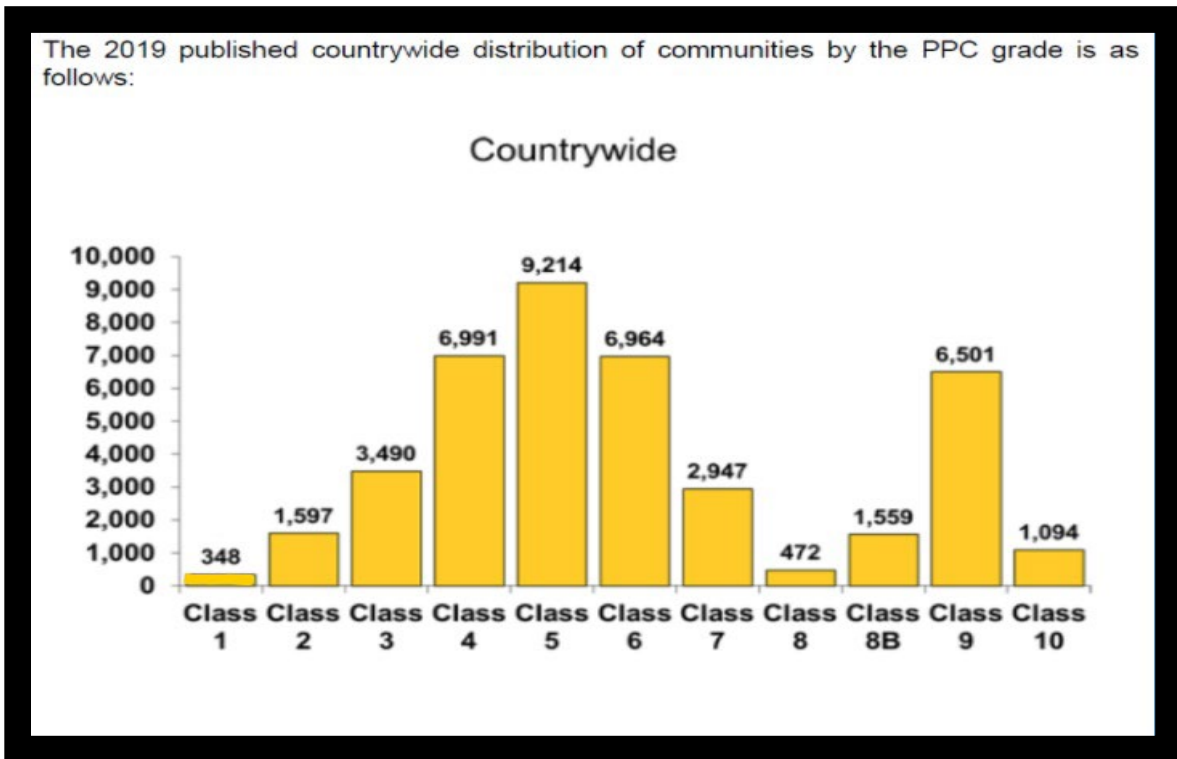


Figure 10-4: PPC Rating Distribution by Class Throughout the United States



## Recreation

MBCSD's Community Center is the central hub for the District's recreational programming offerings. The District offers the opportunity for local volunteers and independent contractors to utilize the space for programming activities such as tai chi, yoga, and other programs. The Community Center offers users a meeting hall, children's playground, kitchen, and a small library space. The facility is offered for private party rentals and is also utilized for District hosted community events. Other recreational facilities offered by the District include a volleyball court and barbecue grounds located on the District's property on Frank Valley Road.

The District's recreational endeavors also include an inventory of the public trails that run throughout the Muir Beach community. An ad-hoc Trails Committee was formed in order to identify maintenance and safety enhancements for local trails as well as setting the goal of creating a map of public trails and easements throughout the area.

## Road Maintenance

The District's activated service power of roads and access easement maintenance grants MBCSD authority over private roadways, pedestrian easements, utility easements, and drainage easements within the District's jurisdictional boundary. The public roadways within the District are maintained by the County of Marin and the California Department of Transportation. The private roadways within the District's purview include the following:

- Charlotte's Way
- Cove Lane
- Lagoon Drive
- Pacific Way
- Sunset Way
- Starbuck Extension
- White Way

In 1982, the District adopted the policy stating that it would complete minor maintenance work to keep roads safe for emergency vehicle use and that residents could continue with additional repairs at their own cost. The policy stated "General tax revenues shall only be used for the minor work necessary to keep the roads safe for the passage of emergency vehicles. Residents who wish improvements beyond such minor repairs may join other residents adjoining their road to cooperatively finance and undertake the improvements, with the advice and supervision of MBCSD if desired, but no funding." The District has the current stated policy intention of keeping the roads and pedestrian easements open and in good repair for the mutual use and benefit of the community and public at large.

## 10.6 ORGANIZATION STRUCTURE

### Board of Directors

The Muir Beach Community Services District has a five-member board that is elected to staggered four-year terms. All directors are required to live within the District's jurisdictional



boundary. The Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 7:00 p.m. at the Muir Beach Community Center located at 19 Seacape Drive in Muir Beach.

**Table 10-2: Muir Beach Community Services District Board of Directors**

Member	Position	Term Expiration
Steve Shaffer	President	December 2022
David Taylor	Vice-President	December 2024
Leighton Hills	Director	December 2022
Lisa Eigsti	Director	December 2022
Paul Jeschke	Director	December 2024

### Administration

The Board of Directors of MBCSD appoints a General Manager who serves on an at-will basis to oversee all District activities and is exclusively responsible for the implementation of policies established by the Board of Directors. The General Manager oversees five part-time employees that include a Water System Operator, two Water Team Assistants, a Community Center Maintenance Manager, and one Janitorial Custodian.

### 10.7 ACCOUNTABILITY AND TRANSPARENCY

The Muir Beach Community Services District makes a concerted effort to maintain high accountability and transparency with all its activities. The MBCSD website ([www.muirbeachcsd.com](http://www.muirbeachcsd.com)) provides extensive documentation and information on Board meetings, financial reports, services, history, resolutions, and more. At this time the District is meeting all of the requirements by the State of California for a public agency website.

### Meeting and Agendas

The MBCSD Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 7:00 p.m. at the Muir Beach Community Center located at 19 Seacape Drive in Muir Beach. 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 MBCSD website ([www.muirbeachcsd.com/meetings](http://www.muirbeachcsd.com/meetings)).

### Annual Budget Review

The District’s budget, adopted no later than the July 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 District’s budget is broken down into five separate financial categories of fire, water, roads, recreation, and general in order to maintain proper controls. The District Manager presents financial reports to the Board every month to assure budgetary compliance.

### 10.8 FINANCIAL OVERVIEW

MBCSD has maintained positive revenue to expense differences in four of the five fiscal years covered in the financial actuals for FY 2016-17 to 2020-21. Average total annual revenues for the District over the 5-year period were \$591,522. Revenue (as well as expense) sources for MBCSD are split into 5 main categories: general, fire, water, roads, and recreation. The general



revenues category accounts for approximately 33% of annual revenues and is mainly comprised of ad-valorem property tax as well as Educational Revenue Augmentation Fund (ERAF) funding. The fire revenues category accounts for approximately 12% of annual revenues and consists of the District’s parcel tax for fire, Measure C and Measure W monies, as well as grants and donations. The water revenues category accounts for approximately 32% of annual revenues and is made up of charges for service and meter charges. The roads revenues category accounts for a slightly skewed percentage of total revenues within this 5-year study window as the category typically only accrues a small amount of grant funding revenues, however, in this study window the loan from Marin County in the amount of \$300,000 as well as a grant of \$60,000 was included in the totals. Lastly, the recreation revenues category accounts for approximately 10% of annual revenues and consists of Measure A funds, program charges, rental fees, and donations/grants. The projected revenue for the District for fiscal year 2021-22 is \$554,554. A breakdown of the past 5 years of revenues and expenses can be seen below in Table 10-3.

**Table 10-3: Muir Beach Community Services District Financial Audit Summary**

Revenue	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
<b>General</b>	\$181,856	\$185,090	\$195,089	\$213,284	\$220,145	\$199,092
<b>Fire</b>	\$46,971	\$71,186	\$44,266	\$92,830	\$112,274	\$73,505
<b>Recreation</b>	\$60,681	\$56,954	\$53,529	\$45,093	\$65,835	\$56,418
<b>Roads</b>	\$0	\$16,551	\$8,462	\$360,000	\$0	\$77,002
<b>Water</b>	\$173,972	\$173,014	\$162,048	\$210,454	\$208,028	\$185,503
<b>Total Revenues</b>	\$463,480	\$502,795	\$463,394	\$921,661	\$606,282	\$591,522

Expenses	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
<b>General</b>	\$170,961	\$184,166	\$137,460	\$136,232	\$150,187	\$155,801
<b>Fire</b>	\$27,292	\$33,159	\$26,834	\$57,041	\$20,989	\$33,063
<b>Recreation</b>	\$44,624	\$59,222	\$80,368	\$74,350	\$61,736	\$64,060
<b>Roads</b>	\$19,849	\$17,186	\$4,854	\$16,616	\$8,301	\$13,361
<b>Water</b>	\$217,747	\$111,655	\$101,122	\$138,526	\$127,283	\$139,266
<b>Total Expenses</b>	\$480,473	\$405,388	\$350,638	\$422,765	\$368,496	\$405,522

## Debt

As of June 30, 2020, MBCSD was carrying two main sources of long-term debt. In 2019, the District obtained a loan from the County of Marin in the principal amount of \$300,000. The proceeds from the loan were allocated for road infrastructure improvements within the community. The loan bears interest at 3.5% with three payments due annually on December 5<sup>th</sup> with the totality of repayment scheduled for 2022.

The second source of long-term debt for the District is in the form of a loan from David Taylor as a representative of the Green Lane homeowners group in the amount of \$16,750. The loan, secured in April of 2020, is non-interest bearing and must be repaid in full by April 30, 2030.

The loan funding was allocated to build the Green Lane Water Main Line and the accompanying fire hydrant installations.

MBCSD does not have any past or present employee pension obligations.

## Financial Audit

The Muir Beach Community Services District annually has its financial statements audited and contracts with an outside accounting firm, R.J. Ricciardi, Inc. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2020.

## 10.9 SUSTAINABILITY

Local agencies such as the Muir Beach Community Service District play a critical role in protecting natural resources and the environment. Extended periods of drought and increasingly unpredictable climate patterns have significantly increased the importance for local agencies to step up their own conservation and long-term planning measures as well as making a concerted effort towards higher levels of public outreach.

With a location that is deeply impacted by the wildland urban interface, being proactive in managing the fire fuel load surrounding the community of Muir Beach is a necessity. The District, by way of the Muir Beach Volunteer Fire Department, has a significant fuel reduction and defensible space program that receives funding aid for operations from both the Marin Wildfire Prevention Authority (Measure C) as well as the local parcel tax. These funding allocations allow the District to target high priority prevention efforts such as hazard tree removal, vegetation removal, a Highway 1 fuel break, and fuel reduction measures along Pacific Way.<sup>31</sup>

The District is also instrumental in water conservation within the Muir Beach community. The District offers its ratepayers the opportunity for up to a 50% discount based on bi-monthly usage stats showing that users are below a predetermined water conservation threshold. This has helped to guide the District to a point in September of 2021 that saw 73% of all of its metered connections using less than 150 gallons of water per day.

In times of more significant water shortages such as the recent severe drought conditions throughout California, the District has taken measures to restrict non-essential uses of water. A resolution originally passed in 2014 (Resolution 2014-8-28) was recently reaffirmed by the Board of Directors to prohibit what the District deemed non-essential uses. These uses included (but are not limited to) no landscape irrigation between the hours of 11 a.m. and 7 p.m., landscape irrigation limited to no more than twice a week, requiring that garden hoses be outfitted with a shut-off nozzle at the discharge end, and banning the washing of sidewalks/driveways/parking areas and the filling of swimming pools. The District also monitors the water usage of the 20 highest volume consumers in the District after notifying them of their usage levels to ensure that efforts are made to curtail usage levels.

---

<sup>31</sup> [Marin Community Wildfire Protection Plan](#)

---

## 11.0 TOMALES VILLAGE COMMUNITY SERVICES DISTRICT

---

### 11.1 OVERVIEW

The Tomales Village Community Services District (TVCS D) was established in 1998 as an independent special district under Section 61600 and 61601 of the California State Government Code. The District is the northernmost agency within this study, approximately five miles south of the Sonoma County Border, with Dillon Beach approximately three miles to the west and is bisected by Highway 1. The District’s jurisdictional boundary encompasses approximately 169 acres. TVCS D serves a population of approximately 187<sup>32</sup> persons.

TVCS D’s currently activated service powers include wastewater collection and treatment as well as parks and recreation. These services are primarily provided to the census-designated place (CDP) of Tomales. The last municipal service review that included the TVCS D was conducted in 2009.

Table 11-1: Tomales Village Community Services District Overview

Tomales Village Community Services District			
<b>Primary Contact:</b>	Melinda Bell	Phone:	(707)-878-2767
<b>Mailing Address:</b>	P.O. Box 303, Tomales 94971		
<b>Formation Date:</b>	November 12, 1998		
<b>Services Provided:</b>	Wastewater Collection & Treatment, Parks & Recreation		
<b>Service Area:</b>	169 acres	Population Served:	187

### 11.2 FORMATION AND DEVELOPMENT

While the Tomales Village Community Services District is one of the more relatively recently formed independent special districts in Marin County, having been established in 1998, the chain of events that would lead to the creation of the District dates back decades earlier. In the late 1960s, the County of Marin imposed a moratorium on new development within the Tomales planning area due to the state of disrepair in which many of the local septic systems were in, combined with the physical proximity of those septic systems to the drinking water wells on the properties. It was mandated that a water system or sewer system be constructed before any new property development could occur. Residents voted in favor of a sewer system and by way of procuring both grants and loans, it was completed in 1975. In 1976, the North Marin Water District (NMWD) assumed operations and management of the sewer system.

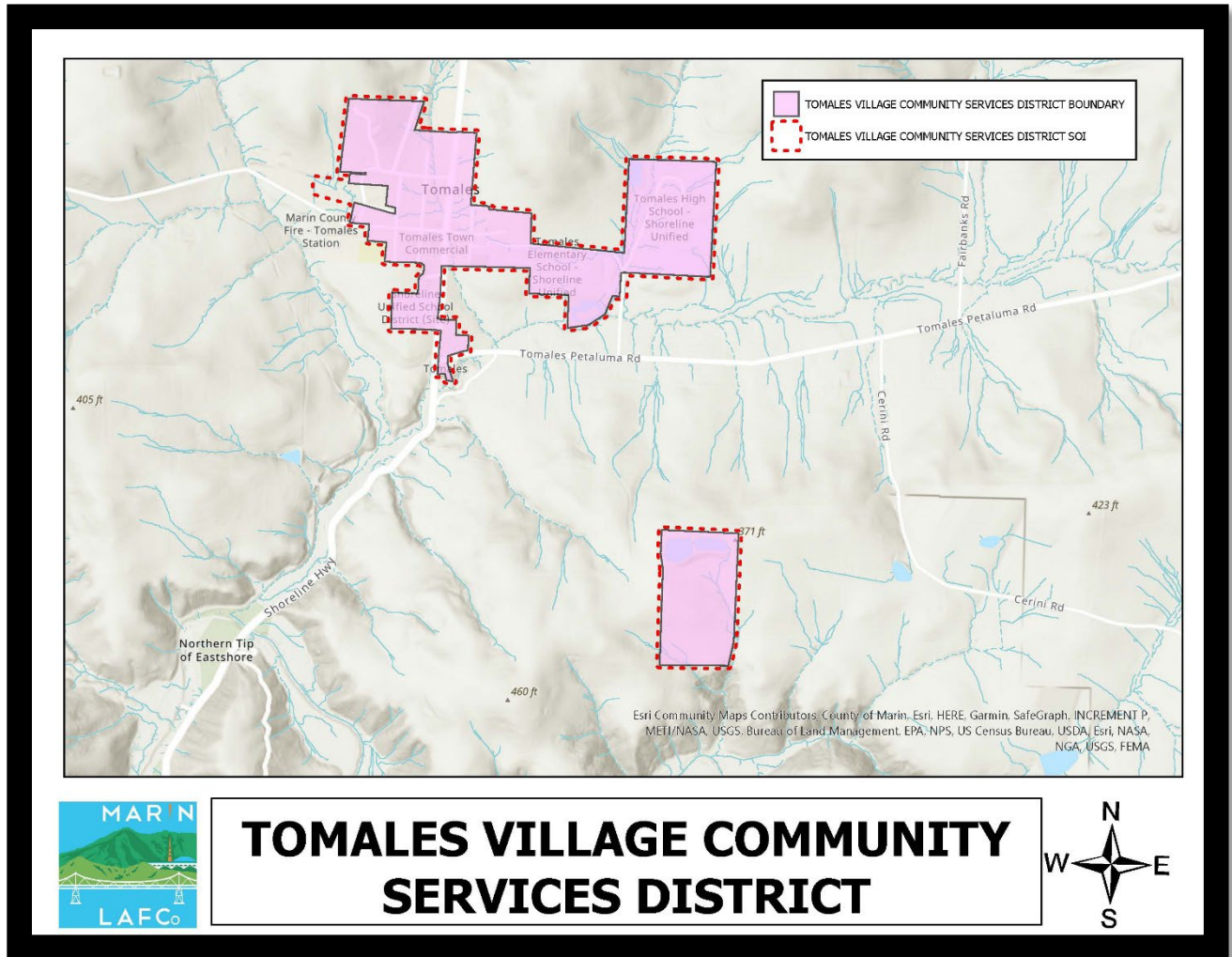
In 1996, secondary treated wastewater spilled out from a broken pipe for several days before being noticed and corrected. NMWD was fined by the Regional Water Quality Control Board. In an effort to compensate for the fine, NMWD increased the rates of Tomales residents, which led to the residents forming a committee to negotiate with NMWD to try to find a more equitable way to handle the situation. These negotiations led to NMWD spreading the cost of the fine over its entire customer base as opposed to just on the ratepayers in Tomales. The committee also procured the services of a third-party operations and maintenance firm to take over day-to-day

---

<sup>32</sup> [2020 US Census Redistricting Data](#)

operations. Ultimately, a movement to form a new independent special district to detach the sewer system from NMWD led to a vote of community members which passed with over 80% approval, forming the Tomales Village Community Services District. In addition to the sewer system, the District assumed the operation and ownership of the Tomales Community Park.

**Figure 11-1: Tomales Village Community Services District Jurisdictional Boundary and Sphere of Influence**



### 11.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Tomales Village Community Services District’s jurisdictional boundary encompasses approximately .26 square miles and covers 169 acres of unincorporated Marin County. In total there are 139 legal parcels encompassed within TVCS’s boundary. The District’s boundary has only one recorded change, with the addition of four parcels in August of 2015.

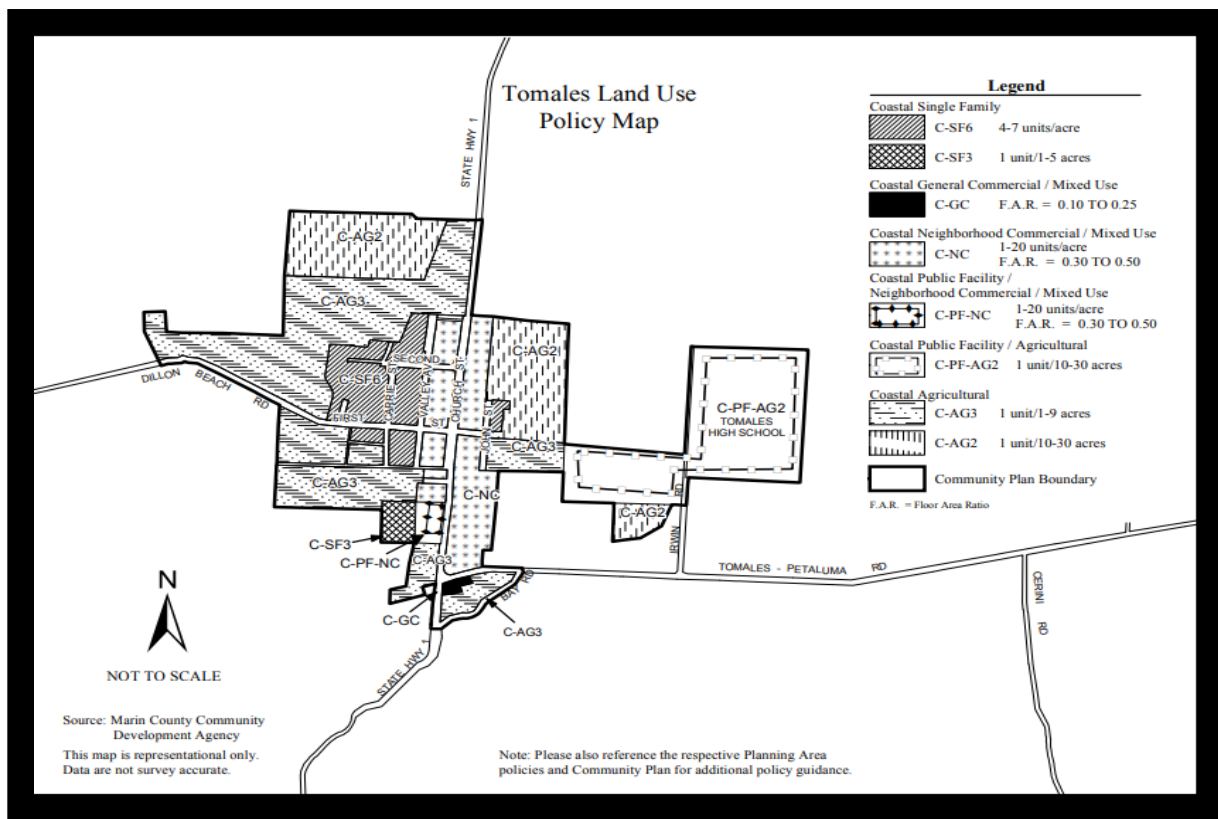
The District’s sphere of influence was established by Marin LAFCo in November of 1998 as a zero sphere. The sphere was updated in 2010 to be coterminous with the District’s existing

jurisdictional boundary while adding 6 parcels to the sphere of influence that were not within the District’s boundary at that time.

### 11.4 GROWTH AND POPULATION

The Tomales Village Community Services District encompasses the census-designated place (CDP) of Tomales. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 187, which is approximately an 8% decrease from the 2010 population number 204<sup>33</sup>. The most recent census data shows the CDP to have 108 total housing units, with 86 of those units occupied. The remaining development potential in the planning area, assuming that the maximum residential densities under the various zoning designations would occur, puts the buildout for the area at 193 units. Since 1990, only 17 units have been added to the planning area, making the annual residential unit additions approximately .5 units per year. While TVCSD has the wastewater capacity to support growth within the planning area’s potential buildout, minimal growth is anticipated in the area. A land-use map for the planning area can be seen below in Figure 11-2.

Figure 11-2: Tomales Land Use Policy Map



<sup>33</sup> [2020 US Census Redistricting Data](#)



## 11.5 MUNICIPAL SERVICES

### Wastewater Collection and Treatment

TVCSO provides wastewater collection, treatment, and disposal to 123 connections (residential and business) to the census-designated place of Tomales including the Tomales campus of the Shoreline Unified School District, which uses approximately one-third of the total capacity of the District's system. Wastewater operations were taken over by TVCSO upon its formation in 1998 from the previous agency, the North Marin Water District. The District's sewer service area encompasses approximately .26 square miles with a collection system of pipelines stretching approximately 2.75 linear miles and consisting of pipes ranging in size from two inches to eight inches. The system collects, treats, and disposes of an average of approximately 17,000 gallons per day of wastewater. Within the system, wastewater is collected from the community of Tomales' connections and is pumped (or flows by gravity) to a treatment system that consists of three ponds. Within this system, wastewater is continually treated by settling and aeration as it moves from one pond to the next, with the cleanest water within the first pond flowing into the second pond, and the cleanest water in the second pond flowing into the third. The treated water from the third pond is then pumped to storage ponds where the water is disinfected with chlorine and given additional time for further settling and breakdown of organic materials. These ponds allow for storage of the treated water in the wintertime when irrigation is not permitted, and in the summer months, the fully treated water is dispersed on a 23-acre irrigation field.

The treatment facilities and collection system have undergone substantial rehabilitation since the formation of TVCSO. In 2002, the District employed the services of Phillips and Associates for the first phase of the renovations which included repairs to designated sites along the collection line, rehabilitation of 10 manholes, and the replacement of the lift station. In 2005, the second phase of the rehab was designed by Erickson Engineering, which included the redesign of the biological treatment system from a single pond to a three-pond Hypalon lined system. The new ponds liners are rated for 50-years and ensure there is no leakage into the surrounding ground. This phase also included the replacement of two high lift pumps, three aerators, and new metering equipment. Currently, the District is planning for additional significant improvements in FY 2026-27 with the slip-lining of a substantial amount of its collection system, as well as the rehabilitation of 10 manholes throughout the service area.

The operations and maintenance of the wastewater system has been handled by a third-party vendor since the District's formation. The contract for services was originally awarded to Phillips & Associates. This agency served the District through 2016, at which time it was purchased by Natural Systems Utilities. Natural Systems Utilities continues to serve the district with operations and maintenance at this time. The contract treatment

plant operator makes weekly inspections of the District’s treatment plant and the lift station to ensure effective operation, in compliance with Regional Water Quality Control Board requirements. These weekly inspections are documented in a weekly log.

## Parks and Recreation

TVCSO owns, maintains, and makes available for public rental the Tomales Community Park, located at 10 Valley Street in Tomales. The park, originally built in 1982, is .89 acres and underwent a complete overhaul in order to be brought up to current state and federal safety and accessibility guidelines. The full expanse of the park was re-graded and terraced, and containment borders for fall surfaces were added to each play area. Multiple play apparatuses were added including two sets of swings, a climbing dome, and a climbing structure known as the “Dutton House” that was designed after a photo of a house that once stood on the property. Other additions included a large outdoor barbecue pit, picnic benches, and ADA-accessible bathrooms. All of the upgrades to the park were funded by way of grants and donations. Beginning in 2013 and continuing today, park improvements and maintenance receive funding by way of Measure A funds.

