



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 8, 2018

Item No. 1 (Consent/Action)

February 2, 2018

TO: Marin Commissioners

FROM: Rachel Jones, Interim Executive Officer

SUBJECT: **Approval of Meeting Minutes | December 14, 2017 Regular Meeting**
Staff has prepared meeting minutes for the last meeting of the Commission. The minutes are being presented for formal approval with any desired corrections or clarifications.

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

Background

The Ralph M. Brown Act was enacted by the State Legislature in 1953 and establishes standards and processes therein for the public to attend and participate in meetings of local government bodies as well as those local legislative bodies created by State law; the latter category applying to LAFCOs. The "Brown Act" requires – and among other items – public agencies to maintain minutes for all meetings.

Discussion

This item is for Marin LAFCO ("Commission") to consider approving action minutes for the December 14, 2017 regular meeting. Attendance is noted below:

- All members were present at meeting held on December 14th with the exceptions of Commissioners McEntee and Alternate Commissioner Arnold.

The action minutes for both listed meetings accurately reflect the Commission's actions as recorded by staff. A video recording of the December 14th meeting is also available online for viewing at www.marinlafco.org.

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Damon Connolly, Regular
County of Marin

Dennis J. Rodoni, Regular
County of Marin

Judy Arnold, Alternate
County of Marin

Carla Condon, Vice Chair
Town of Corte Madera

Sashi McEntee, Regular
City of Mill Valley

Matthew Brown, Alternate
Town of San Anselmo

Jack Baker, Regular
North Marin Water District

Craig K. Murray, Regular
Las Gallinas Valley Sanitary

Lew Kious, Alternate
Almonte Sanitary District

Jeffrey Blanchfield, Chair
Public Member

Chris Skelton, Alternate
Public Member

Alternatives for Action

The following alternatives are available to the Commission:

Alternative One (Recommended):

Approve the draft action minutes prepared for the December 14th meeting with any desired corrections or clarifications.

Alternative Two:

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

Recommendation

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

Procedures for Consideration

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

Respectfully,



Rachel Jones
Interim Executive Officer

Attachments:

- 1) Draft Minutes for December 14, 2017



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MINUTES

REGULAR MEETING

Thursday, December 14, 2017

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

CALL TO ORDER BY CHAIR

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

ROLL CALL BY CHAIR

Regulars Present: Jeff Blanchfield, Chair
Carla Condon, Vice Chair
Jack Baker
Damon Connolly
Craig K. Murray
Dennis Rodoni

Alternates Present: Matt Brown*
Chris Skelton
Lew Kious

** voting in place of absent regular members*

AGENDA REVIEW

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

OPEN TIME

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

CONSENT CALENDAR ITEMS

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

1. Approval of Meeting Minutes | October 12, 2017 Regular Meeting (action)

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

2. Commission Ratification | Reconciled Payments from September 1 to September 30, 2017 (action)

The Commission will consider ratifying payments made by the Interim Executive Officer for the month of September. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$43,372. The payments are being presented for formal ratification consistent with adopted policies.

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

The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through November 30th and its projection Marin LAFCO is on pace to finish with a net difference of \$13,685 or 2.5%. This projection marks a significant improvement over the budgeted operating net of (\$10,000) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

4. Approval of Meeting Dates for Calendar Year 2018 (action)

The Commission will consider setting regular dates for the upcoming fiscal year as required under policy. Regular meeting dates are proposed for each even-numbered month with the resulting dates falling on February 8th, April 12th, June 14th, August 9th, October 11th, and December 13th. The Commission will also consider to postpone one special meeting, its Strategic Planning Workshop until the recruitment of a full-time Executive Officer.

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

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

6. Current and Pending Proposals (information)

The Commission will receive a report identifying active proposals on file with Marin LAFCO as required under statute. The report also identifies pending local agency proposals to help telegraph future workload. The report is being presented to the Commission for information only.

7. Joint Powers of Authority | Agreements and Amendments Received (information)

The Commission will receive an initial report identifying Joint Powers Authorities (JPAs) within Marin County that provide a municipal service as part of the requirements imposed by Senate Bill 1266 and that have submitted their agreements and any additional amendments with Marin LAFCO. The report is being presented to the Commission for information only.

8. Notice of Expiring Commissioner Terms (information)

The Commission will receive a report identifying membership terms that are set to expire on May 7, 2018 and necessitate new appointments and or reappointments. The report is being presented for information only.

9. Little Hoover Commission Report I Special Districts (information)

The Commission will receive a report from the Little Hoover Commission outlining recommendations to improve the oversight and transparency of special districts. The report is being presented to the Commission for information only.

10. CALAFCO Annual Report to the Membership (information)

The Commission will receive CALAFCO's annual report on current and pending activities of interest to the 58-member LAFCOs. The annual report is part of a journal prepared by the Executive Director and highlights, among other items, current legislative themes and priorities as well as case studies involving special district consolidations. The annual report is being presented to the Commission for information only.

