



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**

February 13th, 2025, ▪ 6:30 PM

Marin Wildfire Prevention Authority Meeting Room | Suite 335 | 1600 Los Gamos Drive, San Rafael, CA (Use the Main Lobby (Lobby A) entrance, which is located on the freeway side of the building.)

PUBLIC ACCESS AND PUBLIC COMMENT INSTRUCTIONS **FOR HYBRID ATTENDEES**

In addition to in-person attendance, as a courtesy, and technology permitting, members of the public may also attend by virtual teleconference. However, LAFCo cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, the meeting will continue despite technical difficulties for participants using the teleconferencing option. Members of the public may access and watch a live stream of the meeting on Zoom at <https://us02web.zoom.us/j/89889719068> Alternatively, the public may listen in to the meeting by dialing +1 669 444 9171 and entering **Meeting ID 898 8971 9068#** when prompted.

SPOKEN PUBLIC COMMENTS FOR HYBRID ATTENDEES:

Spoken comments will be accepted through the teleconference meeting. To address the Commission, click on the link <https://us02web.zoom.us/j/89889719068> 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 the "raise hand" icon. 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 December 12, 2024, Regular Meeting
2. Commission Ratification of Payments from December 1, 2024, to January 31, 2025

3. Authorize the Executive Officer to Enter Into an Agreement With Alyssa Schiffmann for Bookkeeping Services
4. Authorize the Executive Officer to Enter Into an Agreement With Fort Point for IT Support Services

PUBLIC HEARING

5. Approval of Central Marin Wastewater Municipal Service Review
 - a. Approve Workplan From Report
 - b. Adopt Resolution 25-01 Approving Final Draft of the Central Marin Wastewater Municipal Service Review and Finding it Exempt from CEQA pursuant to State CEQA guidelines Section 15306, Class 6
 - c. Adopt Resolution 25-02 Amending the Sphere of Influence of the Ross Valley Sanitary District and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3)
 - d. Adopt Resolution 25-03 Amending the Sphere of Influence of the Corte Madera Sanitary District No. 2 of Marin County and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3)
 - e. Adopt Resolution 25-04 Amending the Sphere of Influence of the San Rafael Sanitary District and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3)
 - f. Adopt Resolution 25-05 Establishing the Zero Sphere of Influence of San Quentin Village Sewer Maintenance District and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3)
 - g. Adopt Resolution 25-06 Amending the Sphere of Influence of Las Gallinas Valley Sanitary District and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3)
6. Approval of Resolution 25-07, Reorganization of 115,119,121 & 123 Elm Ave, Larkspur (024-062-47, 024-062-51, 024-062-53, 024-062-52) Detaching from Sanitary District No. 2 of Marin County and Annexing into Ross Valley Sanitary District (LAFCo File #1378) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319.
7. Approval of Resolution 25-08, Reorganization of 90 Edison Ave, Corte Madera (APN 025-011-33), 127 Pepper Ave, Larkspur (APN 021-231-21) Detaching from Sanitary District No. 2 of Marin County and Annexing to Ross Valley Sanitary District and Annexation of 100 Edison Ave, Corte Madera (APN 021-142-50) into Ross Valley Sanitary District (LAFCo File #1379) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319
8. Approval of Resolution 25-09, Annexation of 5124 Paradise Dr, Corte Madera (APN 026-231-53), 5044 Paradise Dr (APN's 038-022-63, 038-022-67, 038-022-68, 038-022-69 & 038-022-70) and 4985 Ranch Rd, Tiburon (APN 038-052-02) into Sanitary District No. 2 of Marin County (File #1380) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319
9. Approval of Resolution 25-10, Reorganization of 7 Sunrise, Larkspur (APN 021-154-08) Detaching from Ross Valley Sanitary District and Annexing into Sanitary District No. 2 of

Marin County (LAFCo File #1381) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

10. Approval of Resolution 25-11, Reorganization of 11 parcels APN's: 021-214-13, 022-120-38, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 in Larspur and 022-203-11 in Corte Madera and Detaching from the Ross Valley Sanitary District and Annexing into Sanitary District No. 2 of Marin County (LAFCo File #1382) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319
11. Continuation of the Public Hearing for Annexation of State of California Firing Range, Unincorporated Marin County (018-152-12) into Ross Valley Sanitary District. (LAFCo File #1388) with Waiver of Notice, Hearing, and Protest Proceedings.

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.

12. Discussion on CALAFCO
13. Authorize the Executive Officer to Enter Into an Agreement With Citygate For a Consolidation Report on Tiburon Fire and Belvedere.

EXECUTIVE OFFICER REPORT

- a) Budget Update 2024-2025
- b) Current and Pending Proposals
- c) Marin LAFCo Work Plan
- d) Committee Assignments

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

ADJOURNMENT TO NEXT MEETING

April 11th, 2024, at 6:30 P.M. | Marin Wildfire Prevention Authority

Attest: Claire Devereux
Clerk/Jr. Policy 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
W: marinlafco.org



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13th, 2025

Item No. 1 (Consent Item)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Junior Analyst

SUBJECT: Approval of Minutes for December 12th, 2024, 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 and those local legislative bodies created by State law, the latter category applying to LAFCos.

Discussion

The action minutes for the December 12th 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 December 12th, 2024, meeting with any desired corrections or clarifications.
2. Alternative option – Continue consideration of the item at the next regular meeting and provide direction to staff, as needed.

Procedures for Consideration

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

Attachment:

- 1) Draft Minutes for December 12th, 2024



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, December 12th, 2024

CALL TO ORDER

Chair Coler called the meeting to order at 6:35 P.M.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present: Barbara Coler
Dennis Rodoni
Steve Burdo (arrived at 6:37)
Lew Kious
Craig Murray
Larry Chu

Alternate Commissioners Present: Cathryn Hilliard
Roger Smith

Marin LAFCo Staff Present: Jason Fried, Executive Officer
Jeren Batchelder-Seibel, Deputy Executive Officer
Claire Devereux, Clerk/Jr. Policy Analyst

Marin LAFCo Counsel Present: Malathy Subramanian

Commissioners Absent: Eric Lucan

Alternate Members Absent:

AGENDA REVIEW

No comments or changes were made to the agenda.

Chair Coler opened public comment. Seeing that no one wished to speak, the public comment was closed.

PUBLIC OPEN TIME

Chair Coler opened public open time. Seeing no one wishing to speak in public open time was closed.

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 October 10, 2024, Regular Meeting
2. Commission Ratification of Payments from October 1, 2024, to November 30, 2024
3. Approval of 2025 Commission Calendar

Chair Coler opened public comment. Seeing no one wished to speak public comment was closed.

Approved: M/S by Commissioners Murray and Kious to approve consent calendar items
Ayes: Commissioners Coler, Chu, Murray, Kious, Rodoni and Burdo
Nays:

Abstain:
Absent: Commissioner Lucan
Motion approved unanimously.