Most recently, TVCSO completed the construction of a large gazebo area in the park. The final inspection of the structure was conducted by the district on June 30, 2020. The gazebo, which was originally built in 1979, was demolished and removed in 2019 due to its dilapidated condition. The District is currently in the process of hiring an engineer for the addition of ADA-compliant ramps from the gazebo to the restrooms and other areas of the park.

## 11.6 ORGANIZATION STRUCTURE

### Board of Directors

The Tomales Village Community Services District receives oversight and policy direction by way of a five-member board that is elected to staggered four-year terms. All directors are required to be registered voters within the District’s jurisdictional boundary. The Board of Directors meets regularly on the 2<sup>nd</sup> Wednesday of each month at 7:00 p.m. at the Tomales Town Hall located at 27150 Shoreline Highway in Tomales.

Table 11-2: Tomales Village Community Services District Board of Directors

Member	Position	Term Expiration
Donna Clavaud	President	December 2024
Bill Bonini	Vice-President	December 2022
Dru Fallon	Director	December 2022
Peter MacLaird	Director	December 2024
John Ward	Director	December 2022



## Administration

The Board of Directors of TVCSD contracts with a consultant for the District's General Manager services. The General Manager conducts the day-to-day management of the District as specifically outlined within the contract. The General Manager oversees the work of the contracted operations and maintenance agency.

## 11.7 ACCOUNTABILITY AND TRANSPARENCY

The Tomales Village Community Services District makes a concerted effort to maintain high accountability and transparency with all its activities. The TVCSD website ([www.tomalescscsd.ca.gov](http://www.tomalescscsd.ca.gov)) provides extensive documentation and information on Board meetings, financial reports, services, history, contracts, resolutions, and more. At this time, District staff has been notified that it has fallen behind on posting the required up-to-date financial documentation as well as document remediation for ADA compliance. Staff is making an effort to update the necessary parts of the page but due to current turnover in management staff, this process has been delayed.

## Meeting and Agendas

The TVCSD Board of Directors meets regularly on the 2<sup>nd</sup> Wednesday of each month at 7:00 p.m. at the Tomales Town Hall located at 27150 Shoreline Highway in Tomales. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the TVCSD website ([www.tomalescscsd.ca.gov/2022-packets-and-minutes](http://www.tomalescscsd.ca.gov/2022-packets-and-minutes)) and are always posted at least 72 hours prior to a meeting being held.

## Annual Budget Review

The District's budget, typically adopted no later than the July 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 Financial Manager presents financial reports to the Board every month to assure budgetary compliance.

## 11.8 FINANCIAL OVERVIEW

TVCSD has maintained a positive operational revenue to expense differential in each of the five fiscal years FY 2016-17 to 2020-21 without the inclusion of depreciation and debt payments into the operational equation. While depreciation and debt repayments are ultimately included within the balance sheets, the sewer operations for the District have shown to be positive and two rate increases over the study period implemented to address any possible liquidity issues have helped the District to maintain positive cash balances. The average total annual revenues for the District over the 5-year period were \$239,671. The primary revenue source for the District is sewer service charges (95%) with a negligible amount of property taxes supplementing. The District receives Measure A monies which account for 98% of its annual parks funding. With Measure A up for renewal this year, despite having a sizeable reserve fund from which to draw, it will be critical for the District's continued parks operations for the measure to be renewed. The primary annual expenses for TVCSD are administrator's fees and the contract for maintenance and

operations services. The projected revenue for the District for fiscal year 2021-22 is \$237,867. A breakdown of the past 5 years of revenues and expenses can be seen below in Table 11-3.

**Table 11-3: Tomales Village Community Services District Financial Audit Summary**

Revenue	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
<b>Parks</b>	\$35,598	\$36,648	\$40,486	\$64,825	\$36,792	\$42,869
<b>Sewer</b>	\$176,652	\$179,617	\$207,889	\$206,317	\$213,531	\$196,801
<b>Total</b>	\$212,250	\$216,265	\$248,375	\$271,142	\$250,323	\$239,671

Expenses	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
<b>Parks</b>	\$18,651	\$10,874	\$18,248	\$12,175	\$25,604	\$17,110
<b>Sewer</b>	\$223,561	\$211,537	\$202,035	\$204,428	\$221,106	\$212,533
<b>Total</b>	\$242,212	\$222,411	\$220,283	\$216,603	\$246,710	\$229,643

## Debt

As of June 30, 2021, TVCSD was carrying \$97,419 in long-term debt. In 2003, the District entered into a loan agreement with the State Water Resources Control Board in order to make major capital improvements throughout TVCSD’s infrastructure. In 2008, it was converted into a note payable. The loan is repaid annually in installments of \$24,137 and accrues interest at 2.5%. The loan is set to mature in December of 2022.

The second source of long-term debt for the District is in the form of clean renewable energy bonds that were issued in the amount of \$305,000 at 0% interest. The District used the monies to install two solar-powered systems at the irrigation field and the treatment plant. Annual payments of \$17,941 are made annually in December with the final payment being due in 2025.

## Financial Audit

The Tomales Village Community Services District annually has its financial statements audited and contracts with an outside accounting firm, Robert W. Johnson. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2021.

## 11.9 SUSTAINABILITY

Local agencies such as the Tomales Village Community Services District play a critical role in protecting natural resources and the environment. Extended periods of drought and increasingly unpredictable climate patterns have significantly increased the importance for local agencies to step up their own conservation and long-term planning measures as well as making a concerted effort towards higher levels of public outreach.

TVCSD operates its wastewater treatment facilities by way of solar energy that is produced by solar arrays that were constructed by the District through the use of clean energy bonds in 2009. The two solar arrays combine to generate 31.8 kilowatts of energy. The District was supported by the community in this endeavor through the agreement of a \$5 per month rate increase that is

specifically allocated towards paying down the balance of the bonds. The California Solar Initiative also offered the District refunds based upon the usage and generation of energy from the system. In addition to the sustainability efforts shown by the District, over the years there has been a significant financial improvement as far as annual energy expenses.

---

## 12.0 INVERNESS PUBLIC UTILITY DISTRICT

---

### 12.1 OVERVIEW

The Inverness Public Utility District (IPUD) was established in 1948 as an independent special district under Section 15501 of the California Public Utilities Code. The Marin County Boundary Change Commission approved the jurisdictional boundary of the District which was followed by a successful vote of the residents within the boundary. The District is located on the west shore of the Tomales Bay, with the Point Reyes National Seashore to its west and south. The District's jurisdictional boundary encompasses just under 2.2 square miles. IPUD serves a population of approximately 1,447<sup>34</sup> persons. The last municipal service review that included the IPUD was conducted in January of 2016 (though only one of the District's services was reviewed) as part of the Countywide Water Municipal Service Review. The last full municipal service review was in 2007.

IPUD's currently activated service powers include potable water and fire protection. These services are primarily provided to the northern half of the census-designated place (CDP) of Inverness. The District's primary potable water supply is collected locally from the three perennial creeks within the District by way of permits with the State Water Resources Control Board.

**Table 12-1: Inverness Public Utility District Overview**

Inverness Public Utility District			
<b>Primary Contact:</b>	Shelley Redding	Phone:	(415)-669-1414
<b>Main Office:</b>	50 Inverness Way North, Inverness 94937		
<b>Formation Date:</b>	1948		
<b>Services Provided:</b>	Potable Water and Fire Protection		
<b>Service Area:</b>	1,410 acres	Population Served:	1,447

### 12.2 FORMATION AND DEVELOPMENT

The Inverness Public Utility District's formation took place in 1948 with the intention for the District to be the conduit for the purchase of the private water company, Inverness Water Works, and proceed with potable water service duties following the acquisition. Between 1949 and 1951, three separate voter measures failed to pass in order to purchase the water company, leaving the District essentially dormant until activating its fire protection services in 1951. A vote of the District's Board of Directors enabled IPUD to assume all service responsibilities of the Inverness Volunteer Fire Department. In 1954 a bond measure was passed in order to fund the construction of the firehouse.

In June of 1979, IPUD received voter approval for the issuance of up to \$750,000 in bonds for the purchase and rehabilitation of two privately owned water systems in the area. Upon acquiring the water systems, the Board of Directors for IPUD voted to activate its latent power to

---

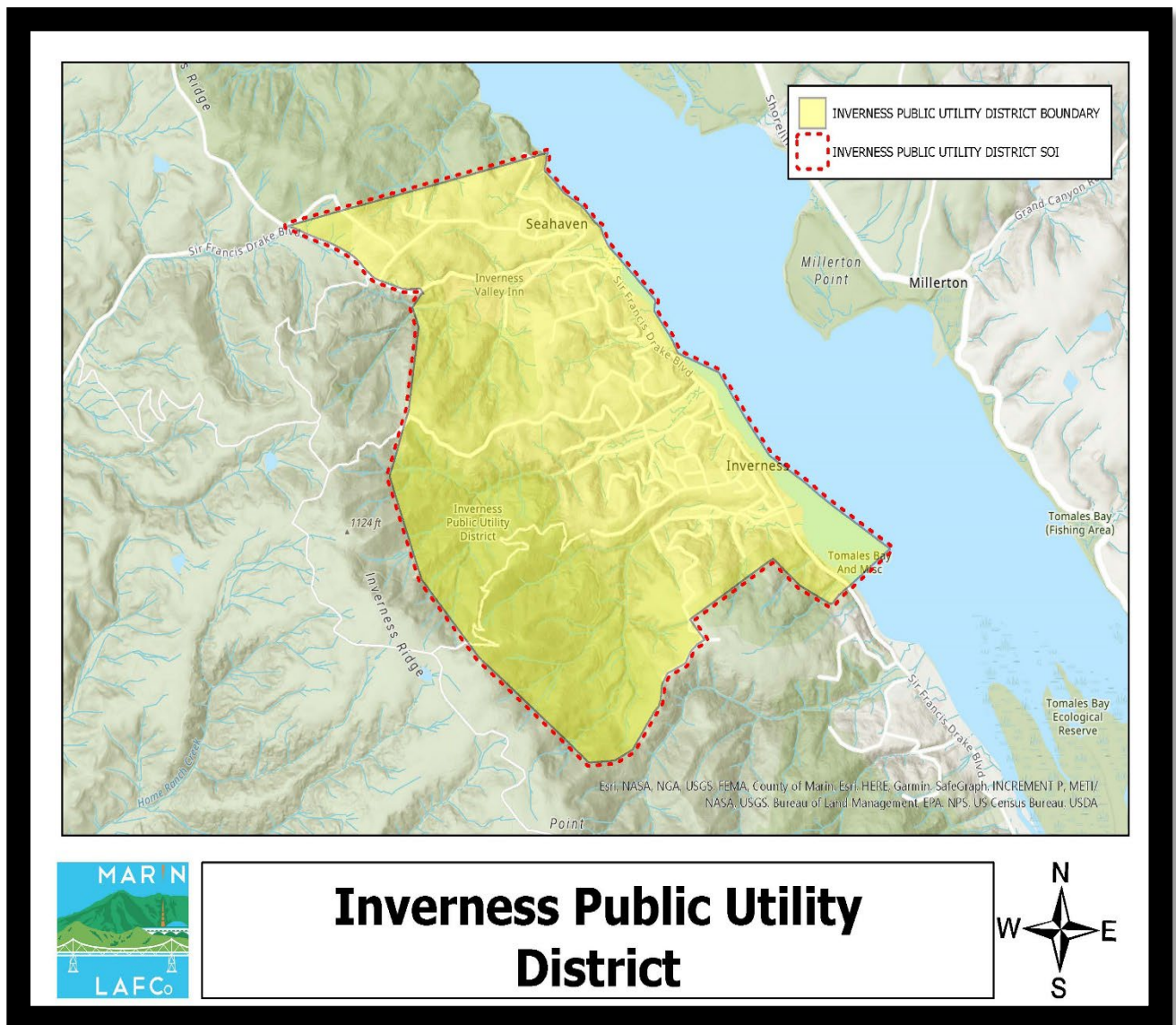
<sup>34</sup> Population served calculated through the means given in California Code of Regulations Section 64412 using number of current service connections multiplied by 2.8.

provide domestic water service which was possible due to it predating legislation that requires agencies to have latent powers approved by LAFCo.

In June of 1980, the voters within the District approved a special tax to fund fire protection and prevention efforts within the District. The tax was levied at six cents per square foot of each structure within the boundary and \$5 per parcel acre for all unimproved properties. The tax contains no sunset date and continues funding the District's fire-related efforts to this day.

In January of 1982, IPUD's water system experienced significant damages from major flooding and mudflows due to an overwhelming storm that swept across a majority of the Bay Area. Road access to the District was cut off for several days which only served to delay repairs. The incident led the District to begin considering different avenues for supplemental water supplies in the event of any emergency need. The North Marin Water District (NMWD) seemed a natural partner in this endeavor as NMWD serves the area to the south of IPUD's boundary. An intertie between the two districts was installed and an agreement was signed enabling either district to import water from the other in the event of a natural or man-made disaster (excluding drought shortages). The two districts began a preliminary discussion in early 1987 for IPUD to purchase supplemental water from NMWD on a regular basis. A petition by residents was circulated forbidding the District to negotiate any agreement with NMWD without voter approval. The proposed initiative ordinance was accepted and enacted by the Board of Directors on July 20, 1987. A year later, the Board of Directors submitted to the voters a proposal asking for permission to negotiate a supplemental water purchase agreement with NMWD. A vote was held in November of 1988 and the measure was defeated by the voters with the faction opposed to negotiations for an agreement to import water capturing over 70% of the vote.

**Figure 12-1: Inverness Public Utility District Jurisdictional Boundary and Sphere of Influence**



### 12.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Inverness Public Utility District’s jurisdictional boundary encompasses approximately 2.2 square miles and covers 1,410 acres of unincorporated Marin County. Approximately one-tenth of that acreage (196 acres) is part of the Tomales Bay State Park and is owned by the State of California. In total there are 745 legal parcels encompassed within IPUD’s boundary. The District’s boundary was expanded twice in the 1970s to take in the Pine Hill and Seahaven neighborhoods. The area of the District’s boundary is shared by the North Marin Water District (NMWD), despite all water services within IPUD’s boundary being provided by IPUD and the District’s boundary not being included in NMWD’s sphere of influence. In a sphere of influence update conducted in 2017, the Commission concluded that IPUD’s boundary continues to be excluded from NMWD’s sphere of influence as “... these areas merit detachment from NMWD



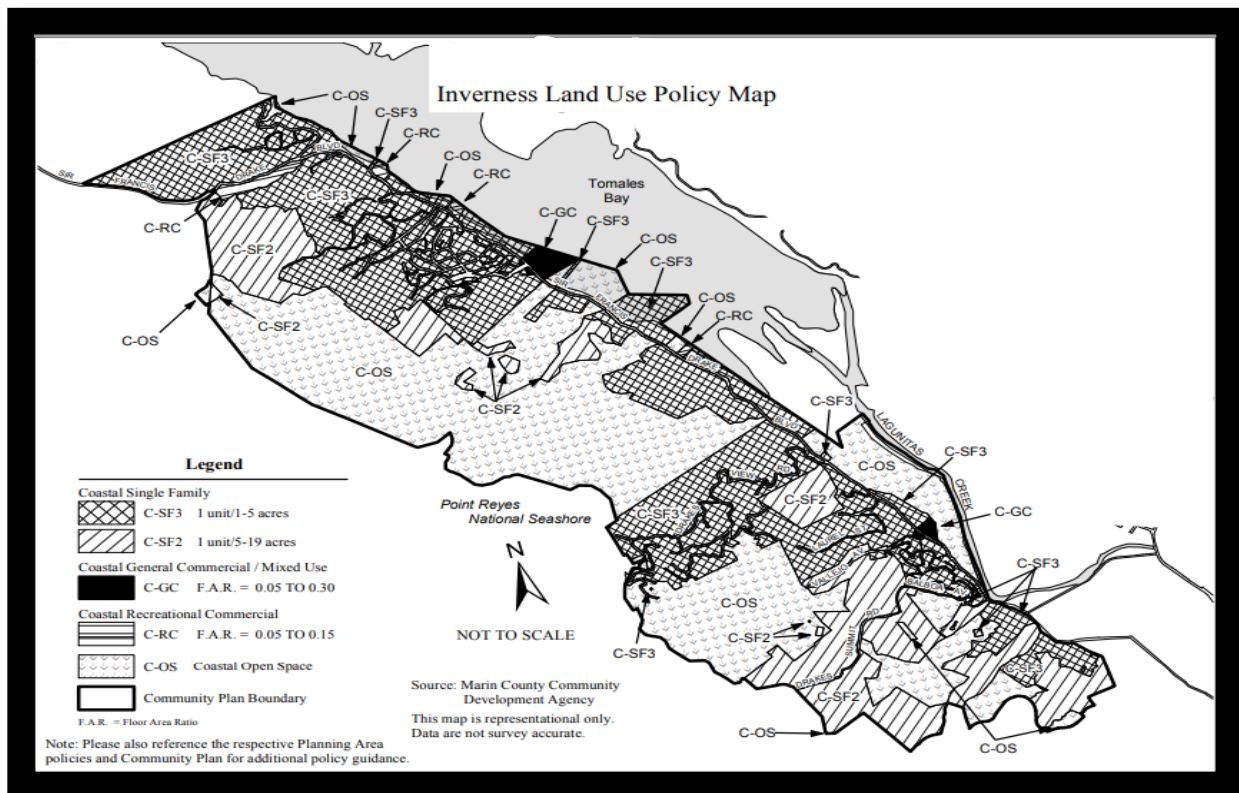
given the lack of social and economic communities of interests, and furthermore, the Commission encourages the District (NMWD) to submit one or more proposals to facilitate the referenced changes.”

The District’s sphere of influence was established by Marin LAFCo in November of 1984. At that time, the sphere of influence was coterminous with the jurisdictional boundary. Marin LAFCo reaffirmed the sphere of influence in 2007.

## 12.4 GROWTH AND POPULATION

The Inverness Public Utility District encompasses the northern half of the census-designated place (CDP) of Inverness. According to 2020 U.S. Census Redistricting Data, the population of the entire CDP is 1,379, which is approximately a 6% increase from the 2010 population number 1,304<sup>35</sup>. The most recent census data shows the CDP to have 1,085 total housing units, with 702 of those units occupied. The remaining development potential within the IPUD boundary appears limited to the 55 privately owned undeveloped parcels that meet the minimum development size under existing County zoning standards and appear relatively unhindered by the area’s topographical constraints. A land-use map for the planning area can be seen below in Figure 12-2.

Figure 12-2: Inverness Land Use Policy Map



<sup>35</sup> [2020 US Census Redistricting Data](#)



## 12.5 MUNICIPAL SERVICES

### Potable Water

The Inverness Public Utility District provides retail potable water services through its own supply, treatment, storage, and distribution facilities. The infrastructure originally was constructed by two separate private water companies, the Inverness Land & Water Company (which later became simply Inverness Water Company) and the Seahaven Water Company. The distribution system extends approximately 10.5 miles. The District's water supplies are locally sourced and obtained from surface and groundwater sources from an approximately 600-acre area within the 400 square mile area that comprises the Tomales Bay watershed. These sources, provide the District with an estimated maximum available annual yield of 100 acre-feet.

The primary potable water sources for IPUD are eight diversion points on three separate perennial creeks: First Valley Creek, Second Valley Creek, and Third Valley Creek. Each of the creeks runs across the District and are tributaries to Tomales Bay. The surface diversions are permitted as pre-1914 appropriative rights from the State Water Resources Control Board and allow IPUD to draw water throughout the year without being subject to any external limitations. These pre-1914 diversions account for approximately four-fifths of IPUD's annual supply.

As a secondary source, the District also maintains two additional surface diversions on First Valley Creek and Second Valley Creek that are used as necessary. The permits for these two diversions are post-1914 appropriative rights and can be accessed year-round but are subject to volume restrictions. The District typically reserves accessing these sources to necessitation in the summer months with the permit restrictions limiting IPUD to withdrawing 30 gallons per minute only between June 1<sup>st</sup> and November 15<sup>th</sup>. The District is allowed to draw up to 50% of available flows from the sources after that timeframe. The District also manages three groundwater well sites to supplement the surface sources as needed. Two of the three wells have a 1.5 gallons per minute capacity and the third has a 4 gallons per minute capacity and are therefore used sparingly.

IPUD has two separate treatment facilities, F1 and F3, that provide nano-filtration and chlorine disinfectant treatment to all of the raw water drawn. Combined, the treatment facilities have the capacity to treat 120 gallons per minute for a possible daily treatment production level of .53 acre-feet. The F1 treatment facility is responsible for the majority of the treated water that is produced. The plant treats the water that is gravity fed to it from six of the eight main diversion points off of First Valley Creek and Second Valley Creek. The facility also receives water that is pumped to it from the two lower elevation diversion points as well as from the three well sites. The F1 treatment plant was originally constructed in 1983 and originally used two membrane sediment filters to separate organic/inorganic materials without the addition of chemicals in the initial filtration process. In 2014 a new nano-filtration system was installed. After filtration, chlorine is added to filtered water before being pumped into storage tanks where it is gravity fed into the distribution system. The treatment capacity of the F1 facility is 100 gallons per minute. The F3 facility is operated as needed and treats raw water that arrives by way of gravity from the two main diversion points on the Third Valley Creek. The F3 treatment plant was updated in

2014 using nano-filtration and treats raw water in the same process manner as the F1 facility but with a significantly reduced treatment capacity of 20 gallons per minute.

The distribution system for IPUD is comprised of approximately 10.5 miles of water mains that supply the District's seven pressure zones that connect a 300-foot range in elevation between the 517 service connections. Over three-fourths of IPUD's water distribution comes from the pressure zones receiving distribution from the F1 treatment facility. Both gravity and pumping are used to recharge the pressure zones for both F1 and F3. Seven tanks within the F1 portion of the distribution system combine for a storage capacity of 326,400 gallons (including one 43,700 gallon tank currently under construction), while three additional tanks in the F3 distribution zone hold 140,000 gallons.

IPUD collects two separate fees from its users: a metered usage fee and a bi-monthly fixed charge. The fixed charge is currently composed of two separate charges. The first, a basic charge, is \$150 for two months and covers water system operating expenses. The second is a temporary charge that is a drought surcharge. At \$30 every two months, this charge aims to recoup debt recognized during the 2019-2021 drought period and will sunset after June 30, 2023. The final charge within the fixed charges is a cross-connection program charge which applies to only 18 ratepayers who have a well or a private water storage tank on their property. This charge is \$12 per two months. The charges are set by a Board of Directors' ordinance and are intended to provide full cost-recovery for the daily operation of the water system as well as providing funding for projected capital improvement schedules. The usage fee is tiered and escalates based on the total volume consumed. Usage of 1-499 cubic feet is included within the basic charge; 500-1,199 cubic feet is \$3 per 100 cubic feet.

## **Fire Protection**

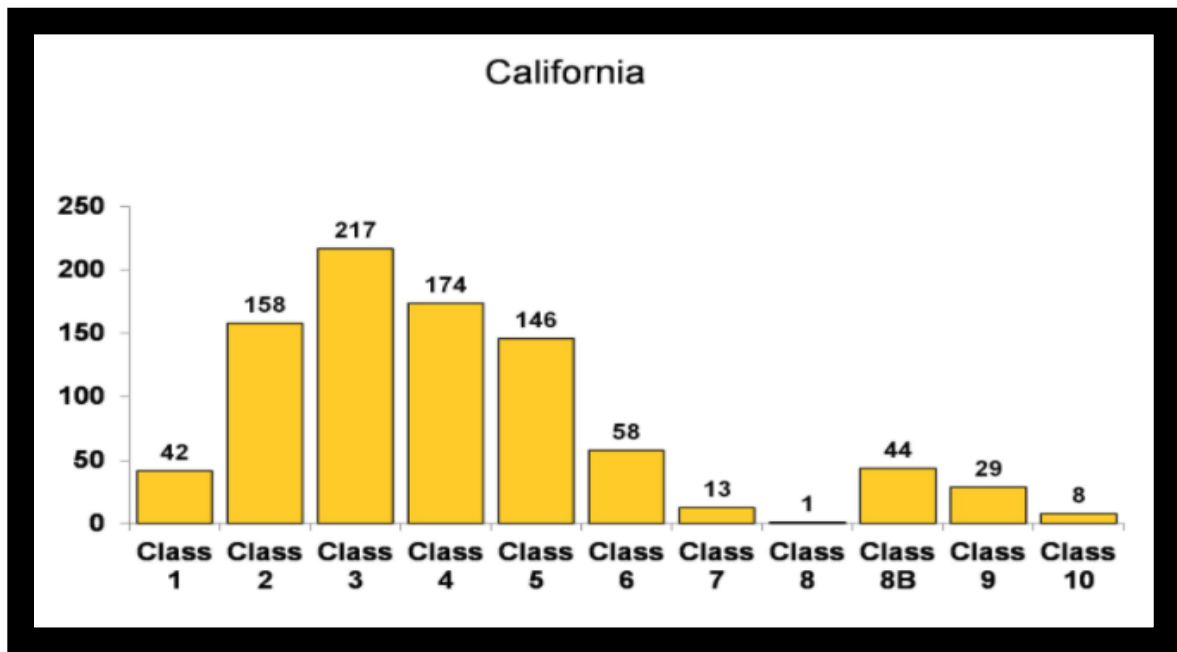
The Inverness Public Utility District provides fire protection, emergency medical response, and disaster preparedness by way of a vote to activate the District's latent power in 1951 to assume the management of the Inverness Volunteer Fire Department (IVFD). The District maintains a roster of approximately 20 volunteer firefighters as well as one paid Fire Chief. The response area for fire services matches the District boundary, with Tomales Bay State Park to the north, Point Reyes National Seashore to the west, Tomales Bay to the east, and Marin County Fire Department's service area to the south.

The Tomales Bay State Park and the Point Reyes National Seashore both receive fire protection services by way of a contract with the Marin County Fire Department whose closest stations for response are in Point Reyes and Hicks Valley. The District contracts with MCFD for dispatch services and an automatic mutual aid response protocol was established with MCFD in 1994. The Department is part of a Cooperative Fire Agreement with the Point Reyes National Seashore; other participants in this agreement include MCFD, Bolinas Fire Protection District, Stinson Beach Fire Protection District, Muir Beach Fire Department, South Marin Fire Protection District, and Sausalito Fire Department. The District is also a part of the Marin Wildfire Prevention Authority (MWPA) which helps to provide annual funding for its 17 member agencies' fire-related projects and services. The District receives .52% of MWPA's total annual funding allocations.