APPROVED; M/S made by Commissioners Murray and Condon to approve the consent calendar and recommendations therein; all yes.

PUBLIC HEARING ITEMS

There were no public hearing items at the December 14th Commission meeting.

BUSINESS ITEMS

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

11. Proposal for Annexation of 1501 Lucas Valley Road to the Marin Municipal Water District (action)

The Commission has received an application by the affected landowner (Andre Souang) requesting approval to annex approximately 61.3 acres of unincorporated/improved territory (164-280-35) located at 1501 Lucas Valley Road to Marin Municipal Water District (MMWD). The affected territory is improved with an existing single-family residence that was acquired by the applicant with the intention of serving as a primary residence going forward. The applicant is proposing annexation to MMWD to provide a reliable source of domestic water service given concerns regarding the continued use of an onsite well. The Commission extracted this proposal from an earlier and larger application involving a concurrent sphere amendment and annexation request to the Las Gallinas Valley Sanitary District, which was conditionally approved with amendments on February 12, 2015 and ultimately recorded on September 12, 2016.

Staff gave a brief summary of the proposal, explaining that this item had returned to the Commission from a prior application.

Staff made two modifications regarding the proposal. The first modification includes taking 6.7 acres from a public right away to prevent an island if the annexation was approved. The second modification is to ensure MMWD has the capacity to adequately provide service, and enter into an agreement with the landowner to limit the amount of water usage to only the existing single family residence.

Commission discussion followed with questions from Chair Blanchfield and Alternate Commissioner Skelton. Comments from Commissioners Murray and Baker were made.

APPROVED; M/S made by Commissioners Connolly and Rodoni to approve the annexation of 1501 Lucas Valley Road to the Marin Municipal Water District; all yes.

12. Contract Bookkeeping (action)

The Commission will consider authorizing the Interim Executive Officer to enter into a memorandum of understanding with Alyssa Schiffmann to provide bookkeeping and related account services through December 31, 2019 and at a total do-not-to-exceed cost of \$15,000. Staff is also seeking authorization to expire its existing contract for support services with Southern Marin Fire Protection District.

The Interim Executive Officer explained Alyssa Schiffmann's qualifications to be the sole bookkeeper for Marin LAFCO.

No public comments were made.

Commission discussion followed.

APPROVED; M/S made by Commissioners Murray and Baker to authorize a memorandum with Alyssa Schiffmann for bookkeeping services and expire agreement with SMFPD; all yes

13. Legislative Report I End of Year Report on 2017 and Preview for 2018 (discussion)

The Commission will receive an update from the Legislative Committee provided at CALAFCO's 2017 Annual Conference in San Diego as it relates to proposals impacting Local Agency Formation Commissions. The report is being presented to the Commission for discussion only.

Staff updated the Commission with status of bills that would directly affect LAFCO. These bills include Assembly Bill (AB) 448, 464, 979, 1361, and 1725.

Commission discussion followed.

14. Social Media Policies and Protocols (action)

The Commission will consider adopting policies involving the use of social media accounts as it relates to effective communication with local governmental agencies and the public.

The Interim Executive Officer explained that CALAFCO has encouraged increased social media presence to promote the goals and responsibilities of LAFCOs.

Commission discussion followed.

APPROVED; M/S made by Commissioners Condon and Brown to adopt social media policies presented to the Commission and give direction to the Policy Committee as to incorporate these social media policies into the staff handbook; all yes.

15. Appointment of Commission Counsel I Agreement (action)

The Commission will receive a report back from the Policy Committee (Blanchfield, Baker and Connolly) with respect to the review of submittals received as part of a formal request for proposals on legal services for Marin LAFCO. This is expected to include the recommendation for the Commission to enter into an agreement with the top selected candidate at specified costs and terms. A separate agenda report on this item outlining review results of the three finalists will be issued prior to the December 14th meeting date.

Chair Blanchfield updated the Commission regarding the status of the search for legal services for Marin LAFCO. Chair Blanchfield stated the Policy Committee would have more information for the Commission at the February 8th meeting.

16. Report from CALAFCO Annual Conference (discussion)

Attendees will provide a report to the Commission on sessions and related activities from the CALAFCO Annual Conference held in San Diego from October 25th to 27th. Verbal report only.

Report back from the CALAFCO Conference by the Interim Executive Officer and Commissioners Murray and Skelton.

Staff added Pamela Miller, Executive Director of CALAFCO, thanked the Commission for providing funding for staff and commissioners to attend the Annual Conference.

EXECUTIVE OFFICER REPORT

Update on Request for Proposal for Executive Search Services

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Chair Blanchfield discussed the need to push back the Strategic Planning Retreat until after the accrual of a permanent Executive Officer.

Chair Blanchfield discussed seating arrangements and recommended that the Policy Committee research into previous seating arrangement practices of the Commission.

ADJOURNMENT TO NEXT MEETING

Chair Blanchfield adjourned the meeting at 8:20 p.m.



Attest: Rachel Jones
Interim Executive Officer

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.

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