PUBLIC HEARING

4. Approval of Resolution 24-10, Annexation of 335 Highland Ave., San Rafael (015-241-12) into San Rafael Sanitation District. (LAFCo File #1386) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Clerk/Jr. Policy Analyst Devereux Presented the staff report

Commissioner Murray inquired about the checklist, which is the last page of the application section of the packet.

Clerk/Jr. Policy Analyst Devereux stated that this is the checklist that goes over all of CEQA and anything that would happen, and it pertains more if they're developing the parcel, which they're not. It's just one developed parcel looking to get on sanitary. So, there's no concern about most of the items on this checklist.

Alternate Commissioner Smith inquired about Section 6 and the related requirement that the applicant not protest any future application for annexation to the City of San Rafael. What does that have to do with this?

EO Fried stated that the state wants LAFCOs to annex into cities/towns when someone is in an unincorporated island and applying for district services. The reality is this is in a very large unincorporated area so, it becomes disorganized if you were to take one little piece and say this is now part of the city when everything around it is not. This policy means that when these situations come up where there is a single parcel in a larger unincorporated island, we're not going to take that one parcel and annex it into the city, but rather if in the future we ever want to annex in the country club area, this property owner is saying they will not object to us doing that as part of the approval to get the sanitary services

Alt. Commissioner Smith stated that's sort of an abrogation of the citizen's right to protest in the future that's completely unrelated to this action? If somebody wants to be connected to the sewer district, that makes total sense, but they shouldn't give up their right to protest something in the future

EO Fried stated State government code tells us we should be annexing them today and we're not. We're trying to be more organized by doing this. This is not uncommon for us. This is how LAFCOs do it.

Alt Commissioner Smith stated his belief that citizens have no choice at this point, either this or they don't get accepted into the sewer district, so he would prefer those conditions to be removed.

Commissioner Rodoni stated that there really isn't a choice in this as it is our policy so to prevent this the whole policy would have to be redone.

Commissioner Coler opened public comment. Seeing no one wishing to speak public comment was closed.

Approved: M/S by Commissioners Rodoni and Murray to approve Resolution 24-10 with needed changes to the second whereas clause

Ayes: Commissioners Coler, Chu, Murray, Lucan, Rodoni, Kious and Burdo

Nays:

Abstain:

Absent:

Motion approved unanimously.

5. Approval of Resolution 24-11, Annexation of 260 Highland Ave., San Rafael (016-021-64) into San Rafael Sanitation District. (LAFCo File #1387) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Clerk/Jr. Policy Analyst Devereux Presented the staff report

Commissioner Coler opened public comment. Seeing no one wishing to speak public comment was closed.

Approved: M/S by Commissioners Burdo and Murray motion to approve Resolution 24-11 with needed changes to the second whereas clause

Ayes: Commissioners Coler, Chu, Murray, Lucan, Rodoni, Kious and Burdo

Nays:

Abstain:

Absent: Commissioner Lucan

The motion was approved unanimously.

6. Presentation of the Central Marin Wastewater Municipal Service Review Public Draft. This is a hearing for the commission to review and make recommendations. (The hearing will be continued to the next meeting.)

DEO Batchelder-Seibel presented on the MSR.

Alternate Commissioner Smith inquired into how/why LAFCo would be involved in the analysis of recycled water.

Chair Coler stated that part of LAFCo's role in doing this municipal service review is to look at efficiencies and where things can work better. So, these are recommendations.

DEO Batchelder-Seibel stated that we're recommending that they work better together to try and figure out if they can duplicate what's been going on in other counties. So it's simply a recommendation. This is not one of those things you'll see staff working on after this. It's just a friendly reminder to continue finding avenues to do it better if possible.

Commissioner Burdo expressed sentiments similar to those of Commissioner Smith. And inquired what was done to make this determination.

DEO Batchelder-Seibel stated he spent many hours reading their feasibility studies. That and a dive into their audits, talking with their staff, seeing if this is something they as an agency and a staff are working towards or if we're just checking a box here and moving it forward. In the case of CMSA, this is an intention that they have.

Chair Coler states that CityGate is hired by the agency as opposed to being an independent review like the MSR's are.

Commissioner Hilliard inquired about the overarching question here.

EO Fried Stated that there are several asks within this. One being the position that the CMSA members should, if they can join together and create one large district rather than having three smaller districts. Additionally, there's the correcting of boundaries. We were talking about, and we will get into this a lot more at our next meeting where we have several applications that are going to be coming to you that will be correcting the boundary lines between Sanitary District No. 2 and Ross Valley.

Commissioner Rodoni pointed out RHNA numbers on page 49 and it may be overlooking the Auburn Grove proposal and that he can share info on that.

Chair Coler opened public hearing. Seeing no one wishing to speak, the public hearing was closed.

Commissioner Coler continued the hearing to the next meeting

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.

EXECUTIVE OFFICER REPORT

a) Budget Update 2024-2025

We are under budget.

b) Current and Pending Proposals

Two on the agenda today with one pending for February along with Sanitary District 2 and Ross Valley boundary clean-up

c) Marin LAFCo Work Plan

EO Fried presented on updates to the Staff Report

d) CALAFCO Update

The annual conference took place. San Bernadino stated it is leaving CALAFCO with two other LAFCO's stating possible intent to leave.

A board meeting is taking place in January and EO Fried will be attending. Many frustrations have been conveyed towards CALAFCO and a discussion in February may take place on if we are getting our monies worth.

Commissioner Burdo asked if the Budget Committee will need to meet.

EO Fried stated yes it will be addressed at that committee meeting.

e) Deputy Executive Officer Job Description

EO Fried gave report

Chair Coler asked to add Microsoft to software knowledge needs

Commissioner Burdo stated in the 12th and 7th possibly removing the word "all" or any infinite language.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Commissioner Coler adjourned the meeting at 7:15

ADJOURNMENT TO NEXT MEETING

February 13th, 2025, at 6:30 P.M. | Marin Wildfire Prevention Authority

Attest: Claire Devereux
Clerk/Jr. Policy Analyst

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Marin Local Agency Formation Commission

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AGENDA REPORT
February 13, 2025
Item No. 2 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Commission Ratification of Payments from December 1, 2024, to January 31, 2025

Background

Marin LAFCo adopted a Policy Handbook delegating the Executive Officer to make purchases and related procurements necessary in overseeing the agency's day-to-day business. The Policy Handbook also directs all payments made by the Executive Officer to be reconciled by LAFCo's contracted bookkeeper. Additionally, all payments will be reported to the Commission at the next 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 December 1, 2024, to January 31, 2025, totaling \$87,962.99. The payments are detailed in the attachment.

Staff Recommendation for Action

1. Staff Recommendation - Ratify the payments made by the Executive Officer between December 1, 2024, to January 31, 2025, as shown in the attachment.
2. Alternate Option - Continue consideration of the item at the next regular meeting and provide directions to staff as needed.