The District has a single station, at 50 Inverness Way, on the Village Green near the commercial center of town. The District owns the Firehouse/Village Green parcel. The Firehouse was built in 1956 and remodeled and expanded slightly in 1992. It houses the Fire Department, a community meeting room, and the District and Water System offices. District fire suppression equipment includes two Type 1 engines, one Type 6 engine, one small rescue vehicle, and two command/utility vehicles.

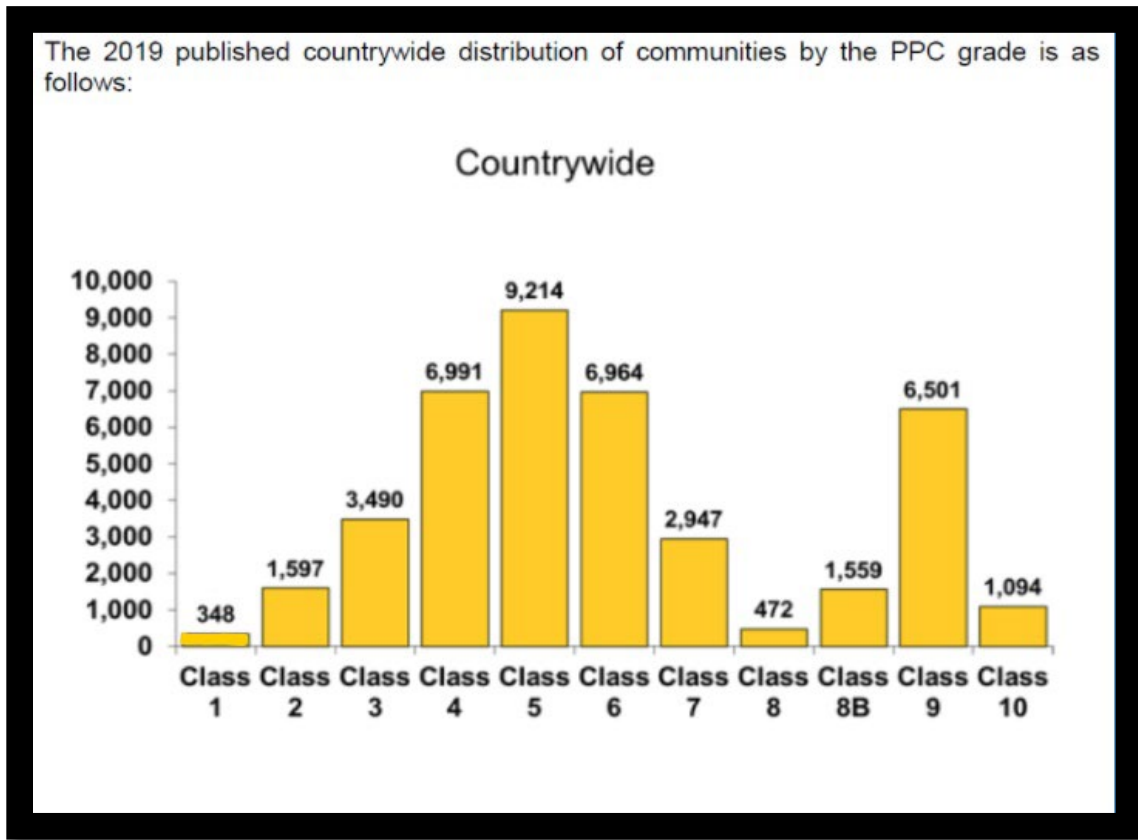
Effective September 1, 2021, Inverness Public Utility District was given a Class 5/5x Public Protection Classification (PPC) rating by the Insurance Services Office (ISO), an organization that independently evaluates municipal fire-protection efforts throughout the United States. Ratings range on a scale of 1 to 10. Class 1 generally represents superior property fire protection, and class 10 indicates that the area’s fire suppression program does not meet ISO’s minimum criteria.<sup>36</sup> While many communities receive a single number classification, many smaller and more rural communities receive a split classification to reflect the risk of loss more precisely. In the case of a split classification, the first number refers to the classification of properties within 5 road miles of a fire station and within 1,000 feet of a creditable water supply. The second number, with either the X or Y designation, applies to properties within 5 road miles of a fire station but beyond 1,000 feet of a creditable water supply (i.e. fire hydrant). ISO generally assigns Class 10 to properties beyond 5 road miles. The majority of insurance agencies throughout the country use the PPC classification for underwriting and calculating premiums on residential, commercial, and industrial properties. Figures 12-3 and 12-4 below show the breakdown of PPC rating data throughout both the United States and California.

**Figure 12-3: PPC Rating Distribution by Class Throughout California**



<sup>36</sup> [How the PPC Program Works](#)

Figure 12-4: PPC Rating Distribution by Class Throughout the United States



## 12.6 ORGANIZATION STRUCTURE

### Board of Directors

The Inverness Public Utilities District was originally formed with a three-member governing board. The board was expanded in the mid-1970s to its current levels today of a five-member board that is elected to staggered four-year terms. All directors are required to be registered voters within the District’s jurisdictional boundary. The Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 9:00 a.m. at the IPUD Administrative Office located at 50 Inverness Way in Inverness.

Table 12-2: Inverness Public Utility District Board of Directors

Member	Position	Term Expiration
Ken Emanuels	President	December 2022
Dakota Whitney	Vice-President	December 2024
Kathryn Donohue	Director	December 2024
Brent Johnson	Director	December 2024
David Press	Director	December 2022

## Administration

The Board of Directors of IPUD appoints a General Manager who serves on an at-will basis to oversee all District activities and is exclusively responsible for the implementation of policies established by the Board of Directors. The General Manager oversees four employees that include one Chief of Operations, one Senior Water Operator, one Customer Services Manager, and one part-time Administrative Assistant.

## 12.7 ACCOUNTABILITY AND TRANSPARENCY

The Inverness Public Utility District makes a concerted effort to maintain high accountability and transparency with all its activities. The IPUD website ([www.invernesspud.org](http://www.invernesspud.org)) provides extensive documentation and information on Board meetings, financial reports, services, history, water conservation, resolutions, and more. At this time the District is meeting all of the requirements by the State of California for a public agency website.

### Meeting and Agendas

The IPUD Board of Directors meets regularly on the 4<sup>th</sup> Wednesday of each month at 9:00 a.m. at the IPUD Administrative Office located at 50 Inverness Way in Inverness. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the IPUD website ([www.invernesspud.org/board-meetings](http://www.invernesspud.org/board-meetings)).

### Annual Budget Review

The District's budget, typically adopted no later than the July 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 District Manager presents financial reports to the Board every month to assure budgetary compliance.

## 12.8 FINANCIAL OVERVIEW

IPUD has maintained a positive budgeted revenue to expense differential in each of the five fiscal years FY 2016-17 to 2020-21. The average total annual revenues for the District over the 5-year period were \$1,059,040. The primary revenue sources for the District are water charges and property taxes, which combined account for approximately 90% of IPUD's annual revenue. The primary annual expense for the IPUD with approximately 70% of the District's annual expenses is personnel costs. The projected revenue for the District for fiscal year 2021-22 is \$1,377,564. A breakdown of the past 5 years of projected revenues and expenses can be seen below in Table 12-3.

Table 12-3: Inverness Public Utility District Financial Audit Summary

Revenue	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
Taxes	\$557,089	\$561,893	\$579,900	\$747,100	\$641,495	\$617,495
Water Charges	\$388,250	\$291,293	\$427,200	\$457,850	\$561,400	\$425,198
Miscellaneous	\$2,304	\$0	\$2,400	\$41,390	\$34,890	\$16,196
Total Revenues	\$948,391	\$853,186	\$1,009,500	\$1,246,340	\$1,237,785	\$1,059,040

Expenses	FY 2016 17	FY 2017 18	FY 2018 19	FY 2019 20	FY 2020 21	Averages
<b>Personnel Costs</b>	\$641,215	\$482,266	\$701,000	\$722,726	\$732,319	\$655,905
<b>Dispatch and Communications</b>	\$35,677	\$15,350	\$36,600	\$25,141	\$26,450	\$27,843
<b>Collection and Treatment</b>	\$46,564	\$35,323	\$45,500	\$4,500	\$6,000	\$27,577
<b>Lab and Monitoring</b>	\$8,317	\$9,869	\$15,000	\$9,968	\$10,800	\$10,790
<b>Maintenance and Utilities</b>	\$6,195	\$4,018	\$6,300	\$66,322	\$80,100	\$32,587
<b>Storage and Distribution</b>	\$18,692	\$24,873	\$20,500	\$3,772	\$4,900	\$14,547
<b>Supplies and Inventory</b>	\$11,165	\$8,647	\$13,600	\$15,890	\$27,000	\$15,260
<b>Training</b>	\$9,855	\$10,212	\$9,900	\$6,000	\$14,644	\$10,122
<b>Vehicle Operations</b>	\$8,396	\$10,296	\$9,200	\$18,000	\$18,000	\$12,778
<b>Administration</b>	\$100,279	\$106,952	\$110,330	\$111,607	\$103,863	\$106,606
<b>Total Expenses</b>	\$911,021	\$720,576	\$990,530	\$990,927	\$1,028,576	\$928,326

## Debt

IPUD 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. The District maintains two distinct benefit packages – one for public safety (fire) and one for non-public safety (water). As of June 30, 2021, the District's Net Pension Liability was reported at \$440,675 and is 76% funded. In addition to the pension plan, the District provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2021, the District carried a net OPEB liability of \$825,164. The District currently has 11 employees, both active and inactive, in its OPEB plan.

## Financial Audit

The Inverness Public Utilities District annually has its financial statements audited and contracts with an outside accounting firm, R.J. Ricciardi, Inc. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2021.

## 12.9 SUSTAINABILITY

Local agencies such as the Inverness Public Utility District play a critical role in protecting natural resources and the environment. Extended periods of drought and increasingly unpredictable climate patterns have significantly increased the importance for local agencies to step up their own conservation and long-term planning measures as well as making a concerted effort towards higher levels of public outreach.

As the District is located in the wildland-urban interface and having experienced a significant wildland fire (Vision Fire) destroy 48 homes in 1995 just outside of the District, IPUD is proactive within its financial capabilities in wildland fire fuel abatement. In the past the District

provided “Chipper Days” for residents to participate in improving their defensible space. With the recent addition of funding from the Marin Wildfire Prevention Authority, FIRESafe Marin now coordinates the annual chipping activities within the District. This effort, along with the strong probability of a voter-initiated ballot measure this coming November for a new parcel tax, give the District a strong possibility to expand its fuel management efforts in the near future by creating a Local Hazard Mitigation Plan by partnering with community groups and organizations.



---

## 13.0 FLOOD CONTROL ZONE NO. 5

---

### 13.1 OVERVIEW

Flood Control Zone No. 5 (FCZ5) encompasses approximately 2.28 square miles and includes the census-designated place (CDP) of Stinson Beach and the Easkoot Creek Watershed area to the east of the developed residential area. The boundaries of FCZ5 were formed by the Marin County Flood Control and Water Conservation District and approved by the Board of Supervisors. FCZ5 is also part of the Stinson Beach Flood Protection and Watershed Program. The Zone was established in 1961 in an effort to curtail flooding events from both seasonally rising creeks and high tides.

Table 13-1: Flood Control Zone 5 Overview

Flood Control Zone 5			
<b>Primary Contact:</b>	Hannah Lee, Senior Civil Engineer	Phone	(415)-473-2671
<b>Main Office:</b>	3501 Civic Center Drive, San Rafael		
<b>Formation Date:</b>	October 2, 1961		
<b>Services Provided:</b>	Sediment removal in Easkoot Creek for the purpose of reducing flood risk		
<b>Service Area:</b>	1,457 acres		
<b>Population Served:</b>	≈750		

### 13.2 FORMATION AND DEVELOPMENT

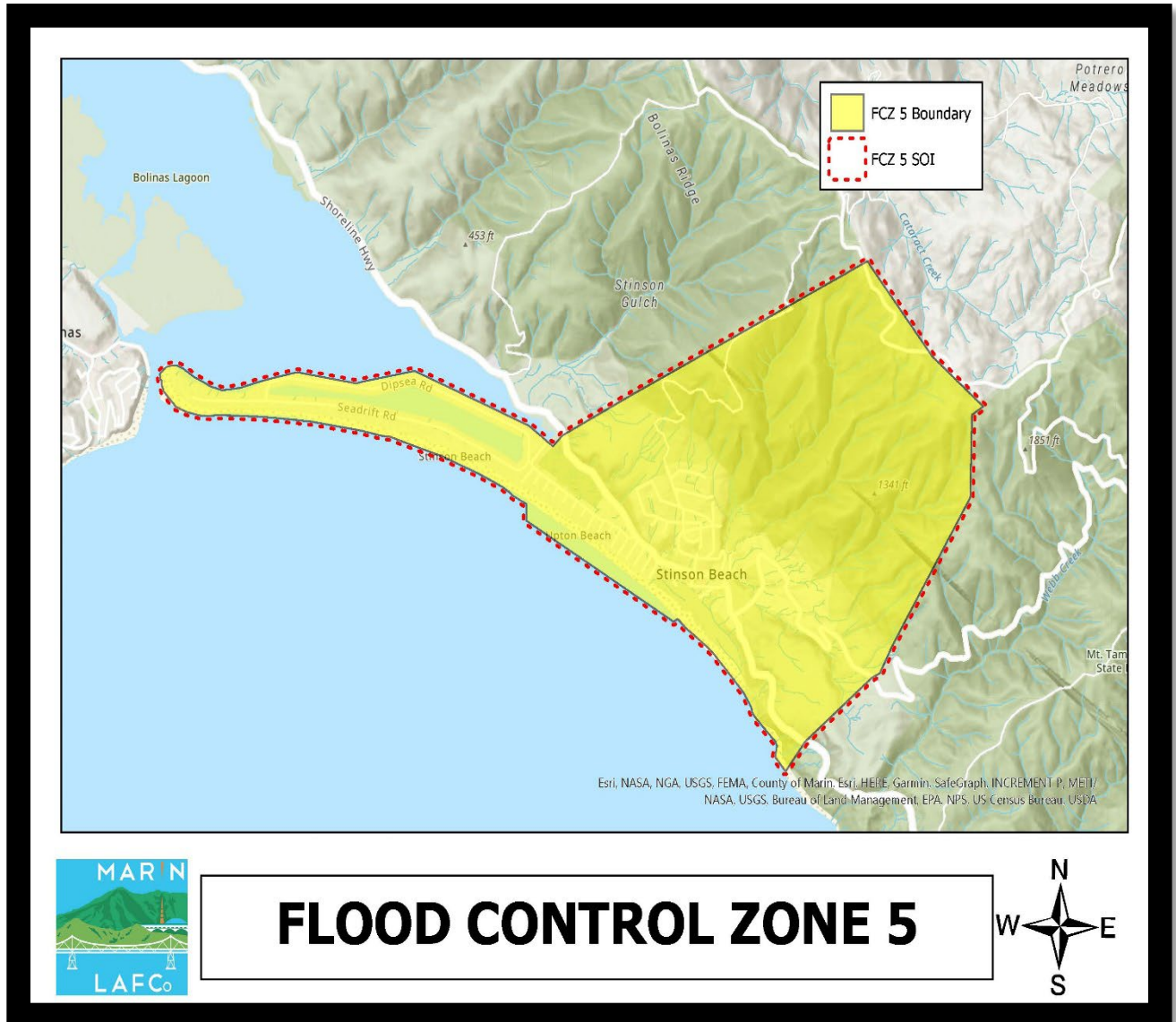
Flood Control Zone 5 was originally established by the Marin County Board of Supervisors on October 2, 1961. The Zone was created with a primary focus on the need for the periodic dredging of the Easkoot Creek due to material from a large landslide in a canyon just above Stinson Beach severely reducing the capacity of the creek. In the years prior to the official creation of the zone, maintenance dredging of the creek had intermittently been performed by the Marin County Department of Public Works, the California State Division of Beaches and Parks, and the Army Corps of Engineers. Since the creation of the zone, the Flood Control and Water Conservation District has performed at least six major sediment removal operations despite limited funding.

In 2014, a major flooding event in Stinson Beach prompted a heightened community awareness to the area's propensity for flooding and the need for additional preventative measures. In May of 2014, the Stinson Beach Flood Study and Alternatives Assessment was released by the Marin County Flood Control and Water Conservation District. The study identified ten options to improve flood protection for the community, restore natural habitat, and maintain emergency access. The study created a framework for bypass of flood flows, restoration of wetlands and riparian habitat, dredging of the Easkoot Creek from Arenal to Calle del Arroyo, and maintaining channel conveyance through sediment removal at key sites along with continued vegetation management. The total projected cost for the plan was \$5.7 million. In order to generate the funds, a special tax of \$250 per improved parcel was put on the ballot in 2015. Despite an abundance of community engagement on the issue, the tax measure failed to receive the necessary voter support. No other ballot measures have been brought to the zone's voters since this effort.

### 13.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

FCZ5's jurisdictional boundary encompasses approximately 1,457 acres (2.8 square miles) and contains 921 parcels in total. The Zone encompasses the community of Stinson Beach and the boundaries of the zone and the Easkoot Creek Watershed are nearly coterminous. Tributaries within the boundary that join the mainstem before it flows into the Bolinas Lagoon include Fitzhenry, White Rock, and Black Rock Creeks. FCZ5's sphere of influence is coterminous with its jurisdictional boundary.

Figure 13-1: Flood Zone 5's Jurisdictional Boundary and Sphere of Influence

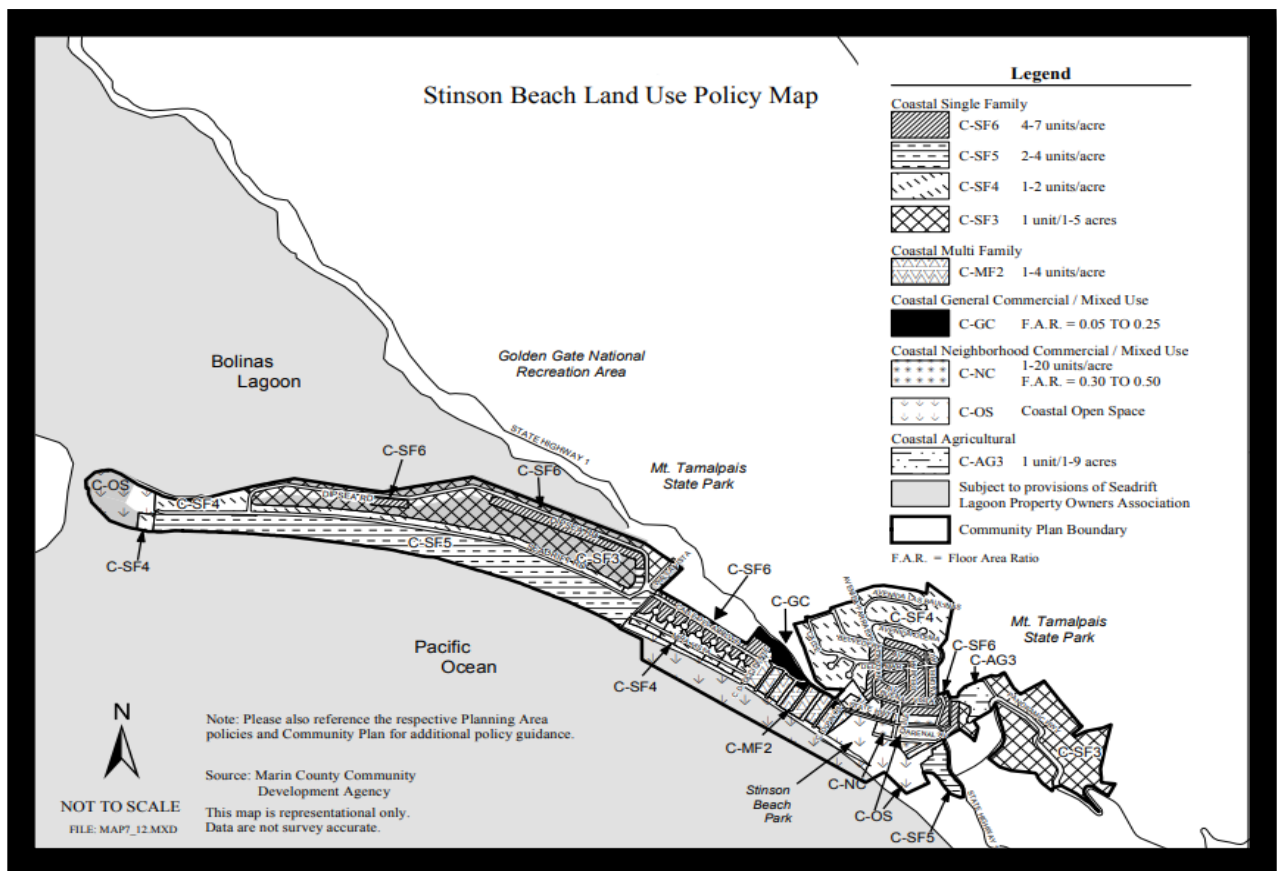


### 13.4 GROWTH AND POPULATION

Flood Control Zone 5 encompasses the census-designated place (CDP) of Stinson Beach. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 541, which is approximately a 14% decrease from the 2010 population number 632<sup>37</sup>. The most recent census data shows the CDP to have 751 total housing units, with only 290 of those units occupied. With the Stinson Beach area having numerous weekend residents, it is difficult to ascertain the actual full-time population. Due to this, the number of registered voters is another measurement of population that is used. According to 2020 U.S. Census Redistricting Data, the number of registered voters in Stinson Beach is 505.

According to the Stinson Beach Community Plan, Stinson Beach has limited opportunity for future expansion since federal and state lands (Golden Gate National Recreation Area and Mount Tamalpais State Park) and the Pacific Ocean surround the community. As such, all future residential and commercial development will occur within the existing developed area. Stinson Beach is already extensively developed and there remain few infill opportunities for growth. A map with the current zoning for the area is shown below in Figure 13-1.

Figure 13-2: Stinson Beach Land Use Policy Map



<sup>37</sup> [2020 US Census Redistricting Data](#)

### 13.5 MUNICIPAL SERVICES

FCZ5 provides sediment removal and vegetation management along .25 miles of the Easkoot Creek in Stinson Beach. While full sediment removal operations have been performed by FCZ5 in the past, the current level of funding for the zone is not adequate for a project of that scale. Until the 2000s there was primarily a focus on spot removal of sediment at the creek crossings at Calle del Pinos, Calle del Prado, Calle Del Sierra, Calle del Onda, and Calle del Arroyo (known collectively as “the Calles”). Since 2013 a project was constructed in Easkoot Creek by FCZ5 with permission from the National Park Service through a Special Use Permit adjacent to the Parkside Café and the beach parking lot that was designed to encourage sediment to drop out of the water at this location which is more cost-effective and less environmentally impactful to reach with equipment. Over the subsequent five years sediment removal only took place at this location rather than at the Calles, and sedimentation at the Calles was monitored. The project was successful in eliminating the need for periodic maintenance sediment removal at the Calles. Sediment removal does occur most years at the site adjacent to the café, either during the summer as part of annual maintenance and/or during the winter on an emergency basis should a storm loosen material in the watershed and fill the creek there. FCZ5 has no pump stations or levees.

### 13.6 ORGANIZATION STRUCTURE

#### Board of Supervisors

Flood Control Zone 5 was formed as a part of the dependent special district of the Marin County Flood Control and Water Conservation District with the Marin County Board of Supervisors as its governing body. County Supervisors are elected to four-year terms of office, with no term limits. The members are elected by district and they are required to live in the district they represent. The Board serves as the legislative and executive body of Marin County.

Table 13-2: Marin County Board of Supervisors

Member	Position	Current Term
Damon Connolly	2 <sup>nd</sup> Vice-President	Expires January 2023
Stephanie Moulton-Peters	Member	Expires January 2025
Katie Rice	Member	Expires January 2025
Dennis Rodoni	President	Expires January 2025
Judy Arnold	Vice-President	Expires January 2023

#### Advisory Board

The FCZ5 Advisory Board consists of 5 members that are residents within the zone’s jurisdictional boundary. Members serve 4-year terms. The Advisory Board meets annually on the third Thursday of February. At that meeting, one additional meeting is scheduled to be held within that calendar year. Special meetings may also be called when necessary. While meetings have recently been held virtually due to the Covid-19 emergency order, meetings are typically held at the Stinson Beach Community Center at 32 Belvedere Avenue in Stinson Beach.

**Table 13-3: Flood Control Zone 5 Advisory Board**

Member	Current Term
Barry Harris	Expires December 2024
Howard Schechter	Expires November 20204
Jamie Sutton	Expires December 2024
John Washington	Expires December 2024
Toby Bisson	Expires December 2024

### **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.

## **13.7 ACCOUNTABILITY AND TRANSPARENCY**

### **Meeting and Agendas**

Advisory Board meetings are typically held at least twice per year and more often as needed. Advisory Board meeting notices are posted in three public places. Meeting notices and meeting documents are posted on the District’s website ([marinwatersheds.org](http://marinwatersheds.org)). Members of the public who have requested to be notified of Advisory Board 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. The most recent meeting was February 18th, 2021.

### **Annual Budget Review**

FCZ5 posts draft budgets on the Marin Watershed Program website as part of the advisory board meeting packet materials. In recent years draft budgets typically included actuals for the prior year, a proposed budget for the upcoming year, and an estimated budget for the following year. Starting in FY 2020-2021 the County Administrator, consistent with other funds they oversee, requested a baseline budget to start out the fiscal year and for the budget to be adjusted throughout the year for major project expenses as contracts are approved by the District Board of Supervisors. This means the advisory board will review an expenditure plan for the upcoming fiscal year and that the baseline budget submitted to the District Board will be adjusted as contracts are awarded for design and implementation. 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.

## **13.8 FINANCIAL OVERVIEW**

FCZ5 is funded primarily by ad valorem taxes supplemented by a small amount of excess Educational Revenue Augmentation Fund (ERAF) monies. These tax revenues make up approximately 98% of the zone’s annual revenue. Additional revenue was sought by way of a ballot measure for a parcel tax in March of 2015 (Measure A), however, this ballot measure failed to receive the necessary support for approval. Every year staff prepares a proposed expenditure plan for Advisory Board recommendation and the District Board of Supervisors approves a baseline program budget and budget adjustments for major project expenses up to the amount in the expenditure plan. A breakdown for the current year’s adopted baseline budget as



well as the budgets for the past 3 fiscal years can be seen below in Figure 13-3. While the zone has proposed expenditures exceeding revenues for the current and previous fiscal year, the overages are covered by a sizeable fund balance of \$406,170 as of the start of FY 2020-21 that has been built up over the past few years. The budget includes enough funding for approximately one summer-time sediment removal effort and two emergency sediment removal efforts, but typical years only require one to two sediment removal efforts allowing some funding to be saved in the fund balance.

Figure 13-3: Flood Control Zone 5 Financial Overview

FY 2019-2020 Fund End Balance: \$ 406,170.74								
Line	Item Description	2022 Proposed Baseline	2021 Revised Budget	2021 Available	2021 Baseline Budget	2020 Revised Budget	2020 Actual	
	1 FCZ5FCZ5 PROPTX-CUR UNSEC	-1,223.00	-1,223.00	588.19	-1,223.00	-1,223.00	-1,700.31	
	2 FCZ5FCZ5 PROP TX-CUR SEC	-86,000.00	-86,000.00	-33,330.20	-86,000.00	-86,000.00	-88,579.79	
	3 FCZ5FCZ5 PROP TX-CUR SEC-UNI	0.00	0.00	278.57	0.00	0.00	-525.65	
	4 FCZ5FCZ5 PROP TX- PR UNSEC	0.00	0.00	54.18	0.00	0.00	-66.97	
	5 FCZ5FCZ5 SUP PROP TX-CUR	-1,000.00	-1,000.00	-219.06	-1,000.00	-1,000.00	-1,909.72	
	6 FCZ5FCZ5 SUPPROP TXCUR USEC	0.00	0.00	35.44	0.00	0.00	-72.81	
	7 FCZ5FCZ5 SUP PROP TX PR REDM	0.00	0.00	49.57	0.00	0.00	-62.81	
	8 FCZ5FCZ5 CUR ERAF/REV ERAF	0.00	0.00	373.65	0.00	0.00	-623.23	
	9 FCZ5FCZ5 OTH TX-EXCES ERAF	-5,500.00	-5,500.00	-1,393.19	-5,500.00	-5,500.00	-6,676.40	
	10 FCZ5FCZ5 INVT INC-INT POLED	0.00	0.00	1,632.66	0.00	0.00	-7,185.64	
	11 FCZ5FCZ5 INVT INC-ERAF INT	0.00	0.00	2.63	0.00	0.00	-11.91	
	12 INVESTMT INCOME-UNREALIZD GAIN	0.00	0.00	0.00	0.00	0.00	2,183.59	
	13 FCZ5FCZ5 ST HMNER PRO TXRLF	-375.00	-375.00	-172.43	-375.00	-375.00	-400.06	
	14 STATE-OTHER	0.00	0.00	0.00	0.00	0.00	-5,337.00	
	15 FCZ5 SB2557 ADM FEE (CONTRA)	868.00	868.00	187.24	868.00	868.00	1,189.70	
	<b>Total Revenue Budget/Actuals:</b>	<b>-93,230.00</b>	<b>-93,230.00</b>	<b>-31,912.75</b>	<b>-93,230.00</b>	<b>-93,230.00</b>	<b>-109,779.01</b>	
Line	Item Description	2022 Proposed Baseline	2021 Revised Budget*	2021 Available	2021 Baseline Budget	2020 Revised Budget	2020 Actual	
	16 FCZ5FCZ5 MAIN-BLDG IMPR	48,000.00	57,604.50	38,156.06	48,000.00	30,456.59	3,659.09	
	17 FCZ5FCZ5 MISC EX-BGT	4,244.00	4,244.00	4,244.00	4,244.00	4,120.00	71.22	
	18 FCZ5FCZ5 PROF SVS	10,000.00	22,500.00	12,500.00	10,000.00	150.00	0.00	
	19 PROF SPEC SVCS - TRADE	0.00	0.00	0.00	0.00	0.00	0.00	
	20 FCZ5FCZ5 INTRFD EX	33,999.00	33,999.00	28,633.33	33,999.00	33,008.00	17,463.86	
	21 FCZ5FCZ5 INTRFD EX ENG SAL	1,030.00	1,030.00	1,030.00	1,030.00	1,000.00	0.00	
	22 FCZ5FCZ5 INTR RALEST SAL	1,030.00	1,030.00	1,030.00	1,030.00	1,000.00	0.00	
	23 FCZ5FCZ5 INTRFD EX ROADS SAL	18,540.00	18,540.00	18,540.00	18,540.00	1,000.00	0.00	
	24 INTERFD EXP A87 INDIR CST ALLO**	2,311.00	2,311.00	2,311.00	2,311.00	1,504.00	1,504.00	
	<b>Total Expenditure Budget/Actuals:</b>	<b>119,154.00</b>	<b>141,258.50</b>	<b>106,444.39</b>	<b>119,154.00</b>	<b>72,238.59</b>	<b>22,698.17</b>	
<b>Projected Fund Year End Balance:</b>		<b>\$ 332,218.24</b>	<b>\$ 358,142.24</b>					

\* Currently the revised budget for this fiscal year is the baseline budget, plus encumbered contracts from prior fiscal years carried forward.

### 13.9 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. FCZ5’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 bypass drains, creeks, and ditches. FCZ5’s efforts, both direct and indirect, are impacting the community of Stinson Beach’s battle against seasonal flooding and long-term sea-level rise issues. The district has worked collaboratively with the National Park Service in the planning process of the rehabilitation of the Stinson Beach Parking Lot Project. The updated project endeavors to allow out of bank flows on Easkoot Creek to be directed out to the beach in

a more controlled manner to minimize future infrastructure damage. The district has also partnered with other Marin County departments in the Stinson Beach Nature Based Adaptation Feasibility Study in an effort to find ways to enhance the natural surrounding beach and dune habitat to improve flood and erosion protection.

District-led projects focus on integrating multiple benefits including flood risk mitigation, ecosystem restoration, improved fish passage, and emergency response access. The District's maintenance practices pay special attention to limiting any negative impact to wildlife, particularly threatened and endangered species. The district has adjusted its sediment capture and removal project processes in order to minimize the impact on the Steelhead Trout and Coho Salmon that inhabit that waterway.



---

## 14.0 FLOOD CONTROL ZONE NO. 10

---

### 14.1 OVERVIEW

Flood Control Zone No. 10 (FCZ10) encompasses approximately 6.48 square miles of the west shore of the Tomales Bay and the eastern side of the Inverness Ridge and includes a majority of the census-designated place (CDP) of Inverness and multiple creeks of the Inverness subwatershed including Third Valley Creek, Second Valley Creek, First Valley Creek, Dream Farm Creek, Fish Hatchery Creek, Haggerty Gulch Creek, Silver Hills Creek, and an area of Olema Creek. The boundaries of FCZ10 were formed by the Marin County Flood Control and Water Conservation District and approved by the Board of Supervisors. The Zone was established in 1982 in an effort to address the impacts of a major flooding event in the area.

Table 14-1: Flood Control Zone 10 Overview

Flood Control Zone 10			
<b>Primary Contact:</b>	Hannah Lee, Senior Civil Engineer	Phone	(415)-473-2671
<b>Main Office:</b>	3501 Civic Center Drive, San Rafael		
<b>Formation Date:</b>	March 30, 1982		
<b>Services Provided:</b>	Reduce flood risk within its boundaries by removing debris from creeks		
<b>Service Area:</b>	4,148 acres		
<b>Population Served:</b>	≈1,000		

### 14.2 FORMATION AND DEVELOPMENT

Flood Control Zone 10 was originally established by the Marin County Board of Supervisors on March 30, 1982, as a means of funding the early stages of cleanup from a major storm on January 4<sup>th</sup>, 1982. The storm destroyed homes, caused livestock losses, and brought severe mudslides that blocked roads and cut the community off for days on end. The zone was officially formed prior to an election for a tax measure to fund the work within the zone. The estimated costs for cleanup of damages were \$180 per taxable and continued maintenance was anticipated at \$30 per taxable acre. The tax measure that was ultimately put on the ballot in June of 1982 was for \$56 per taxable acre for the first year and \$20 each following year. The measure failed and the efforts were paid for out of the General Fund. A grant of \$100,000 from the San Francisco Foundation was awarded for storm damage repair. A loan for the monies was made from Flood Control Zone 4 until the grant funds were received.

Through the next three years, FCZ10 operated and completed projects surrounding creek restoration by way of primarily grant funding. In November of 1986, a special tax was proposed of \$50 for parcels larger than 1 acre, \$25 for parcels between .5 and 1 acre, and \$10 for parcels less than .5 acres. The ballot measure failed with only 49% of the vote. The zone continued to operate throughout the 1980s and early 1990s completing smaller projects when grant funding allowed and being mindful of expenditure control in an effort to preserve the approximately \$40,000 in reserve funds in case of an emergency.

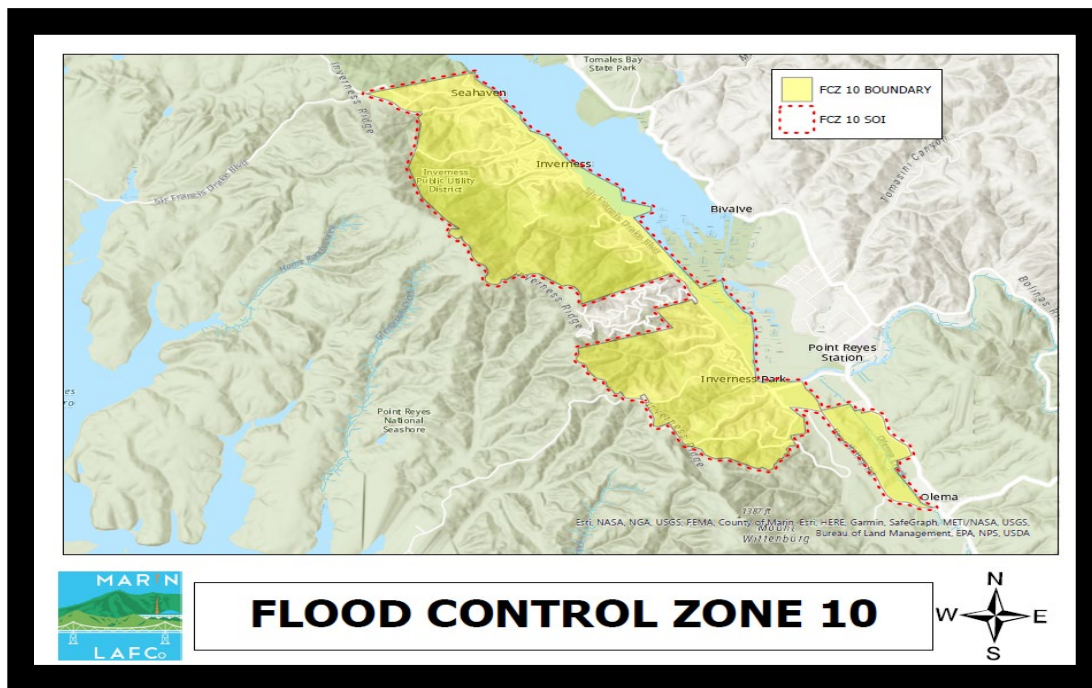
On October 3, 1995, the Mount Vision Fire began. The fire burned over 12,000 acres, many inside of Flood Control Zone 10, destroying 45 homes in Inverness Park. The cleanup for this natural disaster was a collaboration between the County of Marin and the Emergency Watershed Protection Program (EWP). The EWP was created by Congress to allow communities to quickly address serious and long-lasting damages to infrastructure and land without requiring a disaster declaration by federal or state government officials for program assistance to begin. The program is administered by the United States Department of Agriculture Natural Resources Conservation Service.

Since that time, the zone has been fairly dormant with only emergency or grant-funded work performed due to there being no consistent funding source. The work performed has been mainly creek maintenance upon specific request from the FCZ10 Advisory Board members. Prior to a recent meeting of the Advisory Board in March of 2021, the Board had not met since 2016. It was agreed to by the Advisory board at a meeting in 2014 to forego regularly scheduled meetings in an effort to conserve funds.

### 14.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

FCZ10’s jurisdictional boundary encompasses approximately 4,148 acres (6.48 square miles). The Zone encompasses much of the community of Inverness, excluding the area of Paradise Ranch Estates, and borders parts of the communities of Point Reyes and Olema. The Zone encompasses numerous creeks along the west shore of the Tomales Bay and the eastern slope of the Inverness Ridge. FCZ10’s sphere of influence is coterminous with its jurisdictional boundary. A map of the boundary can be seen below in Figure 14-1.

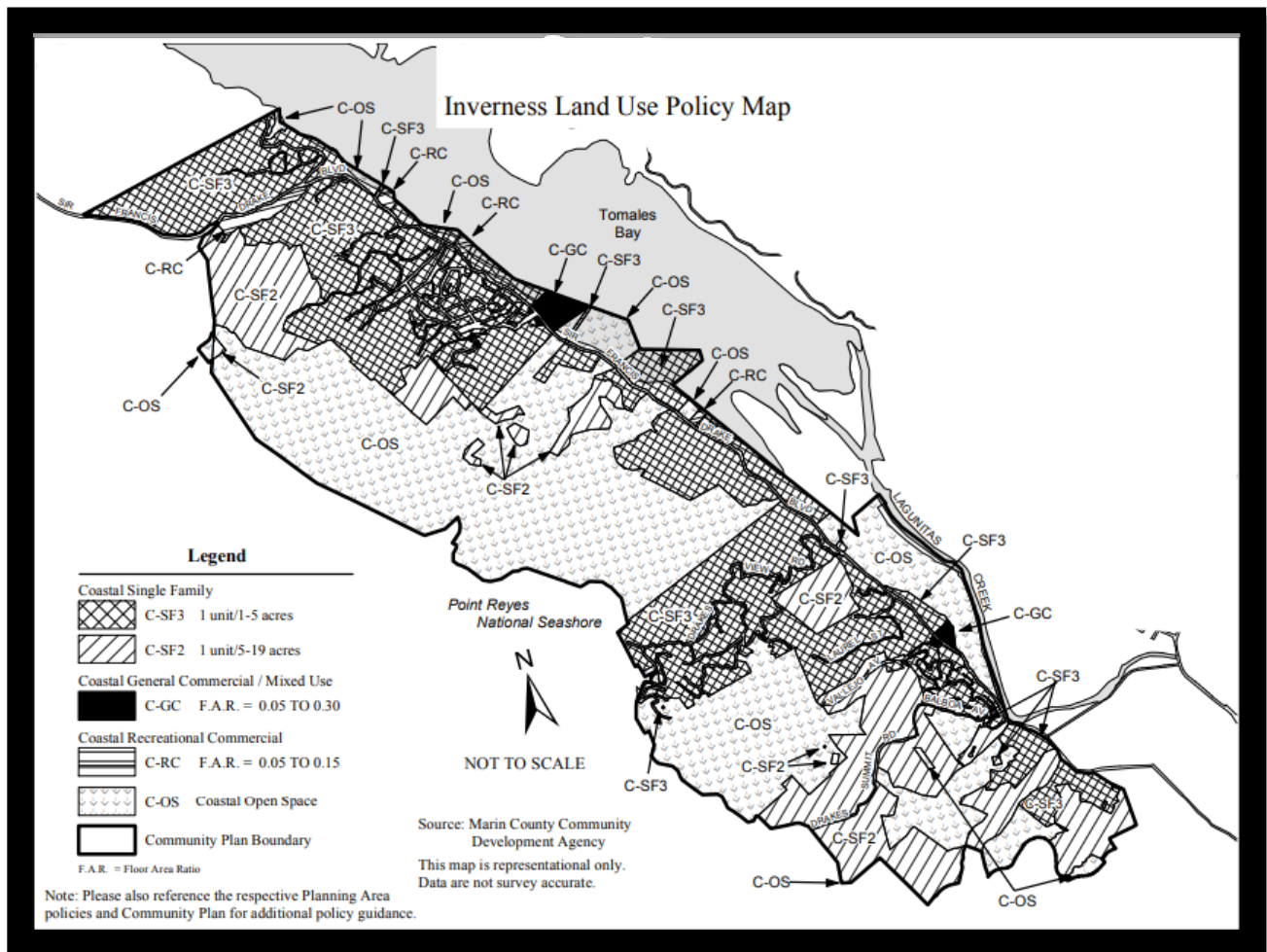
Figure 14-1: Flood Zone 10’s Jurisdictional Boundary and Sphere of Influence



## 14.4 GROWTH AND POPULATION

Flood Control Zone 10 encompasses an apportionment of the census-designated place (CDP) of Inverness. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 1,379, which is approximately a 5.75% increase from the 2010 population number 1,304<sup>38</sup>. The most recent census data shows the CDP to have 1,085 total housing units, with 702 of those units occupied. The buildout projection for the planning area is 1,317 units. Due to both topographical constraints in combination with current zoning, additional future development is expected to be minimal. A map with the current zoning for the area is shown below in Figure 14-2.

Figure 14-2: Inverness Land Use Policy Map



<sup>38</sup> [2020 US Census Redistricting Data](#)

## 14.5 MUNICIPAL SERVICES

FCZ10 provides emergency creek maintenance and vegetation management along the Inverness Ridge subwatershed. The zone typically contracts with the Conservation Corps North Bay (CCNB) for maintenance projects. The work is performed within tight budgetary constraints as necessary with an annual project funding allotment of approximately \$6,000 that is allocated from a reserve fund of just approximately \$40,000 that is kept for emergency response. The most recent project performed by the CCNB with the help of a grant was in 2009 in Redwood Canyon Creek, Fish Hatchery Creek, and the Valley Creeks and included removal of debris and vegetation, removal of invasive species that cause tree branches to fall into the creeks, and hand removal of sediment at key culverts in the County road right-of-way. The work within the boundary is focused on the Third Valley Creek, Second Valley Creek, First Valley Creek, Dream Farm Creek, Fish Hatchery Creek, Haggerty Gulch Creek, Silver Hills Creek, and an area of Olema Creek. The Marin County Flood Control and Water Conservation District do not own any property or easements within the zone.

## 14.6 ORGANIZATION STRUCTURE

### Board of Supervisors

Flood Control Zone 10 was formed as a part of the dependent special district of the Marin County Flood Control and Water Conservation District with the Marin County Board of Supervisors as its governing body. County Supervisors are elected to four-year terms of office, with no term limits. The members are elected by district and they are required to live in the district they represent. The Board serves as the legislative and executive body of Marin County.

Table 14-2: Marin County Board of Supervisors

Member	Position	Current Term
Damon Connolly	2 <sup>nd</sup> Vice-President	Expires January 2023
Stephanie Moulton-Peters	Member	Expires January 2025
Katie Rice	Member	Expires January 2025
Dennis Rodoni	President	Expires January 2025
Judy Arnold	Vice-President	Expires January 2023

### Advisory Board

The FCZ10 Advisory Board consists of 5 members that are residents within the zone's jurisdictional boundary. Members serve 4-year terms. According to the by-laws, the Advisory Board originally met annually on the second Thursday of February, May, August, and November. At the meeting held on May 15<sup>th</sup>, 2014, County staff recommended that regular meetings not be held in order to save district funding. Rather than hold regular meetings, a statement of proposed action is sent via mail to Advisory Board members for review and comment. Since this time, the Advisory Board has convened on two other occasions in 2016 and 2021. Special meetings may also be called when necessary.

**Table 14-3: Flood Control Zone 10 Advisory Board**

<b>Member</b>	<b>Current Term</b>
<b>James Fox</b>	Expires September 2023
<b>John Hope</b>	Expires September 2023
<b>Leslie Adler-Ivanbrook</b>	Expires March 2025
<b>Peter Gradjansky</b>	Expires March 2025
<b>Robert Johnston</b>	Expires September 2023

## 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.

## 14.7 ACCOUNTABILITY AND TRANSPARENCY

### Meeting and Agendas

Advisory Board meetings are typically held only when deemed necessary for project review or emergency maintenance. Advisory Board meeting notices are posted in three public places. Meeting notices and meeting documents are posted on the District’s website ([marinwatersheds.org](http://marinwatersheds.org)). 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. The most recent meeting was on March 4th, 2021.

### Annual Budget Review

FCZ10 posts draft budgets on the Marin Watershed Program website as part of the advisory board meeting packet materials. As there have been no Advisory Board meetings, no project activity in the zone, and the zone has no revenue stream, the most recent budget that has been posted to the District’s website prior to FY 2021-22 was for FY 2016-17. The budgets are still contained within the Final Budget for the County of Marin. Starting in FY 2020-2021 the County Administrator, consistent with other funds they oversee, requested a baseline budget to start out the fiscal year and for the budget to be adjusted throughout the year for major project expenses as contracts are approved by the District Board of Supervisors. This means the advisory board will review an expenditure plan for the upcoming fiscal year and that the baseline budget submitted to the District Board will be adjusted as contracts are awarded for design and implementation. 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.

## 14.8 FINANCIAL OVERVIEW

Unlike the other zones within the Marin County Flood Control and Water Conservation District, FCZ10 has no annual tax revenue stream. Tax measures to fund the work within the zone were brought to the voters in both 1982 and 1986 with both failing to meet the necessary threshold for adoption. No additional attempt has been made to seek a tax measure since 1986. Small maintenance projects are funded only when necessary from the reserve fund. The zone receives



a fairly negligible amount of revenue annually from investment interest. The zone's reserve fund is approximately \$20,000.

#### **14.9 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. FCZ10's purpose is to reduce the risk of flooding for the protection of life and property while utilizing sustainable practices. While the work within the zone has been minimal in recent years due to a lack of funding, the projects that have been completed in the numerous creeks within the zone are critical for repairing and maintaining habitat as well as being preventative measures against flooding that could cause damage to infrastructure and private property.

---

## 15.0 COUNTY SERVICE AREA 33

---

### 15.1 OVERVIEW

Marin County Service Area 33 (CSA 33) is a dependent single-purpose special district that provides park maintenance services to the community of Stinson Beach's Village Green Park. The CSA is been funded by a special assessment that was approved by the voters within the District's boundary in 2003. The assessment aids in offsetting the costs incurred by Marin County Parks for its services within the CSA. CSA 33 has a local advisory board that advises the Marin County Parks Department and the Marin County Board of Supervisors on all matters relating to its services in the CSA.

Table 15-1: County Service Area 33 Overview

County Service Area 33 Overview	
<b>Primary Contact:</b>	Jim Chayka, Superintendent Marin County Parks
<b>Main Office:</b>	3501 Civic Center Drive, Suite 260 San Rafael, CA
<b>Contact Information:</b>	(415)-473-3639
<b>Formation Date:</b>	August 19, 2003
<b>Services Provided</b>	Park Maintenance

### 15.2 FORMATION AND DEVELOPMENT

The main service of CSA 33 is the upkeep and maintenance of two adjacent parks in the community of Stinson Beach: Village Green 1 and Village Green 2. In 1987 a group of Stinson Beach residents constructed a plan to transform a vacant lot in the middle of the community at 3481 Highway 1 into a park. In 1989, the group secured a grant from the State of California in the amount of \$450,000 which they used to purchase the lot and begin construction. All of the work done building the park was donated by local contractors and after 2 years of work, Village Green 1 was completed in the spring of 1991. Upon completion, the land was donated to Marin County Parks. In order to fund the maintenance of the park, a ballot measure was passed to create a landscaping and lighting district to levy an annual parcel tax within the community of \$17. Directly across the street from Village Green 1 was a lot with a gas station that had been closed for over a decade. A local community member purchased the lot and the gas station was demolished so that the second half of the park, Village Green 2, could be constructed. Upon completion of Village Green 2 in 2003, this land was also donated to Marin County Parks. In the same year, the community and the County agreed to dissolve the landscaping and lighting district and create a new county service area. A special election was held on August 19, 2003, at which time the voters in the community passed Measure D to create CSA 33 and continue the parcel tax at the same rate of \$17.

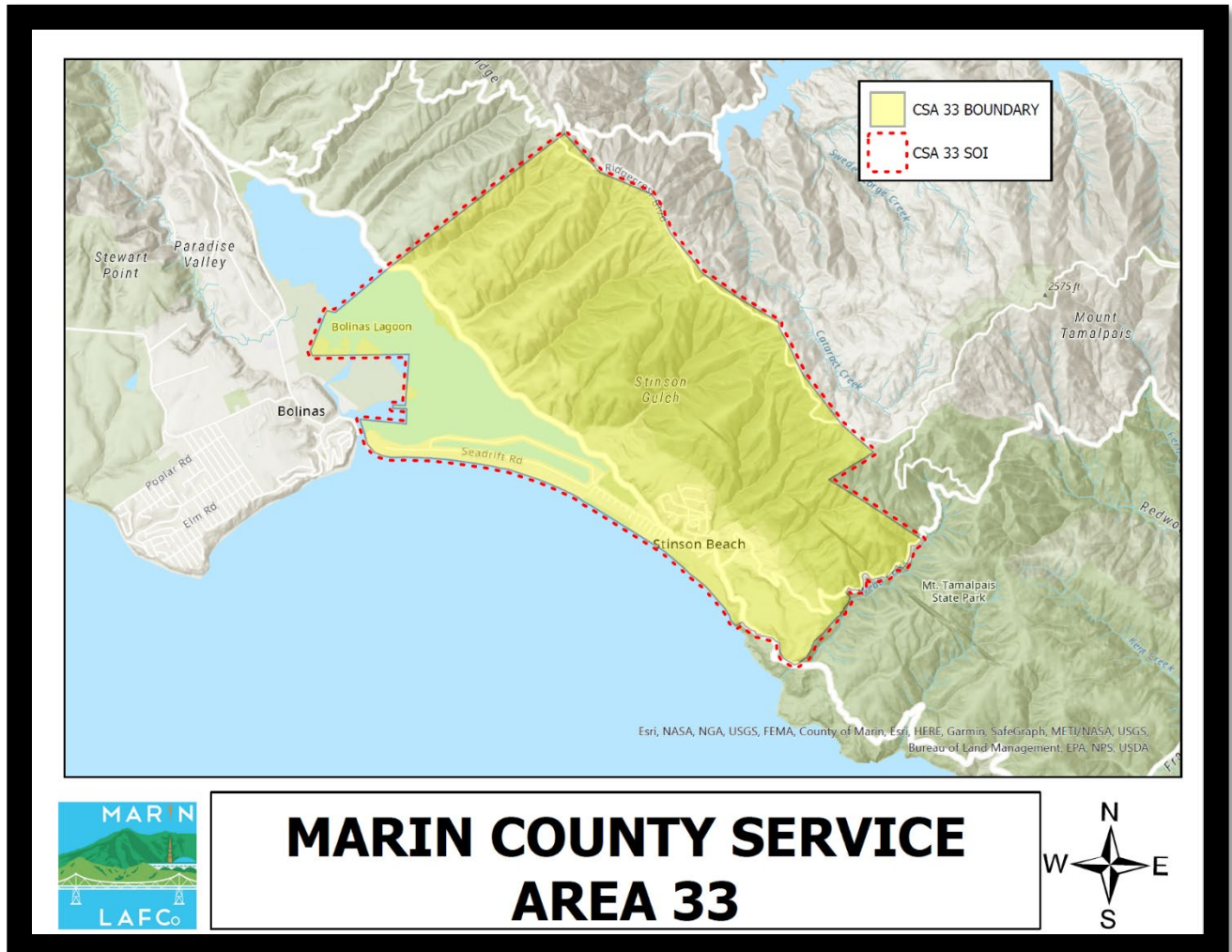
### 15.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Marin County Service Area 33's service boundary, which currently encompasses just over 4304 acres (6.7 square miles), includes the entire Stinson Beach residential area, as well as the Seadrift area, and stretches to the north to Ridgecrest Boulevard. The District's sphere of influence is



coterminous with its jurisdictional boundary. A map of the District’s jurisdictional boundary and sphere of influence can be seen below in Figure 15-1.