Procedures for Consideration

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

Attachment:

- 1) Payments from December 1 to January 31

Marin Local Agency Formation Commission

Expenses by Vendor Detail

02/03/25

October through November 2023

Accrual Basis

| Type | Date | Num | Memo | Account | Amount | Balance |
|--|------------|-------|------------------|--------------------------|----------|----------|
| BURDO, STEVE | | | | | | |
| Check | 10/24/2023 | 20954 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total BURDO, STEVE | | | | | 125.00 | 125.00 |
| Cardmember Services | | | | | | |
| Credit Card Charge | 10/18/2023 | | adobe | 20 · IT & Communic... | 71.97 | 71.97 |
| Credit Card Charge | 10/18/2023 | | mac tech | 20 · IT & Communic... | 995.70 | 1,067.67 |
| Credit Card Charge | 10/18/2023 | | marin ij | 50 · Office Supplies ... | 10.87 | 1,078.54 |
| Credit Card Charge | 10/18/2023 | | streamline | 20 · IT & Communic... | 126.00 | 1,204.54 |
| Credit Card Charge | 10/18/2023 | | zoom | 20 · IT & Communic... | 15.99 | 1,220.53 |
| Credit Card Charge | 10/18/2023 | | refresh water | 50 · Office Supplies ... | 48.74 | 1,269.27 |
| Credit Card Charge | 10/18/2023 | | krieger | 25 · Legal Services | 270.00 | 1,539.27 |
| Credit Card Charge | 10/18/2023 | | verizon | 20 · IT & Communic... | 95.78 | 1,635.05 |
| Credit Card Charge | 10/18/2023 | | comcast | 20 · IT & Communic... | 101.79 | 1,736.84 |
| Credit Card Charge | 10/18/2023 | | dine-in | 50 · Office Supplies ... | 54.58 | 1,791.42 |
| Credit Card Charge | 11/17/2023 | | sfo parking | 75 · Travel - Mileage | 50.00 | 1,841.42 |
| Credit Card Charge | 11/17/2023 | | hyatt | 10 · Conferences | 33.61 | 1,875.03 |
| Credit Card Charge | 11/17/2023 | | adobe | 20 · IT & Communic... | 71.97 | 1,947.00 |
| Credit Card Charge | 11/17/2023 | | mac tech | 20 · IT & Communic... | 995.70 | 2,942.70 |
| Credit Card Charge | 11/17/2023 | | marin ij | 50 · Office Supplies ... | 10.87 | 2,953.57 |
| Credit Card Charge | 11/17/2023 | | streamline | 20 · IT & Communic... | 126.00 | 3,079.57 |
| Credit Card Charge | 11/17/2023 | | zoom | 20 · IT & Communic... | 15.99 | 3,095.56 |
| Credit Card Charge | 11/17/2023 | | refresh water | 50 · Office Supplies ... | 48.74 | 3,144.30 |
| Credit Card Charge | 11/17/2023 | | krieger | 25 · Legal Services | 2,100.00 | 5,244.30 |
| Credit Card Charge | 11/17/2023 | | verizon | 20 · IT & Communic... | 93.76 | 5,338.06 |
| Credit Card Charge | 11/17/2023 | | comcast | 20 · IT & Communic... | 126.74 | 5,464.80 |
| Credit Card Charge | 11/17/2023 | | marin ij | 50 · Office Supplies ... | 10.87 | 5,475.67 |
| Credit Card Charge | 11/17/2023 | | hp printer | 40 · Office Equipme... | 468.68 | 5,944.35 |
| Credit Card Charge | 11/17/2023 | | hyatt | 10 · Conferences | 2,140.02 | 8,084.37 |
| Total Cardmember Services | | | | | 8,084.37 | 8,084.37 |
| CHU, LAURENCE | | | | | | |
| Check | 10/24/2023 | 20953 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total CHU, LAURENCE | | | | | 125.00 | 125.00 |
| Cinquini & Passarino Inc | | | | | | |
| Check | 10/24/2023 | 20949 | Invoice # 10447 | 55 · Professional Se... | 981.50 | 981.50 |
| Total Cinquini & Passarino Inc | | | | | 981.50 | 981.50 |
| Coler, Barbara | | | | | | |
| Check | 10/24/2023 | 20957 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total Coler, Barbara | | | | | 125.00 | 125.00 |
| COMMUNITY MEDIA CENTER OF MARIN | | | | | | |
| Check | 10/11/2023 | 20947 | Invoice # 190... | 10 · Conferences | 375.00 | 375.00 |
| Total COMMUNITY MEDIA CENTER OF MARIN | | | | | 375.00 | 375.00 |
| CONNECT YOUR CARE | | | | | | |
| Check | 10/18/2023 | eft | COBRA ADMIN | 126 · Health Insuran... | 1.11 | 1.11 |
| Check | 11/17/2023 | eft | COBRA ADMIN | 126 · Health Insuran... | 1.11 | 2.22 |
| Total CONNECT YOUR CARE | | | | | 2.22 | 2.22 |
| Delta Dental of California | | | | | | |
| Check | 10/12/2023 | eft | | 122 · Dental Insuran... | 74.88 | 74.88 |
| Check | 11/01/2023 | eft | | 122 · Dental Insuran... | 74.88 | 149.76 |
| Check | 11/22/2023 | eft | | 122 · Dental Insuran... | 149.76 | 299.52 |
| Total Delta Dental of California | | | | | 299.52 | 299.52 |

Marin Local Agency Formation Commission
Expenses by Vendor Detail
October through November 2023