Figure 15-1: County Service Area 33 District Jurisdictional Boundary and Sphere of Influence



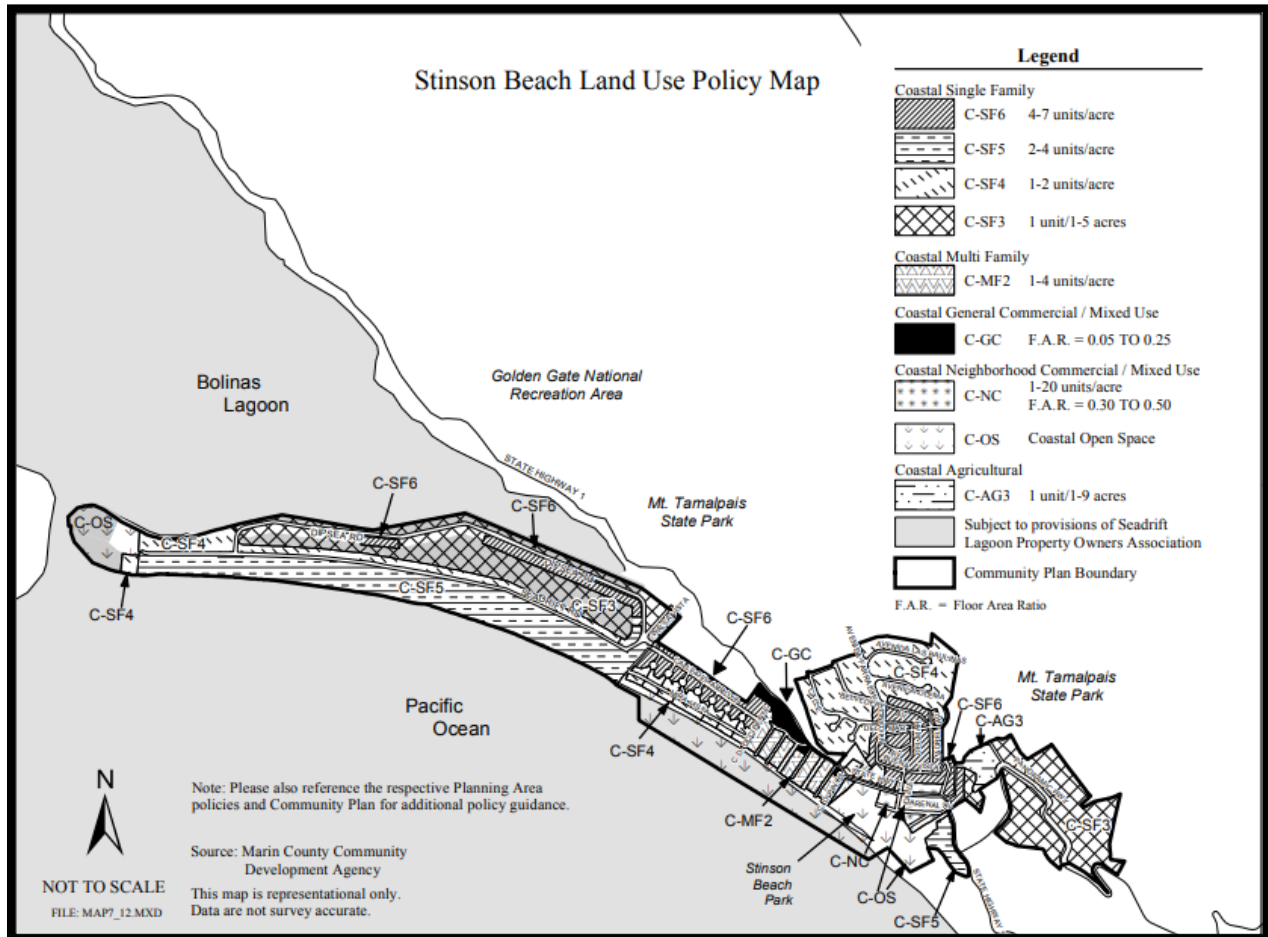
## 15.4 GROWTH AND POPULATION

CSA 33 encompasses the census-designated place (CDP) of Stinson Beach. According to 2020 U.S. Census Redistricting Data, the population of the CDP is 541, which is approximately a 14% decrease from the 2010 population number 632<sup>39</sup>. The most recent census data shows the CDP to have 751 total housing units, with only 290 of those units occupied. With the Stinson Beach area having numerous weekend residents, it is difficult to ascertain the actual full-time population. Due to this, the number of registered voters is another measurement of population that is used. According to 2020 U.S. Census Redistricting Data, the number of registered voters in Stinson Beach is 505.

<sup>39</sup> [2020 US Census Redistricting Data](#)

According to the Stinson Beach Community Plan, Stinson Beach has limited opportunity for future expansion since federal and state lands (Golden Gate National Recreation Area and Mount Tamalpais State Park) and the Pacific Ocean surround the community. As such, all future residential and commercial development will occur within the existing developed area. Stinson Beach is already extensively developed and there remain few infill opportunities for growth. A map with the current zoning for the area is shown below in Figure 15-2.

Figure 15-2: Stinson Beach Land Use Policy Map



## 15.5 MUNICIPAL SERVICES

CSA 33 provides park maintenance services to the community of Stinson Beach administered by the Marin County Parks Department with a primary focus on the Stinson Beach Village Green Park. Marin County Parks provides daily upkeep and maintenance as well as planning and execution of larger special projects. The Parks Department provides three Park Rangers to support the facility (as well as other neighboring West Marin locations) for tasks such as playground inspections and repairs, landscaping improvements, restroom monitoring, and other duties as necessitated. A few of the larger projects that CSA 33 has accomplished over the past few years include:

- Added lighting for the basketball court
- Added a permanent concrete ping pong table
- Replacement of the children’s play structure
- Irrigation replacement throughout Village Green 2

The CSA is currently working on and has allocated funding for work on the entry area of Village Green 1 that would include an expansion of the entry with the addition of bicycle parking and the replacement of the bus stop bench.

## 15.6 ORGANIZATION STRUCTURE

### Board of Supervisors

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 9:00am in the County of Marin Civic Building located at 3501 Civic Center Drive, Suite 260 in San Rafael. The Board of Supervisors determines policy, adopts annual budgets, fixes salaries, and is responsible for overseeing mandated district functions as carried out by various county departments.

CSA 33 also has a local advisory board that is comprised of members who reside within the CSA’s boundaries. The Board of Supervisors appointed Advisory Board consists of five members serving two-year terms. The Board acts in an advisory capacity to Marin County Parks staff and the Board of Supervisors on matters relating to projects and programs that can be conducted with funding from the CSA 33 budget and that affect county land contained within the boundaries of CSA 33. The Advisory board typically meets twice a year in March and October, unless there is a need to schedule a special meeting for more urgent matters. Advisory Board meetings are typically held at the Stinson Beach Community Center at 32 Belvedere Avenue, in Stinson Beach.

Table 15-2: Marin County Board of Supervisors

Member	Position	Term Expiration
Dennis Rodoni	President	January 2, 2025
Judy Arnold	Vice President	January 2, 2023
Damon Connolly	2 <sup>nd</sup> Vice President	January 2, 2023
Katie Rice	Director	January 2, 2025
Stephanie Moulton-Peters	Director	January 2, 2025

Table 15-3: County Service Area 33 Advisory Board

Member	Term Expiration
Christopher Fitting	February 4, 2022
John Archibald	November 3, 2022
Lance Meade	November 19, 2021
Mark White	June 8, 2023
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. CSA 33 is provided general oversight and management by the Marin County Parks Department with input and project guidance from the CSA 33 Advisory Board.

### **15.7 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. Currently, CSA 33 offers information about its services, meetings, finances, and the decision-making processes, with the CSA 33 Advisory Board serving as the primary conduit between the community, Marin County Parks staff, and the Board of Supervisors. The advisory board has a dedicated webpage on the Marin County Parks website where current and past agendas and minutes, current board membership, and contact information are posted in accordance with the Brown Act. In addition, meetings are properly noticed and time is provided for public comment at each meeting.

### **15.8 FINANCIAL OVERVIEW**

The funding for the CSA 33 budget has two primary sources of annual revenue for the District. The first source is the voter-approved tax assessment, Measure D, which levies \$17 per parcel per year in the District's service area. The projected revenue from this special tax for FY 2021-22 is \$17,082. The second primary source of revenue is an annual transfer from Marin County Parks of \$15,000. While CSA 33 is projected for expenses to outpace revenues by an average of approximately \$3,254 in FY 2021-22 due to larger-scale maintenance projects that have been planned for, the District began the fiscal year with a fund balance from which to draw the overages from. A breakdown of CSA 33's budget for the past 3 years can be seen below in Figure 15-3.

Figure 15-3: County Service Area 33 Financial Overview

Detail by Revenue Category and Expenditure Object 1	2019-20 Actual 2	2020-21 Estimated 3	2021-22 Recommended 4	2021-22 Adopted by the Board of Supervisors 5
<b>3180 CSA #33 Stnsn Bch</b>				
<b>Revenues</b>				
Taxes	12,977	12,960	15,348	15,348
Use of Money and Property	1,050	399	1,091	1,091
Miscellaneous Revenues	0	0	0	0
Other Financing Sources	15,000	15,000	15,000	15,000
<b>Total for: Revenues</b>	<b>29,027</b>	<b>28,359</b>	<b>31,439</b>	<b>31,439</b>
<b>Expenditures/Appropriations</b>				
Services and Supplies	18,305	19,873	27,529	27,529
Capital Assets	0	0	0	0
Interfund Expense	6,944	6,820	7,164	7,164
<b>Total for: Expenditures/Appropriations</b>	<b>25,249</b>	<b>26,693</b>	<b>34,693</b>	<b>34,693</b>
<b>Net Cost:</b>	<b>(3,778)</b>	<b>(1,666)</b>	<b>3,254</b>	<b>3,254</b>

---

## 16.0 COUNTY SERVICE AREA NO. 28

---

### 16.1 OVERVIEW

Marin County Service Area 28 (CSA 28) is a dependent special district that provides funding for paramedic service throughout the unincorporated area of West Marin. The CSA has been funded by a special assessment approved by the voters within the District's boundary in 1995. The assessment aids in offsetting the costs incurred in providing year-round 24-hour availability of paramedic services. The service area includes the West Marin communities of Stinson Beach, Bolinas, Point Reyes Station, Inverness, Marshall, Tomales, San Geronimo Valley, Olema, Nicasio, Hicks Valley, and Chileno Valley.

Table 16-1: County Service Area 28 Overview

County Service Area 28 Overview	
<b>Primary Contact:</b>	Dan Eilerman, Assistant County Administrator
<b>Administrative Contact</b>	Chief Jason Weber
<b>Formation Date:</b>	December, 1995
<b>Services Provided:</b>	Advanced Life Support
<b>Service Area:</b>	351 Square Miles

### 16.2 FORMATION AND DEVELOPMENT

On November 7, 1995, the voters in West Marin approved a special assessment of \$40 per residential unit within the designated 351 square mile service area to provide funding to the Marin County Fire Department for round-the-clock advanced life support (paramedic) services. In December of 1995, the Marin County Board of Supervisors approved the resolution officially creating CSA 27. The District originally provided two year-round and round-the-clock response units, and over time added a seasonal response unit for the summer months to serve the high visitation areas of Stinson Beach, Bolinas, and Mount Tamalpais State Park. On November 2<sup>nd</sup> of 2010, the voters approved a \$24 increase to the assessment in order to help cover the increased costs to provide the services.

### 16.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

Marin County Service Area 28's service boundary, which currently encompasses just over 351 square miles, includes coverage for the communities of Stinson Beach, Bolinas, Point Reyes Station, Inverness, Marshall, Tomales, Olema, San Geronimo Valley, Nicasio, Hicks Valley, and Chileno Valley. The area also encompasses privately and publicly owned parklands including portions of the Golden Gate National Recreation Area and the Mount Tamalpais State Park. The District's sphere of influence is coterminous with its jurisdictional boundary.



Figure 16-1: Marin County Service Area 28 Jurisdictional Boundary and Sphere of Influence



#### 16.4 GROWTH AND POPULATION

CSA 28 encompasses a majority of the land that makes up what the County of Marin has designated as the West Marin Planning Area. The planning area is comprised of five census tracts: 1322, 1321, 1130, 1311, and 1330. According to 2020 U.S. Census Redistricting Data, the population of the planning area is 12,125, which is less than a 1% increase from the 2010 population number 12,005. The most recent census data shows the planning area to have 7,153 housing units. The current zoning for the area puts the theoretical buildout at 7,307 housing units.



## 16.5 MUNICIPAL SERVICES

CSA 28 provides funding to the Marin County Fire Department to supplement the costs the Department incurs in providing year-round and round-the-clock paramedic services throughout West Marin. The CSA’s revenue, which is accrued by way of a voter-approved tax measure, is transferred to the Marin County Fire Department who provides the service throughout the area. The District is provided with two permanent response units as well as one seasonal response unit. The first of the two permanent units provides service from Point Reyes (Medic 94) north to the county border and south to Stinson Beach. The second response unit provides service from Woodacre (Medic 96 and Medic 95) east to San Geronimo. The seasonal response unit (Medic 97) is staffed during the summer months in order to serve the high visitation areas of Stinson Beach, Bolinas, and Mount Tamalpais State Park.

Over the past 3 years, the above four response units have averaged 845 annual calls for service in CSA 28. During that time, Point Reyes Station averaged the highest number of calls of the eleven included communities. A breakdown of the calls for service for all 4 responding units can be seen below in Table 16-2.

**Table 16-2: Marin County Service Area 28 Calls for Service**

Responding Unit	2018	2019	2020
<b>Medic 94</b>	235	420	428
<b>Medic 95</b>	110	62	34
<b>Medic 96</b>	155	392	433
<b>Medic 97</b>	83	86	97

## 16.6 ORGANIZATION STRUCTURE

### Board of Supervisors

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 9:00am in the County of Marin Civic Building located at 3501 Civic Center Drive, Suite 260 in San Rafael. The Board of Supervisors determines policy, adopts annual budgets, fixes salaries, and is responsible for overseeing mandated district functions as carried out by various county departments.

**Table 16-3: Marin County Board of Supervisors**

Member	Position	Term Expiration
<b>Dennis Rodoni</b>	President	January 2, 2025
<b>Judy Arnold</b>	Vice President	January 2, 2023
<b>Damon Connolly</b>	2 <sup>nd</sup> Vice President	January 2, 2023
<b>Katie Rice</b>	Director	January 2, 2025
<b>Stephanie Moulton-Peters</b>	Director	January 2, 2025

## 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. CSA 28 is primarily managed by the Marin County Fire Department which oversees staffing and calls for service.

## 16.7 ACCOUNTABILITY AND TRANSPARENCY

### Meeting and Agendas

The Board of Supervisors meeting agendas, minutes, and recordings can be viewed 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 28 is included in the report under Budgetary Comparison Schedule for County Service Areas Fund. The latest audit was prepared for the year ending June 30, 2020.

Every year the Marin County Fire Department develops a proposed budget for CSA 28 and presents it to the Board of Supervisors for review and approval. It is based on the prior year’s expenses and projected parcel tax revenue for the upcoming fiscal year.

## 16.8 FINANCIAL OVERVIEW

CSA 28 provides funding to the Marin County Fire Department by way of a voter-approved tax measure that was initially passed in 1995. The most recently adopted update of the tax measure, Measure M, was passed by the voters within the service area of the CSA on November 2<sup>nd</sup>, 2010 and has no sunset date or escalators. The tax measure as it currently stands levies a charge in the amount of \$64 on all properties with residential units. The tax is the CSA’s only form of revenue. For FY 2020-21 the CSA realized \$375,869 of revenue and \$371,427 in expenditures. While the CSA has shown recent occurrences of expenditures outpacing revenues for the fiscal year, in each instance the balance of the added expenditures was covered by a fund balance that was carried over from the prior fiscal year. A breakdown of the district’s finances over the past 5 fiscal years can be seen below in Table 16-4.

Table 16-4: Marin County Service Area 28 Financial Overview

Fiscal Year	Revenues	Expenditures	Net
FY 2016-17	\$376,329	\$378,406	\$-2,079
FY 2017-18	\$376,202	\$392,408	\$-16,206
FY 2018-19	\$376,222	\$370,419	\$5,803
FY 2019-20	\$376,298	\$376,506	\$-208
FY 2020-21	\$375,869	\$371,427	\$4,442



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022  
Item No. 6 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer  
(On behalf of Budget and Workplan Chair Kious and members McEntee and Rodoni)

**SUBJECT:** Review and Approval of Proposed Budget for Fiscal Year 2022-2023

---

### Background

At the March 24, 2022, Budget and Workplan Committee meeting, the Fiscal Year 22-23 budget was discussed. State Government Code section 56381 states that all LAFCos need to approve a proposed budget by May 1<sup>st</sup> and a final budget by June 15<sup>th</sup> of each year. The attached budget being presented today is the proposed budget which, if approved, will fulfill the May 1<sup>st</sup> deadline.

From a high level, the Commission reviews the expenditures based on estimated needs for the upcoming fiscal year. Then to cover costs we look to two different funding sources: agency contributions and carryforward funds. The agency contributions are what we ask all our member agencies to pay. The carryforward balance is a combination of unspent money from the prior year, interest earned on money kept with the County, and fees from applications or other services received in the current FY.

For the proposed budget in the expenditures section, staff presents to the committee what should be the highest amount needed for each line item. It should be noted that in December 2020 the Commission approved the increase in two line items (Professional Services and Rent-Storage) to facilitate a large digitization project. In the attached chart the amount shown is the original amount approved by LAFCo since both those items at the time of approval were considered a one-time increase to pay for the work. Then to fund that we look to both agency contribution and carry forward amount. Finally, when we get closer to the June Commission meeting, staff, in consultation with the Committee Chair, will revisit all numbers in the proposed budget to make sure they are the best numbers available as part of the final budget approval.

Staff's goal with this budget was a status quo with increases as needed. Another goal is for requesting from our contributing agencies is to keep the agency request at or below the agency contribution for FY 19-20 budget of \$559,522.51. The budget being presented does that.

On the expenditure side, there are some line item changes from last year to this year based on a better understanding and looking to the needs of LAFCo in FY 22-23. Some key line item changes include:

- Salary – LAFCo generally follows the County on COLA and step increases for its staff. Marin County will be giving a 2.5% increase plus possible step increases. The Committee did discuss current inflation issues. The CPI-U in January for the previous 12 months was 7.5% (nationally) and 6.5%

---

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

(California). Staff did make a request to the Committee to review if a higher COLA could be approved. The Committee wanted the full Commission to decide on this matter but did give staff direction to put in the budget a 3.5% COLA increase. That is the number presented in the chart. More details on this can be found at the end of this memo for the Commission to discuss. Overall about a 7% increase is to allow for a COLA as well as step increases for staff that has earned it. This will be helpful in the retention of the staff and would benefit LAFCo in the long run. As a reminder, the number given during the proposed budget process has always been higher than what is in the final budget. When the June meeting comes this number will likely be lower given all staff reviews will have been completed and the Commission has negotiated the salary for the Executive Officer position so a more accurate number gets presented with final approvals in June.

- Benefits – The County is estimating a 5% increase in benefit costs. As a reminder one staff person is currently on another person's general health plan so does not use our plan. This will occur for one more year so we will see a savings to this line item but should expect to have to pay for this employee in FY 23-24.
- Pension – Line item is being lowered given MCERA is decreasing the rates that agencies need to pay from the current fiscal year (14.02%) to the next fiscal year (11.63%). In addition, similar to the salary line item, this will likely be lowered prior to the final budget once actual staff salaries are known.
- Membership and Dues (Line Item 30) – This is the line item with the highest percentage increase. This is mostly due to Marin Map not charging dues for the past two years to help agencies out during COVID. Marin Map Executive Committee (MMEC) has indicated that they will be reinstating pre-COVID fees next year which for us is \$10,000 for the year. This has yet to be formally approved by MGSA. I also added an additional \$500 to this line while I wait to see if any other memberships for next year are increased.
- IT & Communications Services (Line Item 20) – Our multi-year agreement with Fort Point is up so with this line item we see an increase to cover the cost of a new agreement. In addition, with cyber security becoming more of an issue for government agencies, Fort Point is suggesting we add additional security features to help make sure we maintain a secure system. All of these new security features will come to a little less than \$1,000 for the year. Overall this line item will increase by just over 5%. See item 9 on the Fort Point contract for more details on added security items.
- Office Lease/Rent (Line Item 45) – Our office lease is under contract until May 2023 so covers all but one month of FY 22-23. The cost for the 11 months is known and then had a small estimated increase for June 2023 which lead to a 3.11% increase overall for this item.
- All other expense line items being presented remain the same.

On the income side, we have two main line items, the agency contribution is currently set to be about equal to the FY 21-22 budget per the Commission's desire from last year's budget. The carryforward fund balance right now is made up of three items, \$16,500 from unspent FY 20-21 funds, \$16,317.22 from interest and application fees collected so far this year, and an estimated \$50,000 in unspent funds from our current year. The second two numbers are simply a placeholder until we get closer to the end of the

year and can put in a final number for what is expected to be leftover from this year's unspent fund and how much we have collected in application fees and interest.

Overall currently the total estimated expenditure for FY 22-23 is a 5.65% increase with the understanding that once salary is better known, that number should decrease a little in the final budget. However, with the carryforward amount we see an increase for agency contributions being 1.13%. With just one new application, interest earned, and/or final salaries known it is likely we will see the agency request for FY 21-22 being about the same as the request for FY 22-23.

In addition to reviewing the budget the Committee wanted the Commission to address one question:

1. As mentioned above higher than normal inflation has occurred with the CPI-U going up 7.5% (nationally) and 6.5% (California) from Jan. 2021 to Jan. 2022 has occurred. While the County has an agreement with its unions for a 2.5% increase next FY they also gave a signing bonus to staff last year when the current 3-year deal was approved. LAFCo staff did not get such a signing bonus. Each agency has its own process and as an example, The Transportation Authority of Marin (TAM) is giving a 3.5% COLA increase for next fiscal year. For each 0.5% increase at the high-end estimate would be just under \$1,700 so if LAFCo went from a 2.5% to 3.5% COLA increase for staff it would mean at the high estimate an additional \$3,400 for the year. Does the Commission want to give a COLA increase at the 2.5% level or something above that amount? The amount shown in the attached budget is 3.5% COLA increase.

#### **Staff Recommendation for Action**

1. Staff Recommendation – Approve the proposed budget to be presented at the April 14, 2022, LAFCo Commission meeting with any needed amendments.
2. Alternate Option - Continue consideration of the item to the next committee meeting and provide direction to staff, as needed.

#### Attachment:

1. Proposed Budget FY 22-23

Line Items	Final FY 22-23	Draft FY 22-23	Approved FY 21-22	Change FY 21-22 to FY 22-23
Expense				
5110110 · Salary		\$341,000	\$317,000	7.04%
5130120 · Benefits		\$35,500	\$34,000	4.23%
5130500 · Pension		\$40,500	\$45,000	-11.11%
5130525 · Retiree Health		\$6,000	\$6,000	0.00%
05 · Commissioner Per Diems		\$10,000	\$10,000	0.00%
10 · Conferences		\$5,000	\$5,000	0.00%
15 · General Insurance		\$6,500	\$6,500	0.00%
20 · IT & Communications Services		\$18,000	\$17,000	5.56%
25 · Legal Services		\$37,500	\$37,500	0.00%
30 · Memberships & Dues		\$17,500	\$7,000	60.00%
35 · Misc Services		\$2,000	\$2,000	0.00%
40 · Office Equipment Purchases		\$4,139	\$4,139	0.00%
45 · Office Lease/Rent		\$35,670	\$34,559	3.11%
50 · Office Supplies and Postage		\$4,000	\$4,000	0.00%
55 · Professional Services		\$24,000	\$24,000	0.00%
60 · Publications/Notices		\$2,000	\$2,000	0.00%
65 · Rent - Storage		\$650	\$650	0.00%
70 · Training		\$1,700	\$1,700	0.00%
75 · Travel - Mileage		\$3,500	\$3,500	0.00%
Total Expense		\$595,159.08	\$561,548	5.65%
Income				
Carry Forward Balance		\$82,817	\$55,000	
4710510 · Agency Contributions		\$512,341.86	\$506,548	1.13%
Total Income		\$595,159.08	\$561,548	
	Amount	Notes		
General Reserve Fund	\$148,039.77	25% of total expenses - fully funded		
Consultant Reserve Fund	\$50,000.00	Per Marin LAFCo policy 3.10(B)(ix) - fully funded		
Technology Replacement Fund	\$3,758.31	Prior FY unspent funds line item 40, not to exceed \$20,000		



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022  
Item No. 7 (Business)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer  
(On behalf of Budget and Workplan Chair Kious and members McEntee and Rodoni)

**SUBJECT:** Review and Approval of Work Plan for Fiscal Year 2022-2023

---

### Background

At the March 24, 2022, at the Budget and Workplan Committee meeting the Fiscal Year 22-23 work plan was discussed. This was done since Commission this year decided not to do its workshop until July and to have that workshop focus on the next round of MSRs. This means the responsibility falls to the Committee to create a work plan for the Commission to approve. Past practice is to have our work plan be a living document that changes as needed so items can be added or changed as needed. In some cases, LAFCo may complete an item on this list prior to the end of the current fiscal year, such as approval of the West Marin MSR, but think it best to keep all items listed in one spot.

In drafting the current work plan, staff started with items that remain from the FY 21-22 work plan, then added new items so we have a complete list of items to be working on. The main additions to the work plan are upcoming MSRs that are scheduled to at least be started during FY 22-23; look at 2020 census data and its relationship to DUCs in Marin County; MSR workshop; along with smaller projects LAFCo is looking to do.

In addition, staff is looking to discuss the status of items that came out of MSRs. While we have had success with some items, like the merger of Murray Park SMD into RVSD, other items may have come to a conclusion. As noted in the attached chart items 7 (San Rafael Fire) and 14 (Tiburon Fire PD OSA with Belvedere) are the main two items that seem to have come to a point where changes to the system are not likely to occur any time soon. Staff would suggest and Committee supports removing these items from the work plan.

Items completed and removed from the work plan since reviewed last year: Personal Handbook Updates; Flood Zone 1 MSR; Twin Cities MSR; County Transfer of HR, Payroll and Benefits Systems; Shared Services Workshop.

### Staff Recommendation for Action

1. Staff Recommendation – approval of the attached work plan for Fiscal Year 2022–2023 with any changes as needed.
2. Alternate Option - Do not approve the work plan and give staff instruction on what the Commission would like to do.

#### Attachment:

1. Work plan for FY 2022-2023

---

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District  
Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member



Project	Responsible for work	Basic Description	Status
Western Marin Area MSR	Staff	MSR for region.	Draft report presented at April Meeting with Final approvals at June meeting.
Golden Gate Area MSR	Staff	MSR for region.	Once the draft of West Marin is released staff will start research for this MSR.
Countywide Fire Study	Commissioner McEntee and Staff	To do a phased review of fire services in Marin County.	Staff has completed most of the research and starting to draft sections.
Countywide Police Study	TBD	TBD	Once fire study is complete this will be revisited
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 is working with RVSD and County staff to resolve a few outstanding issues.
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.	While staff has conducted meetings between all parties it does not appear at this time like an agreement will be reached that needs LAFCo involvement.
Boundary Change for CSA 18	Staff	Based on San Rafael Area MSR, the boundaries of the CSA need to be adjusted.	The Commission has given its formal approvals and now staff is working through all the post approval process.
Property Tax Review For Special Districts	Staff	This is a low level item for staff to work on. Currently when parcels are annexed into a 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.

Project	Responsible for work	Basic Description	Status
Southern Marin Fire reorganization with Mill Valley	Staff	Staff has been invited by Southern Marin FPD to join its working group that is looking at ways to either consolidate services or merge departments.	SMFPD and Mill Valley have both come to a basic agreement on formal consolidation of fire services and now working on the technical details.
Strawberry Recreation District Reorganization of Dredging Services	Staff	Staff identified in Tiburon Peninsula MSR that SRD has dredging services that are an activity that State Government Code does not explicitly give to a recreation district. SRD and the County, with LAFCo help, are working to see if a CSA can be created to cover those services	The area SRD dredges is a year away from its next dredge so this item will not be addressed until after that dredging occurs.
Paradise Drive	Staff	As identified in the Tiburon Peninsula MSR, Paradise Drive goes through areas that are both incorporated and unincorporated as multiple unincorporated islands exist along it. The road itself does not reflect the parcels around it as far as which jurisdiction it is in.	Discussion between the County and Tiburon are ongoing
Angel Island Fire Service	Staff	There are two different, but similar, issues around fire services. One is, while Angel Island falls into CSA 31 service area, Tiburon FPD actually provides those services but does not get reimbursed for those services. Second is the Town of Tiburon pays to the State Parks an annual fee to cover fire protection cost but the Town offers no fire protection services.	Tiburon has not expressed interest in changing this item on their side and Fire District is working through some issues with the County and State.
Tiburon Fire Protection District OSA with Belvedere	Staff	As identified in the Tiburon Peninsula MSR, the City of Belvedere currently has an OSA with the TFPD to cover services. In the MSR staff suggests that TFPD boundaries should be extended to cover Belvedere.	After disucssion with Belevedere it was decided at this time this issue should not be persued.

Project	Responsible for work	Basic Description	Status
Ross Valley Fire Working Group	Staff	As identified in the Upper Ross Valley MSR currently fire services are provided by a JPA in the region. There is a desire to see if there is a different model that would work for the area.	Ross Valley Fire JPA members have asked that this working group start after they deal with some immediate issues. Those issues are wrapping up so discussion should start soon.
Digital Library	Staff	Staff has learned how to make current documents ADA compliant and is looking to add more information to the website for applications and resolutions to make it easier for the public to access documents from us.	Some very basic frameworks have been created on the LAFCo website. Currently all LAFCo applications are being scanned and hopefully in the summer of 2022 we will be bringing on our first intern to help with the ADA remediation to start expanding the online library
Disadvantaged Unincorporated Communities	Staff	In 2019 the Commission established an Ad-Hoc committee to review DUC's in Marin County. It was determined based on CKH that Marin City was the only place that qualified as a DUC. Other government bodies have different definitions. Since it was so close to the 2020 census the Commission decided not to take any further action but wait for the 2020 census to re-review this issue.	At the April 2022 meeting the Commission will be deciding if it wants to create an ad hoc committee to review the information from the 2020 census.
Southern Marin Wastewater Study	Staff	MSR for four independent wastewater agencies and SASM	To be started once Golden Gate MSR is released
Multi-Regional Services Study	Staff	MSR for five agencies that cover multiple areas of Marin County	To be started once Southern Marin Wastewater MSR is released
MSR Workshop	Commission and Staff	With the completion of the current round of MSRs occurring the Commission will be holding a workshop to discuss what the next round of MSR should look like.	To be held on July 27th



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 8 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jeren Seibel, Deputy Executive Officer

**SUBJECT:** **Creation of a Disadvantaged Unincorporated Community Ad Hoc Committee to Review DUCs in Marin County**

### Background

In July of 2019, Marin LAFCo's ad hoc Disadvantaged Unincorporated Communities (DUC) Committee convened and approved staff's recommendation to bring a DUC policy to the full Commission for adoption. The policy, which the full Commission approved at the August 2019 meeting, reads as follows:

*As set forth in SB 244, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or district SOI in statements of written determinations of municipal service reviews. Marin LAFCo will prohibit the approval of city annexations greater than 10 acres that are contiguous to a disadvantaged unincorporated community unless the city applies to annex the disadvantaged unincorporated community as well.*

The Committee at that time also agreed that Marin LAFCo's stance on DUCs as a whole should be revisited when 2020 U.S. Census data was available. At this time the 2020 Census Redistricting Data has been made publicly available and CALAFCO, by way of contract with a consultant, has created a mapping tool showing each of the DUCs throughout the state. At the February Commission meeting, there was a consensus among the Commissioners to revive the DUC Committee. The Commission simply needs to appoint 3 members, after which a meeting would be scheduled.

The DUC Committee will take time to review and confirm the CALAFCO designated DUC census tracts within Marin County as well as possible actions of contact with city/town officials of municipalities bordering the identified DUCs.

### Staff Recommendation for Action

1. Staff recommendation – Approve the creation of an ad hoc DUC Committee and appoint 3 members to serve on it.
2. Alternate Option 1 – Decline the creation of an ad hoc DUC Committee and advise staff on how to proceed.

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 9 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** **Authorize the Executive Officer to Enter into an Agreement with Fort Point, LLC. For IT Services**

### Background

Prior to current staff being on board, the Commission had hired Marin Mac Tech to take care of IT services for the Commission. In 2018 the Commission entered into a multiple-year agreement using a BBK template agreement. In 2019 we started using a Voice over Internet Protocol (VoIP) system that is supported by them to replace our outdated office phone system. It was this VoIP system that allowed us to easily work remotely and still get calls live during office closures for health and safety reasons. Last year with the switch from Mac products to PC laptops we transferred the contract from Marin Mac Tec to its sister company Fort Point LLC. That agreement is set to expire on June 30, 2022. When current staff started it was our goal to line up our contracts with the fiscal year so that we would in part know of any changes to cost so they could be included in the next budget. The attached template BBK agreement would create a new three-year agreement with Fort Point LLC. We currently pay them \$595 a month for all the services they provide to us. Staff was able to negotiate no increase in our costs for the next three years which is the length of this agreement. As a reminder, Fort Point offers services to customers in one of two ways. You can either pay the monthly fee or an hourly rate for the hours they spend. The monthly system comes with 24/7 monitoring of our system, taking care of any updates to our system or other issues we have, and the ability to use them for 3<sup>rd</sup> party software maintenance. The hourly rate means they would charge us anytime to look to assist us from doing updates to our system or helping us solve problems. Based on the number of hours we use in a month it is to our benefit to maintain the monthly fee schedule partially given we are not seeing an increase in this cost.

Staff also wanted to make the Commission aware of changes occurring in the software systems. Software companies over the last three years have been changing how you get access to their programs. More and more companies are switching from selling you new software every few years to now charging monthly or yearly subscriptions. In the contract, you will notice in Exhibit B a list of 3<sup>rd</sup> party services we get through Fort Point. The costs listed are what we are currently paying for all those services but can change when the 3<sup>rd</sup> party software provider changes its rate. Also from time to time, Fort Point will change what company it recommends using, which is currently happening with its Password Management system. Finally, Fort Point is recommending, and staff agrees, that we need to add some additional safeguards to our system. In Exhibit B the last four items (Email Encryption, Phishing protections, Backup, and Password management) are new things being added to our system. This will add about another \$80 a month which has been factored into our FY 22-23 proposed budget costs.

### Staff Recommendation for Action

1. Staff recommendation – Authorize the Executive Officer to sign the attached contract for services with Fort Point, LLC.
2. Alternate Option 1 – Advise staff on how to proceed.

### Attachment:

1. BBK template contact with Fort Point, LLC

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

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

This Agreement is made and entered into as of July 1, 2022 by and between the Marin Local Agency Formation Commission, a public agency organized and operating under the laws of the State of California with its principal place of business at 1401 Los Gamos Drive, San Rafael, CA 94903 (“Commission”), and Fort Point, Inc., a California corporation with its principal place of business at 926A Diablo Ave. #402, Novato, CA 94947 (hereinafter referred to as “Consultant”). Commission and Consultant are sometimes individually referred to as “Party” and collectively as “Parties” in this Agreement.

**RECITALS**

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

Ongoing IT support for computers, networks, communication services such as email and phones (hereinafter referred to as “the Project”).

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

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

**AGREEMENT**

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

1. Services.

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

2. Compensation.

a. Subject to paragraph 2(b) below, the Commission shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit “B.”

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of \$10,000. This amount is to cover all printing and related costs, and the Commission will not pay any additional fees for printing expenses. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the Commission, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the Commission by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this

Agreement shall be prepared by the Commission and executed by both Parties before performance of such services, or the Commission will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

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

5. Term.

The term of this Agreement shall be from **July 1<sup>st</sup>, 2022**, to **June 30<sup>th</sup>, 2025**, unless earlier terminated as provided herein. The Parties may, by mutual, written consent, extend the term of this Agreement if necessary to complete the Project. Consultant shall perform its services in a prompt and timely manner within the term of this Agreement and shall commence performance upon receipt of written notice from the City to proceed.

6. Delays in Performance.

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

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

7. Compliance with Law.

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

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

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

8. Standard of Care



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

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the Commission, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Contractor

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

11. Insurance. Consultant shall not commence work for the Commission until it has provided evidence satisfactory to the Commission it has secured all insurance required under this section. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required under this section.

a. Commercial General Liability

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

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

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

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

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

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

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

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

b. Automobile Liability

Coverage provided by naming Marin LAFCo in general liability policy.

(i) At all times during the performance of the work under this Agreement, the Consultant shall maintain Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, in a form and with insurance companies acceptable to the Commission.

(ii) Coverage for automobile liability insurance shall be at least as broad as Insurance Services Office Form Number CA 00 01 covering automobile liability (Coverage Symbol 1, any auto OR if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned)).

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

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

c. Workers' Compensation/Employer's Liability

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

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

required by this Agreement, workers' compensation coverage of the same type and limits as specified in this section.

d. Professional Liability (Errors and Omissions)

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

e. Minimum Policy Limits Required

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

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

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

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

f. Evidence Required

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

g. Policy Provisions Required

(i) Consultant shall provide the Commission at least thirty (30) days prior written notice of cancellation of any policy required by this Agreement, except that the

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

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

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

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

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

h. Qualifying Insurers

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

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

i. Additional Insurance Provisions

(i) The foregoing requirements as to the types and limits of insurance coverage to be maintained by Consultant, and any approval of said insurance by the Commission, is not intended to and shall not in any manner limit or qualify the liabilities and

obligations otherwise assumed by the Consultant pursuant to this Agreement, including but not limited to, the provisions concerning indemnification.

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

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

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

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Commission that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Commission as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, Commission may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

## 12. Indemnification.

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

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

## 13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects (“Prevailing Wage Laws”). If the services are being performed as part of an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall defend, indemnify and hold the Commission, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Consultant and all subconsultants to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815) and debarment of contractors and subcontractors (Labor Code Section 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

b. If the services are being performed as part of an applicable “public works” or “maintenance” project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant’s sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant’s performance of services, including any delay, shall be Consultant’s sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the Commission. Consultant shall defend, indemnify and hold the Commission, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

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

15. Laws and Venue.

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

16. Termination or Abandonment

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

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

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

18. Organization

Consultant shall assign Travis Woods as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the Commission.

19. Limitation of Agreement.

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

20. Notice

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

COMMISSION:

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

CONSULTANT:

Fort Point Solutions, LLC  
926A Diablo Ave. #402  
Novato, CA 94947  
Attn: Travis Woods

and shall be effective upon receipt thereof.



21. Third Party Rights

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

22. Equal Opportunity Employment.

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

23. Entire Agreement

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

24. Severability

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

25. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Commission. Any attempted assignment without such consent shall be invalid and void.

26. Non-Waiver

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

27. Time of Essence

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

28. Commission's Right to Employ Other Consultants

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

29. Prohibited Interests

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

**[SIGNATURES ON FOLLOWING PAGE]**

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

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

MARIN LOCAL AGENCY FORMATION  
COMMISSION

FORT POINT SOLUTIONS, LLC.

By: \_\_\_\_\_  
Jason Fried  
Executive Officer

By: \_\_\_\_\_  
Its: President

Printed Name: Travis Woods

ATTEST:

By: \_\_\_\_\_  
Board Clerk

## EXHIBIT A

### Scope of Services

Fort Point Solutions, LLC, a managed IT services provider, will provide and support the following services:

- Ongoing IT support for computers, network, phones.
- Maintain onsite and cloud-based backup service for key data.
- Email hosting services, including optional email security, retention, and continuity.
- Hosted Voice services.
- Maintain and renew business productivity software.
- Maintain and renew IT security services, such as anti-virus.
- Manage and track domain renewals.

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice Commission on a monthly cycle. Consultant will make available upon request by the Commission detailed logs as to work performed. Consultant will inform Commission regarding any out-of-scope work being performed by Consultant.

<b>Marin LAFCo Service Proposal</b>			Quantity	Per Item	Monthly Total
<b>Direct Services Provided by Fort Point</b>					
IT Services + Network and Wireless Monitoring	24x7 Support + End point patching		3		\$455.00
Monitoring for additional workstation (bookkeeper)	Endpoint monitoring + patching		1		\$95.00
Local Network			1		\$45.00
Total for Services					\$595.00
<b>3rd party fees Fort Point passes onto Marin LAFCo – Based on consumption</b>					
Microsoft 365 Business Standard (annual pricing)	Office 365 + Email service	*†	4	\$12.50	\$50.00
End Point Detection & Response Service	Advanced virus, ransomware protection	*	3	\$12.50	\$37.50
Elevate VoIP	Phone and video conferencing for office	*	1	\$137.00	\$137.00
Email Encryption + Advanced Spam Protection	Proofpoint°	*	4	\$4.00	\$16.00
Phishing protection Suite + End-user Security Training	IronScales°	*	4	\$3.20	\$12.80
O365 SaaS Backup	Dropsuite° - Business Backup + Archiving	*	6	\$5.00	\$30.00
Password Management	Product under review	*	4	\$7.00	\$28.00
Current Total for all 3rd Party Fees					\$311.30

<b>Total for all services</b>	<b>\$906.30</b>
-------------------------------	-----------------

\* = Vendor pricing subject to change  
 † = Pricing based on 1 year commitment  
 ° = Specific vendor at the discretion of FPIT and subject to change without notice.



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 10 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jason Fried, Executive Officer

**SUBJECT:** Discussion of June LAFCo Commission Meeting Including Whether to Meet in Person and Possible Meeting Locations

---

### Background

At the December 2021 Commission meeting while establishing the calendar of Commission Meetings it was also decided that at each meeting the Commission would discuss whether returning to in-person meetings is what the Commission is ready to do. This is that time for discussion about our June meeting.

No formal action is needed from the Commission but if the Board wishes to take formal action it may.

---

#### 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)

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Item No. 11 (Business Item)

**TO:** Local Agency Formation Commission

**FROM:** Jeren Seibel, Deputy Executive Officer  
(On behalf of Committee Chair Moody, Commissioners Murray, and Loder)

**SUBJECT:** Approval of Legislative Committee's Recommended Positions

---

### Background

On March 16th, 2022 the Legislative Committee met to discuss two pieces of LAFCo related legislation making their way through Sacramento right now. The first, SB 938, changes the protest threshold for Commission-initiated dissolutions of a special district, from the current ten percent (10%) to twenty-five percent (25%), which is consistent with a dissolution proposal for which a proposal has been filed with LAFCo. SB 938 is sponsored by CALAFCO and has the support of the California Special Districts Association (CSDA). The second piece of legislation, AB 2957, is the annual Omnibus Bill authored by CALAFCO. AB 2957 makes minor technical corrections to language used in the Cortese-Knox-Hertzberg Act in sections 56102, 56653, 56654, and 56658. The change also adds section 56078.5 to the code. These changes can be seen in the attached documents.

Marin LAFCo Policy section 3.15 gives the Commission the option to take positions and assign priority to any legislation moving through the process in Sacramento. At the March 16<sup>th</sup> meeting, the Legislative Committee agreed on staff's recommendation of taking the alignment with CALAFCO position at the priority 3 level.

### Recommendation

1. Staff Recommendation – Adopt the Committee's recommendation of alignment with CALAFCO at the priority 3 level on both bills.
2. Alternative Option - Continue this to a future meeting of the Commission or ask the Committee to take another look at it.

### Attachment:

- 1) SB 938 Protest Threshold Resolution Proposal
- 2) SB 938 Full Text
- 3) AB 2957 Full Text

---

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member





**PROTEST THRESHOLD RESOLUTION PROPOSAL (To be amended into SB 938)**

**PROCESS OUTLINE**

Commission Proceedings LAFCo Initiated Dissolution		
	Current Process	Proposed Process
<p>Step 1: Resolution of application</p> <p><b>NEW</b> Proposed process Step 1: Adoption/acceptance/approval of MSR with any determinations described in the required conditions list.</p>	<p>Commission adopts a resolution of application for dissolution of district (§ 56375(a)(2))</p>	<p>Commission approves, adopts or accepts the MSR and determinations in a 21-day noticed public hearing.</p> <p>(Changes to be made in 56375)</p>
<p>Step 2:</p> <p><b>NEW</b> Proposed process step 2: Adopt resolution of intent to initiate dissolution.</p>		<p>Should the determinations point to a condition described in the required conditions list, the LAFCo may also adopt a resolution of intent to initiate dissolution of the district. Resolution must contain the prescribed remediation period (of not less than 12 months). This does not trigger the dissolution process. Instead, it gives the district the remediation period to resolve. This can be done at the same hearing, a separate 21-day noticed public hearing following the previous action, or at a later time.</p>
<p>Step 3:</p> <p><b>NEW</b> Remediation Period Mid-Point Check-In</p>		<p>Remediation period – district takes steps to remedy deficiencies in the time frame identified by commission.</p> <p>District provides LAFCo a progress report at the half-way point of the remediation period (as adopted in the resolution) at a regularly scheduled commission meeting.</p>
<p>Step 4:</p> <p><b>NEW</b> Public Hearing to determine final action at end of remediation period</p>		<p>Public Hearing – Commission holds 21-day noticed public hearing at the end of the remediation period to determine</p>

		<p>if district has remedied deficiencies.</p> <p>If district has resolved issues, commission rescinds the resolution of intent to dissolve the district and the matter is dropped.</p> <p>If not, commission adopts a resolution making determinations to dissolve the district</p>
Step 5:	Reconsideration - Approval of dissolution begins 30-day reconsideration period (§ 56895)	Same
Step 6:	Protest – Initiate protest proceedings (can be initiated prior to end of reconsideration period)	Same
<b>Conducting Authority (Protest) Proceedings</b>		
	<b>Current Process</b>	<b>Proposed Process</b>
Step 6: Protest process	Protest hearing is scheduled, and public notice given. Public notice begins protest period of 21 to 60 days (§ 57002). Protest hearing must be held in affected territory (§ 57008)	60 days only for these specific instances. (All others remain at 21-60 days.)
Step 7: Protest hearing	Protest hearing is held and amount of qualified protests determined, pursuant to § 57113 (10% threshold)	Protest hearing is held and amount of qualified protests determined, pursuant to § 57077.1 (at 25% threshold)
Step 8: Dissolution ordered	Order dissolution, election, or termination	Same

## REQUIRED CONDITIONS

If a final MSR approved by the Commission in an open and public meeting per the process above includes findings, based on a preponderance of the evidence, that one or more of the following conditions have been met, then the LAFCO may utilize a new LAFCO-initiated dissolution process with a 25 percent protest threshold:

1. The agency has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies.
2. The agency spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the agency and has not taken any action to prevent similar future spending.
3. The agency has consistently shown willful neglect by failing to consistently adhere to the California Public Records Act and other public disclosure laws the agency is subject to.
4. The agency has failed to meet the minimum number of times required in its governing act in the prior calendar year and has taken no action to remediate the failures to meet to ensure future meetings are conducted on a timely basis.
5. The agency has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Government Code section 26909 over the prior five years as an alternative to performing an audit, or the agency's recent annual audits show chronic issues with the agency's fiscal controls and the agency has taken no action to remediate the issues.

**Introduced by Senator Hertzberg**  
(Coauthor: Assembly Member Mayes)

February 8, 2022

---

---

An act to amend Sections 56824.14, 57075, 57077.1, 57077.2, 57077.3, 57077.4, and 57090 of, to add Sections 57077.5 and 57077.6 to, to add Chapter 4.5 (commencing with Section 57091) to Part 4 of Division 3 of Title 5 of, and to repeal Sections 57076, 57107, and 57113 of, the Government Code, and to amend Section 116687 of the Health and Safety Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 938, as introduced, Hertzberg. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts, except as specified. Under existing law, in each county there is a local agency formation commission (commission) that oversees these changes of organization and reorganization.

With a specified exception, existing law provides for protest proceedings for a change of organization or reorganization following adoption of a resolution making certain determinations by the commission, as provided. Existing law sets forth required procedures for the commission following a protest hearing depending on the nature of the conducting authority, as defined, the type of change of organization or reorganization, and the results of the protest proceeding.

The bill would reorganize and consolidate the above-described procedures. The bill would make conforming changes and remove obsolete provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 56824.14 of the Government Code is  
 2 amended to read:

3 56824.14. (a) The commission shall review and approve with  
 4 or without amendments, wholly, partially, or conditionally, or  
 5 disapprove proposals for the establishment of new or different  
 6 functions or class of services, or the divestiture of the power to  
 7 provide particular functions or class of services, within all or part  
 8 of the jurisdictional boundaries of a special district, after a public  
 9 hearing called and held for that purpose. The commission shall  
 10 not approve a proposal for the establishment of new or different  
 11 functions or class of services within the jurisdictional boundaries  
 12 of a special district unless the commission determines that the  
 13 special district will have sufficient revenues to carry out the  
 14 proposed new or different functions or class of services except as  
 15 specified in paragraph (1).

16 (1) The commission may approve a proposal for the  
 17 establishment of new or different functions or class of services  
 18 within the jurisdictional boundaries of a special district where the  
 19 commission has determined that the special district will not have  
 20 sufficient revenue to provide the proposed new or different  
 21 functions or class of services, if the commission conditions its  
 22 approval on the concurrent approval of sufficient revenue sources  
 23 pursuant to Section 56886. In approving a proposal, the  
 24 commission shall provide that if the revenue sources pursuant to  
 25 Section 56886 are not approved, the authority of the special district  
 26 to provide new or different functions or class of services shall not  
 27 be established.

28 (2) Unless otherwise required by the principal act of the subject  
 29 special district, or unless otherwise required by Section ~~57075~~ or  
 30 ~~57076~~, 57075, the approval by the commission for establishment  
 31 of new or different functions or class of services, or the divestiture

1 of the power to provide particular functions or class of services,  
2 shall not be subject to an election.

3 (b) At least 21 days prior to the date of that hearing, the  
4 executive officer shall give mailed notice of the hearing to each  
5 affected local agency or affected county, and to any interested  
6 party who has filed a written request for notice with the executive  
7 officer. In addition, at least 21 days prior to the date of that hearing,  
8 the executive officer shall cause notice of the hearing to be  
9 published in accordance with Section 56153 in a newspaper of  
10 general circulation that is circulated within the territory affected  
11 by the proposal proposed to be adopted.

12 (c) The commission may continue from time to time any hearing  
13 called pursuant to this section. The commission shall hear and  
14 consider oral or written testimony presented by any affected local  
15 agency, affected county, or any interested person who appears at  
16 any hearing called and held pursuant to this section.