| Type | Date | Num | Memo | Account | Amount | Balance |
|--------------------------------------|------------|-------|-------------------|--------------------------|-----------|-----------|
| Kaiser Foundation Health Plan | | | | | | |
| Check | 10/12/2023 | eft | | 126 · Health Insuran... | 1,253.70 | 1,253.70 |
| Check | 10/31/2023 | eft | | 126 · Health Insuran... | 1,253.70 | 2,507.40 |
| Check | 10/31/2023 | eft | pratt twice? e... | 126 · Health Insuran... | 355.55 | 2,862.95 |
| Total Kaiser Foundation Health Plan | | | | | 2,862.95 | 2,862.95 |
| KIOUS, LEWIS | | | | | | |
| Check | 10/24/2023 | 20950 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total KIOUS, LEWIS | | | | | 125.00 | 125.00 |
| LUCAN, ERIC | | | | | | |
| Check | 10/24/2023 | 20951 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total LUCAN, ERIC | | | | | 125.00 | 125.00 |
| MARIN INDEPENDENT JOURNAL | | | | | | |
| Check | 10/11/2023 | 20946 | Invoice # 000... | 60 · Publications/No... | 101.17 | 101.17 |
| Total MARIN INDEPENDENT JOURNAL | | | | | 101.17 | 101.17 |
| MURRAY, CRAIG K | | | | | | |
| Check | 10/24/2023 | 20955 | oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total MURRAY, CRAIG K | | | | | 125.00 | 125.00 |
| PAYCHEX | | | | | | |
| Check | 10/13/2023 | eft | | 35 · Misc Services | 68.54 | 68.54 |
| Check | 10/27/2023 | eft | | 35 · Misc Services | 68.54 | 137.08 |
| Check | 11/10/2023 | eft | | 35 · Misc Services | 68.54 | 205.62 |
| Check | 11/24/2023 | eft | | 35 · Misc Services | 68.54 | 274.16 |
| Total PAYCHEX | | | | | 274.16 | 274.16 |
| PAYROLL | | | | | | |
| Check | 10/13/2023 | eft | 9/17-9/30/23 | 105 · Sal - Regular ... | 13,644.38 | 13,644.38 |
| Check | 10/13/2023 | eft | 9/17-9/30/23 | 124 · Auto Allowance | 350.00 | 13,994.38 |
| Check | 10/13/2023 | eft | 9/17-9/30/23 | 125 · Unused Fringe... | 100.00 | 14,094.38 |
| Check | 10/13/2023 | eft | 9/17-9/30/23 | 131 · Co Ret Cont Ti... | 1,610.04 | 15,704.42 |
| Check | 10/13/2023 | eft | Jeren correction | 121 · Life Insurance | 1,687.80 | 17,392.22 |
| Check | 10/27/2023 | eft | 10/1-10/14/23 | 105 · Sal - Regular ... | 13,644.38 | 31,036.60 |
| Check | 10/27/2023 | eft | 10/1-10/14/23 | 124 · Auto Allowance | 0.00 | 31,036.60 |
| Check | 10/27/2023 | eft | 10/1-10/14/23 | 125 · Unused Fringe... | 100.00 | 31,136.60 |
| Check | 10/27/2023 | eft | 10/1-10/14/23 | 131 · Co Ret Cont Ti... | 1,610.04 | 32,746.64 |
| Check | 11/10/2023 | eft | 10/15-10/28/23 | 105 · Sal - Regular ... | 13,644.38 | 46,391.02 |
| Check | 11/10/2023 | eft | 10/15-10/28/23 | 124 · Auto Allowance | 350.00 | 46,741.02 |
| Check | 11/10/2023 | eft | 10/15-10/28/23 | 125 · Unused Fringe... | 100.00 | 46,841.02 |
| Check | 11/10/2023 | eft | 10/15-10/28/23 | 131 · Co Ret Cont Ti... | 1,610.04 | 48,451.06 |
| Check | 11/24/2023 | eft | 10/29-11/11/23 | 105 · Sal - Regular ... | 13,644.38 | 62,095.44 |
| Check | 11/24/2023 | eft | 10/29-11/11/23 | 124 · Auto Allowance | 0.00 | 62,095.44 |
| Check | 11/24/2023 | eft | 10/29-11/11/23 | 125 · Unused Fringe... | 100.00 | 62,195.44 |
| Check | 11/24/2023 | eft | 10/29-11/11/23 | 131 · Co Ret Cont Ti... | 1,610.04 | 63,805.48 |
| Total PAYROLL | | | | | 63,805.48 | 63,805.48 |
| PAYROLL TAXES | | | | | | |
| Check | 10/13/2023 | eft | 9/17-9/30/23 | 111 · Medicare Tax | 229.85 | 229.85 |
| Check | 10/27/2023 | eft | 10/1-10/14/23 | 111 · Medicare Tax | 200.30 | 430.15 |
| Check | 11/10/2023 | eft | 10/15-10/28/23 | 111 · Medicare Tax | 205.38 | 635.53 |
| Check | 11/24/2023 | eft | 10/29-11/11/23 | 111 · Medicare Tax | 200.30 | 835.83 |
| Total PAYROLL TAXES | | | | | 835.83 | 835.83 |
| RICOH USA INC | | | | | | |
| Check | 11/21/2023 | 20963 | Invoice # 506... | 50 · Office Supplies ... | 104.45 | 104.45 |
| Check | 11/21/2023 | 20963 | Invoice # 506... | 40 · Office Equipme... | 574.98 | 679.43 |
| Total RICOH USA INC | | | | | 679.43 | 679.43 |

Marin Local Agency Formation Commission

Expenses by Vendor Detail

02/03/25

October through November 2023

Accrual Basis

| Type | Date | Num | Memo | Account | Amount | Balance |
|---|------------|-------|----------------|--------------------------|------------------|------------------|
| RODONI, DENNIS JAMES | | | | | | |
| Check | 10/24/2023 | 20952 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total RODONI, DENNIS JAMES | | | | | 125.00 | 125.00 |
| SCHIFFMANN, ALYSSA | | | | | | |
| Check | 10/03/2023 | 20945 | Invoice # 224 | 55 · Professional Se... | 1,147.00 | 1,147.00 |
| Check | 10/31/2023 | 20959 | Invoice # 228 | 55 · Professional Se... | 370.00 | 1,517.00 |
| Total SCHIFFMANN, ALYSSA | | | | | 1,517.00 | 1,517.00 |
| SECURITY MORTGAGE GROUP 2 | | | | | | |
| Check | 10/03/2023 | 20944 | Oct 2023 Rent | 45 · Office Lease/Rent | 2,956.00 | 2,956.00 |
| Check | 10/31/2023 | 20960 | Nov 2023 Rent | 45 · Office Lease/Rent | 2,956.00 | 5,912.00 |
| Total SECURITY MORTGAGE GROUP 2 | | | | | 5,912.00 | 5,912.00 |
| SMITH, ROGER | | | | | | |
| Check | 10/24/2023 | 20956 | Oct 2023 Co... | 05 · Commissioner ... | 125.00 | 125.00 |
| Total SMITH, ROGER | | | | | 125.00 | 125.00 |
| Teamsters Local 856 Health & Welfare | | | | | | |
| Check | 10/16/2023 | eft | | 126 · Health Insuran... | 899.12 | 899.12 |
| Total Teamsters Local 856 Health & Welfare | | | | | 899.12 | 899.12 |
| The Hartford | | | | | | |
| Check | 10/05/2023 | eft | | 121 · Life Insurance | 151.98 | 151.98 |
| Check | 11/08/2023 | eft | | 121 · Life Insurance | 151.98 | 303.96 |
| Total The Hartford | | | | | 303.96 | 303.96 |
| VSP | | | | | | |
| Check | 10/05/2023 | eft | | 123 · Vision Service ... | 14.64 | 14.64 |
| Check | 11/06/2023 | eft | | 123 · Vision Service ... | 14.64 | 29.28 |
| Total VSP | | | | | 29.28 | 29.28 |
| TOTAL | | | | | 87,962.99 | 87,962.99 |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 3 (Consent Item)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Authorizing the Executive Officer to Enter Into an Agreement With Alyssa Schiffmann for Bookkeeping Services

Background

In February 2020 and again in 2022, the Commission entered into a multi-year agreement with Alyssa Schiffmann for Bookkeeping services. The latest agreement is set to end on June 30, 2025. Attached is an updated agreement that continues Alyssa's services for another three years through June 30, 2028. This letter agreement is a BBK approved template agreement. The agreement has a small increase, about 3% a year, in the hourly rate for each year of the agreement which is similar to the current agreement.

While we officially categorized this agreement for bookkeeping services, Alyssa really does more than just bookkeeping services. This agreement includes assistance with the annual audit, annual 1099 form processing, financial reports for each board meeting, annual budget preparation, County MUNIS support, assistance with annual actuarial, payroll/benefits assistance, MCERA reporting, and other projects as assigned by the executive officer.

While the current agreement does not expire until later this year, staff is bringing it to the Commission now to help with the budgeting process for next fiscal year. It is staff's desire to keep this relationship moving forward.

Staff Recommendation for Action

1. Staff recommendation – Authorize the Executive Officer to enter into the attached agreement with Alyssa Schiffmann.
2. Alternate Option 1 – 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.

Attachments:

1. BBK template letter agreement with Alyssa Schiffmann

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Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

JANUARY 30, 2025

ALYSSA SCHIFFMANN
21A ROWLAND CT
SAN ANSELMO, CA 94960

Dear Alyssa Schiffmann:

Letter Agreement for Bookkeeping Services

This letter shall be our Agreement (“Letter Agreement”) regarding the bookkeeping services described below (“Services”) to be provided by Alyssa Schiffmann, Sole Proprietor (“Consultant”) as an independent contractor to the Marin Local Agency Formation Commission (the “Commission”) for the Commission’s bookkeeping (“Project”). Consultant is retained as independent contractor and is not an employee of the Commission. Commission and Consultant are sometimes referred to herein as “Party” or “Parties.”

The Services to be provided include the following: assistance with the annual audit, annual 1099 form processing, financial reports for each board meeting, annual budget preparation, and other projects as assigned by the executive officer. Services on the Project shall begin July 1, 2025 and shall be completed by June 30, 2028 unless extended by the Commission in writing.

Consultant shall perform all Services under this Letter Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California, and consistent with all applicable laws. Consultant represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, including any required business license, and that such licenses and approvals shall be maintained throughout the term of this Letter Agreement.

Consultant has represented to the Commission that certain key personnel will perform and coordinate the Services under this Letter Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of equal competence upon written approval of the Commission. In the event that the Commission and Consultant cannot agree as to the substitution of key personnel, the Commission shall be entitled to terminate this Letter Agreement for cause. The key personnel for performance of this Letter Agreement are as follows:
Alyssa Schiffmann

Compensation shall be based on the actual amount of time spent in adequately performing the Services, and shall be billed at the hourly rate(s) of \$157 through 6/30/2026, \$162 through 6/30/2027, and \$167 through 6/30/2028. The Commission will cover 30% of the cost for both Professional and General Liability policies that are required by this agreement. In addition, the Commission will cover the costs for the waiver of subrogation for the General Liability policies. Consultant’s invoices shall include a detailed description of the Services performed. Invoices shall be submitted to the Commission on a minimum quarterly basis as performance of the Services progresses. The Commission shall review and pay the approved charges on such invoices in a timely manner.

Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., (“Prevailing Wage Laws”), which require the payment of prevailing wage rates and the performance of other requirements on “public works” and “maintenance” projects. 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. Commission shall provide Consultant with a copy of the prevailing rates of per diem wages in effect at the commencement of this Letter Agreement upon request. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant’s principal place of business and at the project site. 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 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 Sections 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.

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.

This Project 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.

Consultant shall provide proof of: A. Commercial General Liability Insurance, of at least \$1,000,000 per occurrence/\$2,000,000 aggregate for bodily injury, personal injury and property damage, at least as broad as Insurance Services Office Commercial General Liability most recent Occurrence Form CG 00 01; and B. Consultants providing professional services shall provide Professional Liability (Errors and Omissions) Insurance of at least \$1,000,000. Insurance carriers shall be licensed to do business in California and maintain an agent for process within the state. Such insurance carrier shall have not less than an "A-:VII" rating according to the latest Best Key Rating unless otherwise approved by the Commission. The Commission, its officials, officers, employees, agents and authorized volunteers shall be named as Additional Insureds on Consultant's policies of Commercial General Liability insurance and such coverage provided to the Commission as an Additional Insured shall apply on a primary and non-contributory basis. Waiver of subrogation endorsements in favor of the Commission shall be provided on Consultant's policies of Commercial General Liability insurance.

The Commission may terminate this Letter Agreement at any time with or without cause. If the Commission finds it necessary to terminate this Letter Agreement without cause before Project completion, Consultant shall be entitled to be paid in full for those Services adequately completed prior to the notification of termination. Consultant may terminate this Letter Agreement only upon 30 calendar days' written notice to the Commission only in the event of Commission's failure to perform in accordance with the terms of this Letter Agreement through no fault of Consultant.

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 Letter 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.

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.

Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, including all Cal/OSHA requirements; all emissions limits and permitting requirements imposed

by the California Air Resources Board (CARB) or other governmental agencies; and all water quality laws, rules and regulations of the Environmental Protection Agency, the State Water Resources Control Board and the Commission.

By executing this Letter 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. Consultant shall maintain records of its compliance, including its verification of each employee, and shall make them available to the Commission or its representatives for inspection and copy at any time during normal business hours. The Commission shall not be responsible for any costs or expenses related to Consultant's compliance with the requirements. To the same extent and under the same conditions as Consultant, Consultant shall require all of its subcontractors, sub-subcontractors and consultants performing any work relating to the Project or this Letter Agreement to make the same verifications and comply with all requirements and restrictions provided herein. Consultant's failure to comply or any material misrepresentations or omissions relating thereto shall be grounds for terminating this Letter Agreement for cause.

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services. Finally, Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment in violation of state or federal law. As provided for in the indemnity obligations of this Letter Agreement, Consultant shall indemnify Commission against any alleged violations of this paragraph, including, but not limited to, any fines or penalties imposed by any governmental agency.

This Letter 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 Letter Agreement, the action shall be brought in a state or federal court situated in Marin County, State of California. In addition to any and all contract requirements pertaining to notices of and requests for compensation or payment for extra work, disputed work, claims and/or changed conditions, Consultant must comply with the claim procedures set forth in Government Code sections 900 *et seq.* prior to filing any lawsuit against the Commission. Such Government Code claims and any subsequent lawsuit based upon the Government Code claims shall be limited to those matters that remain unresolved after all procedures pertaining to extra work, disputed work, claims, and/or changed conditions have been followed by Consultant. If no such Government Code claim is submitted, or if any prerequisite contractual requirements are not otherwise satisfied as specified herein, Consultant shall be barred from bringing and maintaining a valid lawsuit against the Commission.

Consultant shall not assign, sublet, or transfer this Letter Agreement or any rights under or interest in this Letter Agreement without the written consent of the Commission, which may be withheld for any reason. This Letter Agreement may not be modified or altered except in writing signed by both parties. Except to the extent expressly provided for in the termination paragraph, there are no intended third party beneficiaries of any right or obligation of the Parties.