17 SEC. 2. Section 57075 of the Government Code is amended  
18 to read:

19 ~~57075. In the case of registered voter districts or cities, where~~  
20 *Where* a change of organization or reorganization consists solely  
21 of annexations, detachments, the exercise of new or different  
22 functions or class of services or the divestiture of the power to  
23 provide particular functions or class of services within all or part  
24 of the jurisdictional boundaries of a special district, or any  
25 combination of those proposals, the commission, not more than  
26 30 days after the conclusion of the hearing, shall make a finding  
27 regarding the value of written protests filed and not withdrawn,  
28 ~~and take one of the following actions, except as provided in~~  
29 ~~subdivision (b) of Section 57002:~~ *take the action set forth in either*  
30 *subdivision (a) of Section 57091, in the case of registered voter*  
31 *districts or cities, or subdivision (b) of Section 57091, in the case*  
32 *of landowner-voter districts.*

33 ~~(a) In the case of inhabited territory, take one of the following~~  
34 ~~actions:~~

35 ~~(1) Terminate proceedings if a majority protest exists in~~  
36 ~~accordance with Section 57078.~~

37 ~~(2) Order the change of organization or reorganization subject~~  
38 ~~to confirmation by the registered voters residing within the affected~~  
39 ~~territory if written protests have been filed and not withdrawn by~~  
40 ~~either of the following:~~

- 1 (A) At least 25 percent, but less than 50 percent, of the registered
- 2 voters residing in the affected territory.
- 3 (B) At least 25 percent of the number of owners of land who
- 4 also own at least 25 percent of the assessed value of land within
- 5 the affected territory.
- 6 ~~(3) Order the change of organization or reorganization without~~
- 7 ~~an election if paragraphs (1) and (2) of this subdivision do not~~
- 8 ~~apply.~~
- 9 ~~(b) In the case of uninhabited territory, take either of the~~
- 10 ~~following actions:~~
- 11 ~~(1) Terminate proceedings if a majority protest exists in~~
- 12 ~~accordance with Section 57078.~~
- 13 ~~(2) Order the change of organization or reorganization if written~~
- 14 ~~protests have been filed and not withdrawn by owners of land who~~
- 15 ~~own less than 50 percent of the total assessed value of land within~~
- 16 ~~the affected territory.~~
- 17 SEC. 3. Section 57076 of the Government Code is repealed.
- 18 ~~57076. In the case of landowner-voter districts, where a change~~
- 19 ~~of organization or reorganization consists solely of annexations~~
- 20 ~~or detachments, the exercise of new or different functions or class~~
- 21 ~~of services or the divestiture of the power to provide particular~~
- 22 ~~functions or class of services within all or part of the jurisdictional~~
- 23 ~~boundaries of a special district, or any combination of those~~
- 24 ~~proposals, the commission, not more than 30 days after the~~
- 25 ~~conclusion of the hearing, shall make a finding regarding the value~~
- 26 ~~of written protests filed and not withdrawn, and take one of the~~
- 27 ~~following actions, except as provided in subdivision (b) of Section~~
- 28 ~~57002:~~
- 29 ~~(a) Terminate proceedings if a majority protest exists in~~
- 30 ~~accordance with Section 57078.~~
- 31 ~~(b) Order the change of organization or reorganization subject~~
- 32 ~~to an election within the affected territory if written protests that~~
- 33 ~~have been filed and not withdrawn represent either of the following:~~
- 34 ~~(1) Twenty-five percent or more of the number of owners of~~
- 35 ~~land who also own 25 percent or more of the assessed value of~~
- 36 ~~land within the territory.~~
- 37 ~~(2) Twenty-five percent or more of the voting power of~~
- 38 ~~landowner voters entitled to vote as a result of owning property~~
- 39 ~~within the territory.~~



1 ~~(e) Order the change of organization or reorganization without~~  
2 ~~an election if written protests have been filed and not withdrawn~~  
3 ~~by less than 25 percent of the number of owners of land who own~~  
4 ~~less than 25 percent of the assessed value of land within the~~  
5 ~~affected territory.~~

6 SEC. 4. Section 57077.1 of the Government Code is amended  
7 to read:

8 57077.1. (a) If a change of organization consists of a  
9 dissolution, the commission shall order the dissolution without  
10 confirmation of the voters, except if the proposal meets the  
11 requirements of subdivision (b), the commission shall order the  
12 dissolution subject to confirmation of the voters.

13 (b) The commission shall order the dissolution subject to the  
14 confirmation of the voters as follows:

15 (1) If the proposal was not initiated by the commission, and if  
16 a subject agency has not objected by resolution to the proposal,  
17 the commission has found that protests meet ~~one of the following~~  
18 ~~the applicable~~ protest ~~thresholds; thresholds set forth in Section~~  
19 ~~57093.~~

20 ~~(A) In the case of inhabited territory, protests have been signed~~  
21 ~~by either of the following:~~

22 ~~(i) At least 25 percent of the number of landowners within the~~  
23 ~~affected territory who own at least 25 percent of the assessed value~~  
24 ~~of land within the territory.~~

25 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
26 ~~of residing within, or owning land within, the affected territory.~~

27 ~~(B) In the case of a landowner-voter district, that the territory~~  
28 ~~is uninhabited and that protests have been signed by at least 25~~  
29 ~~percent of the number of landowners within the affected territory~~  
30 ~~owning at least 25 percent of the assessed value of land within the~~  
31 ~~territory.~~

32 (2) If the proposal was not initiated by the commission, and if  
33 a subject agency has objected by resolution to the proposal, written  
34 protests have been submitted ~~as follows; that meet the applicable~~  
35 ~~protest thresholds set forth in Section 57094.~~

36 ~~(A) In the case of inhabited territory, protests have been signed~~  
37 ~~by either of the following:~~

38 ~~(i) At least 25 percent of the number of landowners within any~~  
39 ~~subject agency within the affected territory who own at least 25~~  
40 ~~percent of the assessed value of land within the territory.~~

1 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
2 ~~of residing within, or owning land within, any subject agency~~  
3 ~~within the affected territory.~~

4 ~~(B) In the case of a landowner-voter district, that the territory~~  
5 ~~is uninhabited and protests have been signed by at least 25 percent~~  
6 ~~of the number of landowners within any subject agency within the~~  
7 ~~affected territory, owning at least 25 percent of the assessed value~~  
8 ~~of land within the subject agency.~~

9 (3) If the proposal was initiated by the commission, and  
10 regardless of whether a subject agency has objected to the proposal  
11 by resolution, written protests have been submitted that meet the  
12 requirements of Section ~~57113~~. 57077.6.

13 (c) Notwithstanding subdivisions (a) and (b) and Sections 57102  
14 and 57103, if a change of organization consists of the dissolution  
15 of a district that is consistent with a prior action of the commission  
16 pursuant to Section 56378, 56425, or 56430, the commission may  
17 do either of the following:

18 (1) If the dissolution is initiated by the district board,  
19 immediately approve and order the dissolution without an election  
20 or protest proceedings pursuant to this part.

21 (2) If the dissolution is initiated by an affected local agency, by  
22 the commission pursuant to Section 56375, or by petition pursuant  
23 to Section 56650, order the dissolution after holding at least one  
24 noticed public hearing, and after conducting protest proceedings  
25 in accordance with this part. Notwithstanding any other law, the  
26 commission shall terminate proceedings if a majority protest exists  
27 in accordance with Section 57078. If a majority protest is not  
28 found, the commission shall order the dissolution without an  
29 election.

30 SEC. 5. Section 57077.2 of the Government Code is amended  
31 to read:

32 57077.2. (a) If the change of organization consists of a  
33 consolidation of two or more districts, the commission shall order  
34 the consolidation without confirmation by the voters, except that  
35 if the proposal meets the requirements of subdivision (b), the  
36 commission shall order the consolidation subject to confirmation  
37 of the voters.

38 (b) The commission shall order the consolidation subject to the  
39 confirmation of the voters as follows:

1 (1) If the commission has approved a proposal submitted by  
2 resolution of a majority of the members of the legislative bodies  
3 of two or more local agencies pursuant to Section 56853, and the  
4 commission has found that protests meet ~~one of the following~~ *the*  
5 *applicable* protest ~~thresholds;~~ *thresholds set forth in Section 57093.*

6 ~~(A) In the case of inhabited territory, protests have been signed~~  
7 ~~by either of the following:~~

8 ~~(i) At least 25 percent of the number of landowners within the~~  
9 ~~territory subject to the consolidation who own at least 25 percent~~  
10 ~~of the assessed value of land within the territory.~~

11 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
12 ~~of residing within, or owning land within, the territory.~~

13 ~~(B) In the case of a landowner-voter district, the territory is~~  
14 ~~uninhabited and protests have been signed by at least 25 percent~~  
15 ~~of the number of landowners within the territory subject to the~~  
16 ~~consolidation, owning at least 25 percent of the assessed value of~~  
17 ~~land within the territory.~~

18 (2) If the commission has approved a proposal not initiated by  
19 the commission and if a subject agency has not objected by  
20 resolution to the proposal, written protests have been submitted  
21 that meet the requirements specified in subparagraph (A) or (B)  
22 of paragraph (1). *applicable protest thresholds set forth in Section*  
23 *57093.*

24 (3) If the proposal was not initiated by the commission, and if  
25 a subject agency has objected by resolution to the proposal, written  
26 protests have been submitted ~~as follows:~~ *that meet one of the*  
27 *protest thresholds set forth in Section 57094.*

28 ~~(A) In the case of inhabited territory, protests have been signed~~  
29 ~~by either of the following:~~

30 ~~(i) At least 25 percent of the number of landowners within any~~  
31 ~~subject agency within the affected territory who own at least 25~~  
32 ~~percent of the assessed value of land within the territory.~~

33 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
34 ~~of residing within, or owning land within, any subject agency~~  
35 ~~within the affected territory.~~

36 ~~(B) In the case of a landowner-voter district, the territory is~~  
37 ~~uninhabited, and protests have been signed by at least 25 percent~~  
38 ~~of the number of landowners within any subject agency within the~~  
39 ~~affected territory, owning at least 25 percent of the assessed value~~  
40 ~~of land within the subject agency.~~

1 (4) If the commission has approved a proposal initiated by the  
 2 commission, and regardless of whether a subject agency has  
 3 objected to the proposal by resolution, written protests have been  
 4 submitted that meet the requirements of Section ~~57113~~: 57077.6.

5 SEC. 6. Section 57077.3 of the Government Code is amended  
 6 to read:

7 57077.3. (a) If a proposal consists of a reorganization not  
 8 described in Section 57075, ~~57076~~, 57077, 57077.4, or 57111, the  
 9 commission shall order the reorganization without confirmation  
 10 by the voters except that if the reorganization meets the  
 11 requirements of subdivision (b), the commission shall order the  
 12 reorganization subject to confirmation of the voters.

13 (b) The commission shall order the reorganization subject to  
 14 confirmation of the voters as follows:

15 (1) If the commission has approved a proposal submitted by  
 16 resolution of a majority of the members of the legislative bodies  
 17 of two or more local agencies pursuant to Section 56853, and the  
 18 commission has found that protests meet ~~one of the following~~ *the*  
 19 *applicable* protest ~~thresholds~~: *thresholds set forth in Section 57093*.

20 (A) ~~In the case of inhabited territory, protests have been signed~~  
 21 ~~by either of the following:~~

22 (i) ~~At least 25 percent of the number of landowners within the~~  
 23 ~~affected territory who own at least 25 percent of the assessed value~~  
 24 ~~of land within the territory.~~

25 (ii) ~~At least 25 percent of the voters entitled to vote as a result~~  
 26 ~~of residing within, or owning land within, the affected territory.~~

27 (B) ~~In the case of a landowner-voter district, that the territory~~  
 28 ~~is uninhabited, and that protests have been signed by at least 25~~  
 29 ~~percent of the number of landowners within the affected territory,~~  
 30 ~~owning at least 25 percent of the assessed value of land within the~~  
 31 ~~territory.~~

32 (2) If the commission has approved a proposal not initiated by  
 33 the commission, and if a subject agency has not objected by  
 34 resolution to the proposal, a written protest has been submitted  
 35 that meets ~~the requirements specified in subparagraph (A) or (B)~~  
 36 ~~of paragraph (1)~~: *the applicable protest thresholds set forth in*  
 37 *Section 57093*.

38 (3) If the commission has approved a proposal not initiated by  
 39 the commission, and if a subject agency has objected by resolution

1 to the proposal, written protests have been submitted as follows:  
2 *that meet one of the protest thresholds set forth in Section 57094.*

3 ~~(A) In the case of inhabited territory, protests have been signed~~  
4 ~~by either of the following:~~

5 ~~(i) At least 25 percent of the number of landowners within any~~  
6 ~~subject agency within the affected territory who own at least 25~~  
7 ~~percent of the assessed value of land within the territory.~~

8 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
9 ~~of residing within, or owning land within, any subject agency~~  
10 ~~within the affected territory.~~

11 ~~(B) In the case of a landowner-voter district, the territory is~~  
12 ~~uninhabited, and protests have been signed by at least 25 percent~~  
13 ~~of the number of landowners within any subject agency within the~~  
14 ~~affected territory, owning at least 25 percent of the assessed value~~  
15 ~~of land within the subject agency.~~

16 (4) If the commission has approved a proposal initiated by the  
17 commission, and regardless of whether a subject agency has  
18 objected to the proposal by resolution, written protests have been  
19 submitted that meet the requirements of Section ~~57113.~~ 57077.6.

20 ~~(e) This section shall not apply to reorganizations governed by~~  
21 ~~Sections 56853.5 and 56853.6.~~

22 SEC. 7. Section 57077.4 of the Government Code is amended  
23 to read:

24 57077.4. (a) If a reorganization consists of the dissolution of  
25 one or more districts and the annexation of all or substantially all  
26 the territory to another district not initiated pursuant to Section  
27 56853 or by the commission pursuant to Section 56375, the  
28 commission shall order the reorganization without confirmation  
29 by the voters except that if the reorganization meets the  
30 requirements of subdivision ~~(b),~~ (b) or (c), the commission shall  
31 order the reorganization subject to confirmation by the voters.

32 (b) The commission shall order the reorganization subject to  
33 confirmation by the ~~voters as follows:~~ voters, if written protests  
34 have been submitted that meet the applicable protest thresholds  
35 set forth in Section 57094.

36 ~~(1) In the case of inhabited territory, protests have been signed~~  
37 ~~by either of the following:~~

38 ~~(A) At least 25 percent of the number of landowners within any~~  
39 ~~subject agency within the affected territory who own at least 25~~  
40 ~~percent of the assessed value of land within the territory.~~

1 ~~(B) At least 25 percent of the voters entitled to vote as a result~~  
2 ~~of residing within, or owning land within, any subject agency~~  
3 ~~within the affected territory.~~

4 ~~(2) In the case of a landowner-voter district, the territory is~~  
5 ~~uninhabited, and protests have been signed by at least 25 percent~~  
6 ~~of the number of landowners within any subject agency within the~~  
7 ~~affected territory, owning at least 25 percent of the assessed value~~  
8 ~~of land within the subject agency.~~

9 ~~(3) If~~

10 ~~(c) The commission shall order the reorganization subject to~~  
11 ~~confirmation by the voters if the reorganization has been initiated~~  
12 ~~by the commission pursuant to Section 56375, 56375 and protests~~  
13 ~~have been submitted that meet the requirements of Section 57113.~~  
14 ~~57077.6.~~

15 SEC. 8. Section 57077.5 is added to the Government Code, to  
16 read:

17 57077.5. (a) In any resolution ordering a merger or  
18 establishment of a subsidiary district, the commission shall approve  
19 the change of organization without an election except that if the  
20 change of organization meets the requirements of subdivision (b),  
21 the commission shall order the change of organization subject to  
22 confirmation of the voters.

23 (b) The commission shall order the change of organization  
24 subject to confirmation of the voters within any subject agency as  
25 follows:

26 (1) If the proposal was not initiated by the commission, and if  
27 a subject agency has not objected by resolution to the proposal,  
28 the commission has found that protests meet the applicable protest  
29 thresholds set forth in Section 57093.

30 (2) If the proposal was not initiated by the commission, and if  
31 a subject agency has objected by resolution to the proposal, written  
32 protests have been submitted that meet the applicable protest  
33 thresholds set forth in Section 57094.

34 (3) If the proposal was initiated by the commission, and  
35 regardless of whether a subject agency has objected to the proposal  
36 by resolution, written protests have been submitted that meet the  
37 requirements of Section 57077.6.

38 (c) Notwithstanding subdivision (a) or (b), the commission shall  
39 not order the merger or establishment of a subsidiary district  
40 without the consent of the subject city.

1 SEC. 9. Section 57077.6 is added to the Government Code, to  
2 read:

3 57077.6. Notwithstanding Section 57102, 57108, or 57111,  
4 for any proposal that was initiated by the commission pursuant to  
5 subdivision (a) of Section 56375, the commission shall forward  
6 the change of organization or reorganization for confirmation by  
7 the voters if the commission finds written protests have been  
8 submitted that meet the applicable protest thresholds set forth in  
9 Section 57094.

10 SEC. 10. Section 57090 of the Government Code is amended  
11 to read:

12 57090. (a) Except as otherwise provided in subdivision (b), if  
13 proceedings are terminated, either by majority protest as provided  
14 in Sections ~~57075, 57076~~, 57075 and 57077, or if a majority of  
15 voters do not confirm the change of organization or reorganization  
16 as provided in Section 57179, no substantially similar proposal  
17 for a change of organization or reorganization of the same or  
18 substantially the same territory may be filed with the commission  
19 within two years after the date of the certificate of termination if  
20 the proposal included an incorporation or city consolidation and  
21 within one year for any other change of organization or  
22 reorganization.

23 (b) The commission may waive the requirements of subdivision  
24 (a) if it finds these requirements are detrimental to the public  
25 interest.

26 SEC. 11. Chapter 4.5 (commencing with Section 57091) is  
27 added to Part 4 of Division 3 of Title 5 of the Government Code,  
28 to read:

29

30 CHAPTER 4.5. PROTEST THRESHOLDS

31

32 57091. (a) For purposes of Section 57075, relating to  
33 annexations, detachments, and latent powers, in the case of  
34 registered voter districts or cities:

35 (1) For inhabited territory, the commission shall take one of the  
36 following actions:

37 (A) Terminate proceedings if a majority protest exists in  
38 accordance with Section 57078.

39 (B) Order the change of organization or reorganization subject  
40 to confirmation by the registered voters residing within the affected



1 territory if written protests have been filed and not withdrawn by  
2 either of the following:

3 (i) At least 25 percent, but less than 50 percent, of the registered  
4 voters residing in the affected territory.

5 (ii) At least 25 percent of the number of owners of land who  
6 also own at least 25 percent of the assessed value of land within  
7 the affected territory.

8 (C) Order the change of organization or reorganization without  
9 an election if subparagraphs (A) and (B) of this paragraph do not  
10 apply.

11 (2) For uninhabited territory, the commission shall take either  
12 of the following actions:

13 (A) Terminate proceedings if a majority protest exists in  
14 accordance with Section 57078.

15 (B) Order the change of organization or reorganization if written  
16 protests have been filed and not withdrawn by owners of land who  
17 own less than 50 percent of the total assessed value of land within  
18 the affected territory.

19 (b) For purposes of Section 57075, in the case of  
20 landowner-voter districts, the commission shall take one of the  
21 following actions:

22 (1) Terminate proceedings if a majority protest exists in  
23 accordance with Section 57078.

24 (2) Order the change of organization or reorganization subject  
25 to an election within the affected territory if written protests that  
26 have been filed and not withdrawn represent either of the following:

27 (A) Twenty-five percent or more of the number of owners of  
28 land who also own 25 percent or more of the assessed value of  
29 land within the affected territory.

30 (B) Twenty-five percent or more of the voting power of  
31 landowner voters entitled to vote as a result of owning property  
32 within the affected territory.

33 (3) Order the change of organization or reorganization without  
34 an election if written protests have been filed and not withdrawn  
35 by less than 25 percent of the number of owners of land who own  
36 less than 25 percent of the assessed value of land within the  
37 affected territory.

38 57092. For purposes of Sections 57077.1, relating to  
39 dissolution, 57077.2, relating to consolidation, 57077.3, relating  
40 to reorganization, 57077.4, relating to dissolution and annexation,

1 and 57077.5, relating to merger or establishment of a subsidiary  
2 district, the following protest thresholds shall apply:

3 (a) In the case of inhabited territory, protests have been signed  
4 by either of the following:

5 (1) At least 25 percent of the number of landowners within the  
6 affected territory who own at least 25 percent of the assessed value  
7 of land within the affected territory.

8 (2) At least 25 percent of the voters entitled to vote as a result  
9 of residing within, or owning land within, the affected territory.

10 (b) In the case of a landowner-voter district, that the territory  
11 is uninhabited and that protests have been signed by at least 25  
12 percent of the number of landowners within the affected territory  
13 owning at least 25 percent of the assessed value of land within the  
14 affected territory.

15 57093. For proposals not initiated by the commission and where  
16 a subject agency has objected by resolution to the proposal, for  
17 purposes of Sections 57077.1, relating to dissolution, 57077.2,  
18 relating to consolidation, 57077.3, relating to reorganization,  
19 57077.4, relating to dissolution and annexation, and 57077.5,  
20 relating to merger or establishment of a subsidiary district, the  
21 following protest thresholds shall apply:

22 (a) In the case of inhabited territory, protests have been signed  
23 by either of the following:

24 (1) At least 25 percent of the number of landowners within any  
25 subject agency within the affected territory who own at least 25  
26 percent of the assessed value of land within the affected territory.

27 (2) At least 25 percent of the voters entitled to vote as a result  
28 of residing within, or owning land within, any subject agency  
29 within the affected territory.

30 (b) In the case of a landowner-voter district, that the territory  
31 is uninhabited and protests have been signed by at least 25 percent  
32 of the number of landowners within any subject agency within the  
33 affected territory, owning at least 25 percent of the assessed value  
34 of land within the subject agency.

35 57094. For purposes of Section 57077.6, relating to proposals  
36 initiated by the commission, the following protest thresholds shall  
37 apply:

38 (a) In the case of inhabited territory, protests have been signed  
39 by either of the following:

1 (1) At least 10 percent of the number of landowners within any  
2 subject agency within the affected territory who own at least 10  
3 percent of the assessed value of land within the territory. However,  
4 if the number of landowners within a subject agency is less than  
5 300, the protests shall be signed by at least 25 percent of the  
6 landowners who own at least 25 percent of the assessed value of  
7 land within the affected territory of the subject agency.

8 (2) At least 10 percent of the voters entitled to vote as a result  
9 of residing within, or owning land within, any subject agency  
10 within the affected territory. However, if the number of voters  
11 entitled to vote within a subject agency is less than 300, the protests  
12 shall be signed by at least 25 percent of the voters entitled to vote.

13 (b) In the case of a landowner-voter district, the territory is  
14 uninhabited and protests have been signed by at least 10 percent  
15 of the number of landowners within any subject agency within the  
16 affected territory, who own at least 10 percent of the assessed value  
17 of land within the territory. However, if the number of landowners  
18 entitled to vote within a subject agency is less than 300, protests  
19 shall be signed by at least 25 percent of the landowners entitled to  
20 vote.

21 SEC. 12. Section 57107 of the Government Code is repealed.

22 ~~57107. (a) In any resolution ordering a merger or establishment~~  
23 ~~of a subsidiary district, the commission shall approve the change~~  
24 ~~of organization without an election except that if the change of~~  
25 ~~organization meets the requirements of subdivision (b), the~~  
26 ~~commission shall order the change of organization subject to~~  
27 ~~confirmation of the voters.~~

28 ~~(b) The commission shall order the change of organization~~  
29 ~~subject to confirmation of the voters within any subject agency as~~  
30 ~~follows:~~

31 ~~(1) If the proposal was not initiated by the commission, and if~~  
32 ~~a subject agency has not objected by resolution to the proposal,~~  
33 ~~the commission has found that protests meet one of the following~~  
34 ~~protest thresholds:~~

35 ~~(A) In the case of inhabited territory, protests have been signed~~  
36 ~~by either of the following:~~

37 ~~(i) At least 25 percent of the number of landowners within the~~  
38 ~~affected territory who own at least 25 percent of the assessed value~~  
39 ~~of land within the territory.~~

1 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
2 ~~of residing within, or owning land within, the affected territory.~~

3 ~~(B) In the case of a landowner-voter district, that the territory~~  
4 ~~is uninhabited and that protests have been signed by at least 25~~  
5 ~~percent of the number of landowners within the affected territory~~  
6 ~~owning at least 25 percent of the assessed value of land within the~~  
7 ~~territory.~~

8 ~~(2) If the proposal was not initiated by the commission, and if~~  
9 ~~a subject agency has objected by resolution to the proposal, written~~  
10 ~~protests have been submitted as follows:~~

11 ~~(A) In the case of inhabited territory, protests have been signed~~  
12 ~~by either of the following:~~

13 ~~(i) At least 25 percent of the number of landowners within any~~  
14 ~~subject agency within the affected territory who own at least 25~~  
15 ~~percent of the assessed value of land within the territory.~~

16 ~~(ii) At least 25 percent of the voters entitled to vote as a result~~  
17 ~~of residing within, or owning land within, any subject agency~~  
18 ~~within the affected territory.~~

19 ~~(B) In the case of a landowner-voter district, that the territory~~  
20 ~~is uninhabited and protests have been signed by at least 25 percent~~  
21 ~~of the number of landowners within any subject agency within the~~  
22 ~~affected territory, owning at least 25 percent of the assessed value~~  
23 ~~of land within the subject agency.~~

24 ~~(3) If the proposal was initiated by the commission, and~~  
25 ~~regardless of whether a subject agency has objected to the proposal~~  
26 ~~by resolution, written protests have been submitted that meet the~~  
27 ~~requirements of Section 57113.~~

28 ~~(e) Notwithstanding subdivision (a) or (b), the commission shall~~  
29 ~~not order the merger or establishment of a subsidiary district~~  
30 ~~without the consent of the subject city.~~

31 SEC. 13. Section 57113 of the Government Code is repealed.

32 ~~57113. Notwithstanding Section 57102, 57108, or 57111, for~~  
33 ~~any proposal that was initiated by the commission pursuant to~~  
34 ~~subdivision (a) of Section 56375, the commission shall forward~~  
35 ~~the change of organization or reorganization for confirmation by~~  
36 ~~the voters if the commission finds either of the following:~~

37 ~~(a) In the case of inhabited territory, protests have been signed~~  
38 ~~by either of the following:~~

39 ~~(1) At least 10 percent of the number of landowners within any~~  
40 ~~subject agency within the affected territory who own at least 10~~

1 percent of the assessed value of land within the territory. However,  
 2 if the number of landowners within a subject agency is less than  
 3 300, the protests shall be signed by at least 25 percent of the  
 4 landowners who own at least 25 percent of the assessed value of  
 5 land within the territory of the subject agency.