This is an integrated Letter Agreement representing the entire understanding of the parties as to those matters contained herein, and supersedes and cancels any prior oral or written understanding or representations with respect to matters covered hereunder. Since the Parties or their agents have participated fully in the preparation of this Letter Agreement, the language of this Letter Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. The captions of the various paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content or intent of this Letter Agreement.

Consultant warrants that the individual who has signed this Letter Agreement has the legal power, right and authority to make this Letter Agreement and bind the Consultant hereto. If you agree with the terms of this Letter Agreement, please indicate by signing and dating where indicated below.

**MARIN LOCAL AGENCY FORMATION ALYSSA SCHIFFMANN
COMMISSION**

Approved By:

Jason Fried
Executive Officer

Date

Attested By:

Board Clerk

Signature

Alyssa Schiffmann

Name

Consultant
Title

Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13th, 2025

Item No. 4 (Consent 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 the outdated office phone system that had been used. It was this VoIP system that allowed us to easily work remotely and still get calls live. When we switched from Mac products to PC laptops we transferred the contract from Marin Mac Tec to its sister company Fort Point LLC. In 2022 we negotiated a new 3-year agreement and staff were able to get Fort Point to agree to not increase our monthly subscription. The current agreement is set to expire on June 30, 2025. The attached template BBK agreement would create a new three-year agreement with Fort Point LLC. We currently pay them \$595 a month for the services they provide for us. The new rate will be \$686 a month, which is a 15% increase. Given we have not had an increase in 6 years and with the inflation that occurred since the last increase this seems reasonable to staff.

For those new to LAFCo and as a reminder to the members here for the last discussion on this matter, 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 3rd party software maintenance. The hourly rate means they would charge us anytime to look to assist us in doing updates to our system or helping us solve problems. They charge non monthly subscribers \$ 195 (remote) to \$220 (onsite) per hour. That is 3-4 hours of work a month. Based on the number of hours we use in a month it is to our benefit to maintain the monthly fee schedule.

Staff also wanted to make the Commission aware that in the contract, you will notice in Exhibit B a list of the 3rd 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 3rd party software provider changes its rate. Also, from time to time, Fort Point will change what company it recommends using, which has happened since the last contract.

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County of Marin
Eric Lucan, Regular
County of Marin
Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax
Steve Burdo, Regular
Town of San Anselmo
Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District
Craig Murray, Regular
Las Gallinas Valley Sanitary District
Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member
Roger Smith, Alternate
Public Member

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.

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. BBK template contact with Fort Point, LLC

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

This Agreement is made and entered into as of July 1, 2025 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:

On going 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 \$15,000 per year. 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 1st, 2025** to **June 30th, 2028**, 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.

16. Laws and Venue.

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

17 Termination or Abandonment

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

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

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

19. Organization

Consultant shall assign 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.

20. Limitation of Agreement.

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

21. Notice

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

COMMISSION:

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

CONSULTANT:

Fort Point Solutions, LLC
926A Diablo Ave. #402
Novato, CA 94947
Attn: Travis Woods

and shall be effective upon receipt thereof.

22. Third Party Rights

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

23. Equal Opportunity Employment.

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

24. Entire Agreement

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

25. Severability

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

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each Party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of Commission. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

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

28. Time of Essence

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

29. Commission's Right to Employ Other Consultants

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

30. Prohibited Interests

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

[SIGNATURES ON FOLLOWING PAGE]

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

| Marin LAFCo Service Proposal | | | Quantity | Per Item | Monthly Total |
|---|--|----|----------|----------|-----------------|
| Direct Services Provided by Fort Point | | | | | |
| IT Services + Network and Wireless Monitoring | 24x7 Support + End point patching | | 3 | \$175 | \$525 |
| Monitoring for additional workstation (bookkeeper) | Endpoint monitoring + patching | | 1 | 109.25 | 109.25 |
| Local Network | | | 1 | 51.75 | 51.75 |
| Total for Services | | | | | \$686.00 |
| | | | | | |
| 3rd party fees Fort Point passes onto Marin LAFCo – Based on consumption | | | | | |
| Microsoft 365 Business Standard | Office 365 + Email service | *† | 4 | \$15.00 | \$60.00 |
| End Point Detection & Response Service | Advanced virus, ransomware protection | * | 4 | \$14.50 | \$58.00 |
| Elevate VoIP | Phone and video conferencing for office | * | 1 | \$148.00 | \$148.00 |
| Email Encryption + Advanced Spam Protection | Inky Phish Fence° | * | 4 | \$4.00 | \$16.00 |
| Phishing + End-user Security Training | infima° | * | 4 | \$3.20 | \$12.80 |
| O365 SaaS Backup | Dropsuite° - Business Backup + Archiving | * | 6 | \$6.00 | \$24.00 |
| Password Management | | * | 4 | \$7.00 | \$28.00 |
| Current Total for all 3rd Party Fees | | | | | \$346.80 |

| | |
|-------------------------------|-------------------|
| Total for all services | \$1,032.80 |
|-------------------------------|-------------------|

* = 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

February 13, 2025

Item No. 5 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Jeren Batchelder-Seibel, Deputy Executive Officer

SUBJECT: Approval of Central Marin Wastewater Municipal Service Review and Sphere of Influence Updates

Background

During the December 12th LAFCo meeting, staff presented to the Commission the public draft of the Central Marin Wastewater Municipal Service Review (MSR). The public comment period for the MSR closed Friday, January 24th. During the public comment time, staff received written comments from Central Marin Sanitation Agency (CMSA), Ross Valley Sanitary District (RVSD), Las Gallinas Valley Sanitary District (LGVSD), the Marin County Board of Supervisors, and two LAFCo Commissioners. No member of the public submitted written comments. After the completion of the public comment period, LAFCo staff reviewed comments and created a final draft. A spreadsheet of the comments and suggested edits and staff's responses to each has also been included with this item. The final draft that is being presented to you today is the culmination of a significant number of hours of hard work by Marin LAFCo staff and all the jurisdiction's staff members being reviewed by the MSR. LAFCo staff would like to thank them for their time and efforts throughout this process.

From this MSR staff has added the following four items to the work plan:

- Staff should work collaboratively with the Ross Valley Sanitary District and the San Quentin Village Sewer Maintenance District to work towards the annexation of SQVSMD into RVSD.
- Staff should continue to work with staff from Las Gallinas Valley Sanitary District to collect the necessary information on the parcels that are receiving services from the District that are outside of its jurisdictional boundary to determine whether there is the necessary outside service agreement compliance through LAFCo. Staff should also continue to work with the District to explore the annexation of the area being serviced as it all lies within the District's sphere of influence.
- Staff should continue to work collaboratively with RVSD, LGVSD, and San Rafael Sanitation District (SRSD) when any of the three agencies are ready and able to perform the necessary work to determine if the parcels along the agencies' boundaries that are outside of its boundaries are being serviced by the districts and make the necessary boundary reorganizations where/when necessary.