6 ~~(2) At least 10 percent of the voters entitled to vote as a result~~  
 7 ~~of residing within, or owning land within, any subject agency~~  
 8 ~~within the affected territory. However, if the number of voters~~  
 9 ~~entitled to vote within a subject agency is less than 300, the protests~~  
 10 ~~shall be signed by at least 25 percent of the voters entitled to vote.~~

11 ~~(b) In the case of a landowner-voter district, the territory is~~  
 12 ~~uninhabited and protests have been signed by at least 10 percent~~  
 13 ~~of the number of landowners within any subject agency within the~~  
 14 ~~affected territory, who own at least 10 percent of the assessed value~~  
 15 ~~of land within the territory. However, if the number of landowners~~  
 16 ~~entitled to vote within a subject agency is less than 300, protests~~  
 17 ~~shall be signed by at least 25 percent of the landowners entitled to~~  
 18 ~~vote.~~

19 SEC. 14. Section 116687 of the Health and Safety Code is  
 20 amended to read:

21 116687. (a) For purposes of this section, the following terms  
 22 have the following meanings:

23 (1) "District" means the Sativa-Los Angeles County Water  
 24 District.

25 (2) "Commission" means the Local Agency Formation  
 26 Commission for the County of Los Angeles.

27 (b) To provide affordable, safe drinking water to disadvantaged  
 28 communities, the state board shall order the district to accept  
 29 administrative and managerial services, including full management  
 30 and control, from an administrator selected by the state board, as  
 31 prescribed in Section 116686, except that the state board is not  
 32 required to conduct a public meeting as described in paragraph (2)  
 33 of subdivision (b) of Section 116686.

34 (c) (1) Upon the appointment of an administrator, all of the  
 35 following apply:

36 (A) Notwithstanding Article 1 (commencing with Section  
 37 30500) of Chapter 1 of Part 3 of Division 12 of the Water Code,  
 38 the district's board of directors shall surrender all control to the  
 39 appointed administrator and shall thereafter cease to exist.

1 (B) The members of the board of directors of the district shall  
2 have no standing to represent the district’s ratepayers, and a  
3 member of the board of directors shall have no claim for benefits  
4 other than those the member actually received while a member of  
5 the board of directors.

6 (C) Any action by the board of directors to divest the district of  
7 its assets shall be deemed tampering with a public water system  
8 pursuant to Section 116750 and is subject to the criminal penalties  
9 provided for in that section.

10 (2) Within 90 days of the appointment of an administrator, the  
11 Controller shall perform a desk audit or financial review of the  
12 district. The state board shall exercise its legal authority to facilitate  
13 the desk audit or financial review, including, but not limited to,  
14 its authority to take possession of the district’s financial records.

15 (3) Any decision by the commission about the dissolution or  
16 consolidation of the district is not subject to the provisions of  
17 ~~Section 57113~~ 57077.6 of the Government Code, nor to any other  
18 requirement for a protest proceeding or election. The commission  
19 shall not impose any condition on the successor agency that  
20 requires a protest proceeding or an election, as described in Part  
21 4 (commencing with Section 57000) and Part 5 (commencing with  
22 Section 57300) of Division 3 of Title 5 of the Government Code,  
23 respectively.

24 (4) If the commission approves a dissolution of the district  
25 initiated by the commission, a successor agency designated in the  
26 dissolution by the commission, in consultation with the  
27 commission, may solicit proposals, evaluate submittals, and select  
28 any public water system to be the receiving water system and  
29 subsume all assets, liabilities, adjudicated water rights,  
30 responsibilities, and service obligations to provide retail water  
31 service to existing and future ratepayers within the former territory  
32 of the district. The successor agency shall represent the interests  
33 of the public and the ratepayers in the former territory of the  
34 district.

35 (d) The state board may provide additional funding to the  
36 administrator or the Water Replenishment District of Southern  
37 California or the successor agency designated by the commission  
38 for urgent infrastructure repairs to the public water system of the  
39 district without regard to the future ownership of any facilities  
40 affected by this funding. For purposes of this section, “urgent

1 infrastructure repairs” are those that are immediately necessary to  
2 protect the public health, safety, and welfare of those served by  
3 the district.

4 (e) If the district is consolidated with a receiving water system  
5 as prescribed in Sections 116682 and 116684, the subsumed  
6 territory of the district may include both unincorporated territory  
7 of the County of Los Angeles and incorporated territory of the  
8 City of Compton.

9 (f) (1) Any administrator appointed pursuant to subdivision  
10 (b), any successor agency to the district designated by the  
11 commission to take over the district, any receiving operator of a  
12 public water system that provides service to the territory of the  
13 district, any water corporation that acquires the district, and the  
14 commission shall not be held liable for claims by past or existing  
15 district ratepayers or those who consumed water provided through  
16 the district concerning the operation and supply of water from the  
17 district during the interim operation period specified in subdivision  
18 (g) for any good faith, reasonable effort using ordinary care to  
19 assume possession of the territory of, to operate, or to supply water  
20 to the ratepayers within the territory of, the district.

21 (2) Any administrator appointed pursuant to subdivision (b),  
22 any successor agency to the district designated by the commission  
23 to take over the district, any receiving operator of a public water  
24 system that provides service to the territory of the district, any  
25 water corporation that acquires the district, and the commission  
26 shall not be held liable for claims by past or existing district  
27 ratepayers or those who consumed water provided through the  
28 district for any injury that occurred prior to the commencement of  
29 the interim operation period specified in subdivision (g).

30 (g) (1) Notwithstanding subdivision (d) of Section 116684, for  
31 any successor agency to the district designated by the commission  
32 to take over the district, any receiving operator of a public water  
33 system that provides service to the territory of the district, or any  
34 water corporation that acquires the district, the interim operation  
35 period shall commence upon the execution of an agreement or  
36 designation by the commission to provide water services to the  
37 district and shall end one year later. Upon the showing of good  
38 cause, the interim operation period shall be extended by the  
39 commission for up to three successive one-year periods at the  
40 request of an entity described in this paragraph.



1 (2) For the administrator appointed pursuant to subdivision (b),  
2 the interim operation period commences upon being appointed by  
3 the state board and ends when a successor agency has been  
4 designated by the commission to provide water service to  
5 ratepayers of the district, when a receiving water agency is  
6 consolidated with or extends service to ratepayers of the district,  
7 when a water corporation acquires the district with the approval  
8 of the Public Utilities Commission, or when the administrator's  
9 obligation to provide interim administrative and managerial  
10 services has otherwise ended.

O

**ASSEMBLY BILL**

**No. 2957**

---

---

**Introduced by Committee on Local Government**

March 2, 2022

---

---

An act to amend Sections 56102, 56653, 56654, and 56658 of, and to add Section 56078.5 to, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2957, as introduced, Committee on Local Government. Local government: reorganization.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedure for the initiation, conduct, and completion of changes of organization, reorganization, and sphere of influence changes for cities and districts, as specified. Existing law requires that an applicant seeking a change of organization or reorganization to submit a plan for providing services within the affected territory.

Existing law requires a petitioner or legislative body desiring to initiate proceedings to submit an application to the executive officer of the local agency formation commission, and requires the local agency formation commission, with regard to an application that includes an incorporation, to immediately notify all affected local agencies and any applicable state agency, as specified.

This bill would define the term “successor agency,” for these purposes to mean the local agency a commission designates to wind up the affairs of a dissolved district. This bill would also make clarifying changes to the above provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 56078.5 is added to the Government  
2 Code, to read:  
3 56078.5. “Successor Agency” means the local agency the  
4 commission designates to wind up the affairs of a dissolved district.  
5 SEC. 2. Section 56102 of the Government Code is amended  
6 to read:  
7 56102. For the purpose of any action to determine or contest  
8 the validity of any change of organization or reorganization, the  
9 change of organization or reorganization shall be deemed to be  
10 ~~completed and in existence~~ *take effect* upon the date of execution  
11 of the certificate of completion.  
12 SEC. 3. Section 56653 of the Government Code, as amended  
13 by Section 1 of Chapter 43 of the Statutes of 2017, is amended to  
14 read:  
15 56653. (a) ~~If a proposal~~ *an application* for a change of  
16 organization or reorganization is submitted pursuant to this part,  
17 the applicant shall submit a plan for providing services within the  
18 affected territory.  
19 (b) The plan for providing services shall include all of the  
20 following information and any additional information required by  
21 the commission or the executive officer:  
22 (1) An enumeration and description of the services currently  
23 provided or to be extended to the affected territory.  
24 (2) The level and range of those services.  
25 (3) An indication of when those services can feasibly be  
26 extended to the affected territory, if new services are proposed.  
27 (4) An indication of any improvement or upgrading of structures,  
28 roads, sewer or water facilities, or other conditions the local agency  
29 would impose or require within the affected territory if the change  
30 of organization or reorganization is completed.  
31 (5) Information with respect to how those services will be  
32 financed.  
33 (c) (1) In the case of a change of organization or reorganization  
34 initiated by a local agency that includes a disadvantaged,  
35 unincorporated community as defined in Section 56033.5, a local

1 agency may include in its resolution of application for change of  
2 organization or reorganization an annexation development plan  
3 adopted pursuant to Section 99.3 of the Revenue and Taxation  
4 Code to improve or upgrade structures, roads, sewer or water  
5 facilities, or other infrastructure to serve the disadvantaged,  
6 unincorporated community through the formation of a special  
7 district or reorganization of one or more existing special districts  
8 with the consent of each special district's governing body.

9 (2) The annexation development plan submitted pursuant to this  
10 subdivision shall include information that demonstrates that the  
11 formation or reorganization of the special district will provide all  
12 of the following:

13 (A) The necessary financial resources to improve or upgrade  
14 structures, roads, sewer, or water facilities or other infrastructure.  
15 The annexation development plan shall also clarify the local entity  
16 that shall be responsible for the delivery and maintenance of the  
17 services identified in the application.

18 (B) An estimated timeframe for constructing and delivering the  
19 services identified in the application.

20 (C) The governance, oversight, and long-term maintenance of  
21 the services identified in the application after the initial costs are  
22 recouped and the tax increment financing terminates.

23 (3) If a local agency includes an annexation development plan  
24 pursuant to this subdivision, a local agency formation commission  
25 may approve the proposal for a change of organization or  
26 reorganization to include the formation of a special district or  
27 reorganization of a special district with the special district's  
28 consent, including, but not limited to, a community services district,  
29 municipal water district, or sanitary district, to provide financing  
30 to improve or upgrade structures, roads, sewer or water facilities,  
31 or other infrastructure to serve the disadvantaged, unincorporated  
32 community, in conformity with the requirements of the principal  
33 act of the district proposed to be formed and all required formation  
34 proceedings.

35 (4) Pursuant to Section 56881, the commission shall include in  
36 its resolution making determinations a description of the annexation  
37 development plan, including, but not limited to, an explanation of  
38 the proposed financing mechanism adopted pursuant to Section  
39 99.3 of the Revenue and Taxation Code, including, but not limited

1 to, any planned debt issuance associated with that annexation  
2 development plan.

3 (d) This section shall not preclude a local agency formation  
4 commission from considering any other options or exercising its  
5 powers under Section 56375.

6 (e) This section shall remain in effect only until January 1, 2025,  
7 and as of that date is repealed.

8 SEC. 4. Section 56653 of the Government Code, as amended  
9 by Section 2 of Chapter 43 of the Statutes of 2017, is amended to  
10 read:

11 56653. (a) If ~~a proposal~~ *an application* for a change of  
12 organization or reorganization is submitted pursuant to this part,  
13 the applicant shall submit a plan for providing services within the  
14 affected territory.

15 (b) The plan for providing services shall include all of the  
16 following information and any additional information required by  
17 the commission or the executive officer:

18 (1) An enumeration and description of the services currently  
19 provided or to be extended to the affected territory.

20 (2) The level and range of those services.

21 (3) An indication of when those services can feasibly be  
22 extended to the affected territory, if new services are proposed.

23 (4) An indication of any improvement or upgrading of structures,  
24 roads, sewer or water facilities, or other conditions the local agency  
25 would impose or require within the affected territory if the change  
26 of organization or reorganization is completed.

27 (5) Information with respect to how those services will be  
28 financed.

29 (c) This section shall become operative on January 1, 2025.

30 SEC. 5. Section 56654 of the Government Code is amended  
31 to read:

32 56654. (a) ~~A proposal~~ *An application* for a change of  
33 organization or a reorganization may be made by the adoption of  
34 a resolution of application by the legislative body of an affected  
35 local agency, except as provided in subdivision (b).

36 (b) Notwithstanding Section 56700, ~~a proposal~~ *an application*  
37 for a change of organization that involves the exercise of new or  
38 different functions or classes of services, or the divestiture of the  
39 power to provide particular functions or classes of services, within  
40 all or part of the jurisdictional boundaries of a special district, shall

1 only be initiated by the legislative body of that special district in  
2 accordance with Sections 56824.10, 56824.12, and 56824.14.

3 (c) At least 21 days before the adoption of the resolution, the  
4 legislative body may give mailed notice of its intention to adopt  
5 a resolution of application to the commission and to each interested  
6 agency and each subject agency. The notice shall generally describe  
7 the ~~proposal~~ *application* and the affected territory.

8 (d) Except for the provisions regarding signers and signatures,  
9 a resolution of application shall contain all of the matters specified  
10 for a petition in Section 56700 and shall be submitted with a plan  
11 for services prepared pursuant to Section 56653.

12 SEC. 6. Section 56658 of the Government Code is amended  
13 to read:

14 56658. (a) Any petitioner or legislative body desiring to initiate  
15 proceedings shall submit an application to the executive officer of  
16 the principal county.

17 (b) (1) Immediately after receiving an application and before  
18 issuing a certificate of filing, the executive officer shall give mailed  
19 notice that the application has been received to each affected local  
20 agency, the county committee on school district organization, and  
21 each school superintendent whose school district overlies the  
22 affected territory. The notice shall generally describe the ~~proposal~~  
23 *application* and the affected territory. The executive officer shall  
24 not be required to give notice pursuant to this subdivision if a local  
25 agency has already given notice pursuant to subdivision (c) of  
26 Section 56654.

27 (2) It is the intent of the Legislature that ~~a proposal~~ *an*  
28 *application* for incorporation or disincorporation shall be processed  
29 in a timely manner. With regard to an application that includes an  
30 incorporation or disincorporation, the executive officer shall  
31 immediately notify all affected local agencies and any applicable  
32 state agencies by mail and request the affected agencies to submit  
33 the required data to the commission within a reasonable timeframe  
34 established by the executive officer. Each affected agency shall  
35 respond to the executive officer within 15 days acknowledging  
36 receipt of the request. Each affected local agency and the officers  
37 and departments thereof shall submit the required data to the  
38 executive officer within the timelines established by the executive  
39 officer. Each affected state agency and the officers and departments  
40 thereof shall submit the required data to the executive officer within

1 the timelines agreed upon by the executive officer and the affected  
2 state departments.

3 (3) If a special district is, or as a result of a proposal will be,  
4 located in more than one county, the executive officer of the  
5 principal county shall immediately give the executive officer of  
6 each other affected county mailed notice that the application has  
7 been received. The notice shall generally describe the proposal  
8 and the affected territory.

9 (c) Except when a commission is the lead agency pursuant to  
10 Section 21067 of the Public Resources Code, the executive officer  
11 shall determine within 30 days of receiving an application whether  
12 the application is complete and acceptable for filing or whether  
13 the application is incomplete.

14 (d) The executive officer shall not accept an application for  
15 filing and issue a certificate of filing for at least 20 days after giving  
16 the mailed notice required by subdivision (b). The executive officer  
17 shall not be required to comply with this subdivision in the case  
18 of an application which meets the requirements of Section 56662  
19 or in the case of an application for which a local agency has already  
20 given notice pursuant to subdivision (c) of Section 56654.

21 (e) If the appropriate fees have been paid, an application shall  
22 be deemed accepted for filing if no determination has been made  
23 by the executive officer within the 30-day period. An executive  
24 officer shall accept for filing, and file, any application submitted  
25 in the form prescribed by the commission and containing all of  
26 the information and data required pursuant to Section 56652.

27 (f) When an application is accepted for filing, the executive  
28 officer shall immediately issue a certificate of filing to the  
29 applicant. A certificate of filing shall be in the form prescribed by  
30 the executive officer and shall specify the date upon which the  
31 proposal shall be heard by the commission. From the date of  
32 issuance of a certificate of filing, or the date upon which an  
33 application is deemed to have been accepted, whichever is earlier,  
34 an application shall be deemed filed pursuant to this division.

35 (g) If an application is determined not to be complete, the  
36 executive officer shall immediately transmit that determination to  
37 the applicant specifying those parts of the application which are  
38 incomplete and the manner in which they can be made complete.

39 (h) Following the issuance of the certificate of filing, the  
40 executive officer shall proceed to set the proposal for hearing and

1 give published notice thereof as provided in this part. The date of  
2 the hearing shall be not more than 90 days after issuance of the  
3 certificate of filing or after the application is deemed to have been  
4 accepted, whichever is earlier. Notwithstanding Section 56106,  
5 the date for conducting the hearing, as determined pursuant to this  
6 subdivision, is mandatory.

O





# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Executive Officer Report – Section A

**TO:** Local Agency Formation Commission  
**FROM:** Jason Fried, Executive Officer  
**SUBJECT:** Budget Update for FY 2021-2022

---

### Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2021-2022 totaling \$561,548.17. At the December 2021 Commission meeting adjusted a couple of line items making the current budget \$577,048.17. From July 1, 2021, through March 31, 2022, LAFCo has spent \$368,784.96. This report covers 9 months, which is 75% of the year. The report shows us spending 63.9% for the year so far.

You will note two line items are higher than the expected percent for this time of year. Both have previously been reported, General Insurance (15) and Membership and Dues (30), with those being due to one-time payments already being made.

### Attachment:

- 1) FY 2021-2022 Budget Reports

#### 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

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

## Marin Local Agency Formation Commission

## 21/22 BUDGET REPORT

04/05/22

July 2021 through March 2022

Accrual Basis

	Jul '21 - Mar 22	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
410 · Prior Year Carryover	0.00	70,500.00	-70,500.00	0.0%
400 · Agency Contributions	506,548.18	506,548.17	0.01	100.0%
<b>Total Income</b>	<b>506,548.18</b>	<b>577,048.17</b>	<b>-70,499.99</b>	<b>87.8%</b>
<b>Expense</b>				
<b>Services and Supplies</b>				
05 · Commissioner Per Diems	3,750.00	10,000.00	-6,250.00	37.5%
10 · Conferences	0.00	5,000.00	-5,000.00	0.0%
15 · General Insurance	5,452.65	6,500.00	-1,047.35	83.9%
20 · IT & Communications Services	11,623.92	17,000.00	-5,376.08	68.4%
25 · Legal Services	21,108.83	37,500.00	-16,391.17	56.3%
30 · Memberships & Dues	6,167.00	7,000.00	-833.00	88.1%
35 · Misc Services	1,281.11	2,000.00	-718.89	64.1%
40 · Office Equipment Purchases	1,774.46	4,139.00	-2,364.54	42.9%
45 · Office Lease/Rent	25,857.27	34,559.17	-8,701.90	74.8%
50 · Office Supplies & Postage	1,659.91	4,000.00	-2,340.09	41.5%
55 · Professional Services	17,680.90	39,000.00	-21,319.10	45.3%
60 · Publications/Notices	168.06	2,000.00	-1,831.94	8.4%
65 · Rent - Storage	674.00	1,150.00	-476.00	58.6%
70 · Training	204.00	1,700.00	-1,496.00	12.0%
75 · Travel - Mileage	21.88	3,500.00	-3,478.12	0.6%
<b>Total Services and Supplies</b>	<b>97,423.99</b>	<b>175,048.17</b>	<b>-77,624.18</b>	<b>55.7%</b>
<b>Salary and Benefit Costs</b>				
100 · Salaries	218,951.14	317,000.00	-98,048.86	69.1%
120 · County of Marin - Group Health	22,443.83	34,000.00	-11,556.17	66.0%
130 · MCERA / Pension	29,966.00	45,000.00	-15,034.00	66.6%
140 · Retiree Health	0.00	6,000.00	-6,000.00	0.0%
<b>Total Salary and Benefit Costs</b>	<b>271,360.97</b>	<b>402,000.00</b>	<b>-130,639.03</b>	<b>67.5%</b>
<b>Total Expense</b>	<b>368,784.96</b>	<b>577,048.17</b>	<b>-208,263.21</b>	<b>63.9%</b>
<b>Net Ordinary Income</b>	<b>137,763.22</b>	<b>0.00</b>	<b>137,763.22</b>	<b>100.0%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
900 · Interest Earnings	194.88			
910 · Fees for Services	16,257.00			
<b>Total Other Income</b>	<b>16,451.88</b>			
<b>Net Other Income</b>	<b>16,451.88</b>			
<b>Net Income</b>	<b>154,215.10</b>	<b>0.00</b>	<b>154,215.10</b>	<b>100.0%</b>



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

## AGENDA REPORT

April 14, 2022

Executive Officer Report – Section B

**TO:** Local Agency Formation Commission

**FROM:** Olivia Gingold, Clerk/Junior Analyst

**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.

LAFCo has received no new applications since the last Commission meeting in February. No applications are being heard at today's meeting. We do have a good number in the queue but not sure how long those will take until officially submitted.

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  
www.marinlafco.org

Dennis Rodoni, Regular  
County of Marin

Judy Arnold, Regular  
County of Marin

Damon Connolly, Alternate  
County of Marin

Sashi McEntee, Chair  
City of Mill Valley

Barbara Coler, Regular  
Town of Fairfax

James Campbell, Alternate  
City of Belvedere

Lew Kious, Vice Chair  
Almonte Sanitary District

Craig K. Murray, Regular  
Las Gallinas Valley Sanitary

Tod Moody, Alternate  
Sanitary District #5

Larry Loder, Regular  
Public Member

Richard Savel, Alternate  
Public Member

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1361	Commission Approved - Awaiting completion of terms.	Annexation of portion of parcel for addition to 800 Corte Madera.	Marin County Open Space District requests that a portion of APN 033-200-01 measuring .50 acres in size be detached from the City of Mill Valley and annexed into Sanitary District #2 and the Town of Corte Madera. The intention is to include this .50 acre portion in the boundaries for the situs address 800 Corte Madera Ave. The land is currently being utilized by 800 Corte Madera Ave hence the reason for this application.	Sanitary District 2, Town of Corte Madera, City of Mill Valley.	Item was approved conditionally, waiting for terms to be completed.
1363	Commission Approved - Protest Hearing Proceedings in Progress	Reorganization of CSA 18	Max Korten representing Marin County #18 and his authorized agent Jim Chayka submitted an application initiated by BOS resolution for the reorganization of CSA 18 including detachment of parcels from the service area, and the divestment of a power that permitted CSA 18 to work with Marin County Parks and Rec on the acquisition of land. The parcels being detached are being removed from the CSA's boundaries because they are not currently paying into the CSA fund. This action was recommended by Marin LAFCo's 2019 San Rafael Area MSR.	County Service Area #18	Item was approved and notifications have been sent to property owners to initiate protest if they would like.
1346	Completed	Annexation of 4576 Paradise Drive	Sierra Pines Group LLC ("applicant") requests 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	Item has been completed
1354	Completed	Annexation of 345 Highland Ave.	Landowners Jennifer and Robert Andrews (applicants) submitted an application for the annexation of 345 Highland Avenue to SRSD. The parcel is approx. .98 acres and has a failing septic that necessitates their annexation to SRSD.	San Rafael Sanitation District	Item has been completed
1355	Completed	Annexation of 666 Sequoia Valley Road	Landowner Matthew Farnsworth requests annexation approval of 666 Sequoia Valley Road to Homestead Valley Sanitary District. The parcel is approx. .47 acres and has a failing septic that necessitates their annexation to HVSD.	Homestead Valley Sanitary District	Item has been completed

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1356	Completed	Annexation of 105 Roblar Drive	Sonoma Marin Area Rail Transit (S.M.A.R.T.) requests annexation approval of 105 Roblar Drive to Novato Sanitary District. The parcel is approx. .82 acres, and annexing to the district may induce growth in the parcel in the form of industrial office buildings. Novato Sanitary District has submitted some terms for connection which S.M.A.R.T. has agreed to.	Novato Sanitary District	Item has been completed
1357	Completed	Annexation of 2090 Vineyard Road	Landowner requests annexation approval of 2090 Vineyard Road to Novato Sanitary District. The parcel is approx. .40 acres.	Novato Sanitary District	Item has been completed
1358	Completed	Annexation of 32 Fairway Drive	32 Fairway Dr, San Rafael, had a failed septic tank which needed an OSA to connect into San Rafael Sanitary District. This is the applicant's application to annex permanently into SRSD. The parcel is approx. 1.02 acres and has been receiving service from SRSD.	San Rafael Sanitary District	Item has been completed
1359	Completed	Annexation of 1996 Novato Blvd.	Landowner Leonardo Del Toro requests annexation approval of 1996 Novato Blvd to Novato Sanitary District. The parcel is approx. 1.10 acres and applied for annexation to connect to the sewer district and move off of septic as the owner plans to construct two additional dwelling units on the existing parcel.	Novato Sanitary District	Item has been completed
1360	Completed	Annexation of 4916 Ranch Road	Landowners Jacqui Bos and Eric McCrath request annexation approval of 4916 Ranch Road to Sanitary District 2 and the Town of Tiburon. The parcel is approx. 10.45 acres and is looking to move off of septic as the landowners remodel the existing single-family home. The annexation to Town of Tiburon was initiated because of the dual annexation policy.	Sanitary District 2, Town of Tiburon	Item has been completed.
1362	Completed	Outside Service Agreement with City of Mill Valley	Landowner Jon Grabham requests an Outside Service Agreement with the City of Mill Valley's sewer district for 11 Brighton Blvd., a parcel in unincorporated area adjacent to the City of Mill Valley. The property has a failing septic, which County EHS has determined is a public safety hazard. The City of Mill Valley has taken board action in favor of this OSA, and has no interest in annexing the property at this time.	City of Mill Valley	Item is on today's agenda.

Current and Pending Proposals

LAFCo File #	Status	Proposal	Description	Government Agency	Latest Update
1364	Completed	Annexation of 1203 Simmons Lane.	Landowner Jose Zaragoza requests annexation approval of 1203 Simmons Lane to Novato Sanitary District. The parcel is approx. 1.01 acres and applied for annexation to connect to the sewer district and move off of septic as they plan to construct a new home on the existing parcel.	Novato Sanitary District	Item has been completed
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 or get the applicant to resubmit application.