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, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

The spheres of influence for each of the districts involved in the study are proposed to be amended in order to correct areas of jurisdictional lands being outside of the sphere of influence, with the exception of San Quentin Village Sewer Maintenance District which is being proposed to have its sphere of influence established for the first time as a zero sphere of influence in order to indicate the Commission's stance that the District should be consolidated in the future. The updated spheres for RVSD and Sanitary District No. 2 also reflect the reorganization of parcels between the two agencies on this meeting's agenda.

Staff Recommendation for Action

1. Staff recommendation – Approve all the attached resolutions on the Central Marin Wastewater MSR, SOI approvals, and work plan with any amendments as desired by the Commission.
2. Alternate Option – Continue consideration of the item to the next regular meeting, and provide direction to staff, as needed.

Attachment:

- 1) Final Draft of Central Marin Wastewater MSR
- 2) Comment Letters Received
- 3) Public Comment Matrix
- 4) Work Plan from MSR
- 5) Resolution 25-01; Resolution 25-02; Resolution 25-03; Resolution 25-04; Resolution 25-05; Resolution 25-06



Marin Local Agency Formation Commission

Municipal Service Review

Central Marin Wastewater Study

FINAL

February 2025

PREFACE

This Municipal Services Review (MSR) documents and analyzes services provided by local governmental agencies that are providing wastewater collection and/or treatment in the central corridor of Marin County. Specifically, it evaluates the adequacy and efficiency of local government structure and boundaries within the regions 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 Service Review Preparers

Commissioners

| | | |
|----------------------------|----------------------------|---|
| Barbara Coler – Chair | City | Town of Fairfax |
| Dennis Rodoni – Vice Chair | County | District 4 Supervisor |
| Eric Lucan | County | District 5 Supervisor |
| Larry Chu | Public | Commission |
| Lew Kious | Special District | Almonte Sanitary District |
| Craig Murray | Special District | Las Gallinas Valley Sanitary District |
| Steve Burdo | City | Town of San Anselmo |
| Roger Smith | Public Alternate | Commission |
| Cathryn Hilliard | Special District Alternate | Southern Marin Fire Protection District |
| Rachel Farac | City Alternate | City of Novato |
| Stephanie Moulton-Peters | County Alternate | District 3 Supervisor |

Staff

| | |
|-------------------------|--------------------------|
| Jason Fried | Executive Officer |
| Jeren Batchelder-Seibel | Deputy Executive Officer |
| Claire Devereux | Clerk/Junior Analyst |

MSR Preparers

| | |
|-------------------------|--------------------------|
| Jeren Batchelder-Seibel | Deputy Executive Officer |
|-------------------------|--------------------------|

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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.¹ 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 existing service. LAFCos generally exercise their regulatory authority in response to applications submitted by the affected agencies, landowners, or registered voters.

Recent CKH amendments, however, now authorize and encourage LAFCos to initiate on their own jurisdictional changes to form, consolidate, and dissolve special districts consistent with current and future community needs. LAFCo regulatory powers are described in Table 1.1 below.

¹ 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; transportation districts; and air pollution control districts.

Table 1-1: LAFCo's Regulatory Powers

| Regulatory Powers Granted by Government Code (G.C.) Section 56301 | |
|---|---|
| • City Incorporations / Disincorporations | • City and District Annexations |
| • District Formations / Dissolutions | • City and District Detachments |
| • City and District Consolidations | • Merge/Establish Subsidiary Districts |
| • City and District Outside Service Extensions | • District Service Activations / Divestitures |

Planning Responsibilities

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

1.2 MUNICIPAL SERVICE REVIEWS

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

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

Table 1-2: Mandatory Determinations

| Mandatory Determinations / Municipal Service Reviews (Government Code Section 56430) |
|--|
| 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 council members, 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

| Name | Position | Agency Affiliation |
|---------------------------|----------------------------|--|
| Lew Kious | Special District | <i>Almonte Sanitary District</i> |
| Barbara Coler, Chair | City | <i>Town of Fairfax</i> |
| Eric Lucan | County | <i>District 5 Supervisor</i> |
| Dennis Rodoni, Vice Chair | County | <i>District 4 Supervisor</i> |
| Steve Burdo | City | <i>Town of San Anselmo</i> |
| Craig Murray | Special District | <i>Las Gallinas Valley Sanitary District</i> |
| Larry Chu | Public | <i>Commission</i> |
| Roger Smith | Public Alternate | <i>Commission</i> |
| Cathryn Hilliard | Special District Alternate | <i>Southern Marin Fire Protection District</i> |
| Rachel Farac | City Alternate | <i>City of Novato</i> |
| Stephanie Moulton-Peters | County Alternate | <i>District 3 Supervisor</i> |

Marin LAFCo offices are located at 1401 Los Gamos Drive, Suite 220 in San Rafael. Information on Marin LAFCo’s functions and activities, including reorganization applications, are available by calling (415) 448-5877 by e-mail to staff@marinlafco.org or by visiting www.marinlafco.org.

2.0 EXECUTIVE SUMMARY

This study represents Marin LAFCo’s scheduled regional municipal service review of local agencies that provide wastewater services in the region of central Marin County. The underlying aim of the study is to produce an independent assessment of the municipal services provided by the agencies 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 two independent special districts, four dependent special districts, and one joint powers authority (JPA) operating in the central corridor of Marin County as listed below and shown in Figure 2.1.

Table 2-1: Central Marin Wastewater MSR Agencies

| Central Marin Wastewater MSR Agency Names |
|---|
| Ross Valley Sanitary District (RVSD) |
| Sanitary District No. 2 of Marin County (SD2) |
| Central Marin Sanitation Agency (CMSA) |
| San Rafael Sanitation District (SRSD) |
| San Quentin Village Sewer Maintenance District (SQVSMD) |
| Las Gallinas Valley Sanitary District (LGVSD) |
| Murray Park Sewer Maintenance District (MPSMD) |

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 eight cities/towns, multiple census-designated unincorporated communities, as well as a number of unincorporated neighborhoods adjacent to the cities. In the areas entirely outside of the cities, Marin County has the primary authority over local land use and development policies (and growth). The eight respective municipalities have authority over land use and development policies within their distinct jurisdictions. City,

County, and Community plans were vital for the collection of baseline and background data for each agency. The following is a list of documents used in the preparation of this MSR:

- County General Plans
- Housing Elements
- Specific Plans
- Community Plans
- Sewer System Master Plans
- Wastewater Treatment Plant Master Plan
- 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 a 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: Central Marin Wastewater MSR Agencies’ Meeting Information

| Central Marin Wastewater Municipal Service Review – Agency Transparency | | | | | |
|---|------------------------|---|--|----------------------|---|
| Agency | Governing Body | Meeting Date/Time | Meeting Location | Televised/ Streaming | Website |
| Ross Valley Sanitary District | Board of Directors | 3 rd Wednesday at 5:00 p.m. | RVSD Admin Building 1111 Anderson Drive San Rafael, CA | No | https://www.rvsd.org/198/Board-of-Directors |
| Central Marin Sanitation Agency | Board of Commissioners | 2 nd Tuesday at 6:00 p.m. | CMSA Board Room 1301 Andersen Drive San Rafael, CA | No | https://www.cmsa.us/board/agendas-and-minutes |
| San Rafael Sanitation District | Board of Directors | 3 rd Friday at 9:00 a.m. | San Rafael City Hall 1400 5 th Avenue San Rafael, CA | Yes | https://www.cityofsanrafael.org/sanitation-district-board-of-directors/ |
| Las Gallinas Valley Sanitary District | Board of Directors | 1 st and 3 rd Thursday at 4:00 p.m. | LGVSD Office 101 Lucas Valley Road San Rafael, CA | No | https://www.lgvsd.org/board-meetings |
| San Quentin Village Sewer Maintenance District | Board of Directors | Scheduled Tuesdays 9:00 a.m. | Marin County Civic Center 3501 Civic Center Drive San Rafael, CA | Yes | marincounty.gov/departments/board |

| | | | | | |
|---|--------------------|--|---|----|---|
| Sanitary District No. 2 of Marin County | Board of Directors | 1 st and 3 rd Tuesday at 6:45 p.m. | Corte Madera Town Hall 300 Tamalpais Drive Corte Madera, CA | No | https://www.cortemadera.gov/600/Councilmembers |
| Murray Park Sewer Maintenance District | Board of Directors | 3 rd Wednesday at 5:00 p.m. | RVSD Admin Building 1111 Anderson Drive San Rafael, CA | No | https://www.rvgsd.org/198/Board-of-Directors |

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 they relate 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

Growth and population projections for the affected area.

a) Despite an annual population decline since 2017 of -0.48%, the Association of Bay Area Governments (ABAG) projects the population of Marin County to grow by 12% by 2040 to a total population of 283,000. While the current development potential within the multiple planning areas throughout the County is fairly minimal, ABAG's Regional Housing Needs Allocation plan has required the addition of 3,569 housing units in unincorporated Marin County, and 9,971 units within all of the incorporated cities and towns throughout the County. Using the baseline of the average persons per household captured by the 2020 Census for Marin County of 2.4, if the full RHNA allocation were to be met, it could reasonably be assumed to add approximately 32,000 people to the current population estimate of 252,959.

Within the affected agencies in the study area, the total estimated population is 129,282. Each of the agencies among LGVSD, RVSD, SD2, SQVSMD, and SRSD have seen minimal growth since 2010, with SD2 having the highest annual growth rate during this stretch of 0.66%. As each of the areas within the affected agencies is essentially built out, additional growth over the next ten years is expected to be minimal and on par with what has been experienced over the past decade. Despite the Regional Housing Needs Allocation (RHNA) housing mandates within each of the affected agencies' jurisdictions, the anticipated growth impacts from these prospective developments are anticipated to be dispersed well beyond the current planning cycle due in part to the nature of development difficulties in Marin County, the current costs of development in correlation to the requirement of affordable housing, and the cost of living in the area.

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

a) One census tract block group (Tract 1121, Block Group 1) that has been designated by Marin LAFCo as a disadvantaged unincorporated community (DUC) based on 2023 American Community Survey data has been identified within the study area. The block group is situated within the northern section of the California Park unincorporated island in the southern San Rafael area. A disadvantaged community is defined in Water Code Section 7905.5(a) as a community with an annual median household income of less than 80 percent of the statewide median household income. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines DUCs as "inhabited territory" that constitutes all or a portion of a disadvantaged community. "Inhabited territory" may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by "commission policy".

Per Marin LAFCo's policy, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or district sphere of influence 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. At this time Marin LAFCo has no applications for annexation for any lands contiguous to the identified DUC. Should LAFCo in the future get such a request then it will work with the community to determine if it is in the best interest of those living within the DUC to be annexed. If it is not in the community's best interest, then they would not be included in that application.

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) All of the affected agencies with collection systems and/or treatment facilities in Central Marin are accounting for and funding therein replacement of their capital infrastructure, albeit to different degrees and accordingly producing a sizeable range in equipment age among the agencies. Each of the agencies over the course of the study window has accelerated its approach to infrastructure rehabilitation in comparison to the previous study window. All of the wastewater collection systems within Central Marin appear adequately sized in accommodating current and projected flow demands. This comment is substantiated given none of the affected agencies' collection systems' peak-day demands generated during the study period exceeded 74% of estimated capacity.

LGVSD is the entity responsible for treating and disposing of all wastewater generated within the Las Gallinas Watershed portion of Central Marin and has adequate capacity to accommodate current and projected flows through the next 5 years. CMSA is the entity responsible for treating and disposing of all wastewater generated within the Ross Valley and San Rafael Creek Watersheds portion of Central Marin and has adequate capacity to accommodate current and projected flows through the next 5 years.

Financial ability of agencies to provide services.

a) The Central Marin Sanitation Agency, Ross Valley Sanitary District, San Rafael Sanitation District, Las Gallinas Valley Sanitary District, Sanitary District No. 2 of Marin County, and San Quentin Village Sewer Maintenance District all prepare annual budgets and financial statements in accordance with established governmental accounting standards. The Boards of Directors, Boards of Commissioners, and the County Board of Supervisors acting as the

Board for SQVSMD, may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control.

b) The special district General Managers and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments, or funds under certain circumstances, however; the Special District Boards, JPA Commission, and County Board of Supervisors acting as the Board for the SQVSMD, must approve any increase in the operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for each agency by independent certified public accounting firms.

c) While additional revenues are needed to provide some services and maintain infrastructure covered in this MSR, each agency meets its current and projected financial responsibilities to provide services. While SQVSMD creates sufficient annual revenue to meet current expense trends, a rate increase would be necessitated in the case that the District's residents were charged for CMSA treatment services that are currently being received. Each of the affected agencies within the study area has demonstrated strong financial health over the study window. All of the agencies, with the exception of SQVSMD due to its minimal infrastructure and focus on the proactive maintenance of that infrastructure as opposed to large-scale replacement, have been proactive in ensuring rates are adjusted to ensure that both current and future capital improvement plans are attainable while continuing to provide the same level of uninterrupted service to its user base. Each of the agencies has shown consistent growth in net position, significant investment in capital assets, and budgetary management that has shown revenues outpacing operating expenditures on an annual basis.

Status of, and opportunities for, shared facilities.

a) No opportunities were identified for the sharing specifically of constructed facilities between any of the agencies reviewed within the study.

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

a) Given the contiguous nature of the three single-service wastewater collection agencies within CMSA as well as the significant possibility of the pending consolidation of services between SRSD and CMSA, the Commission as well as the affected agencies should continue to evaluate options to potentially reorganize and consolidate public wastewater services in Central Marin among agencies in the Ross Valley and San Rafael Creek Watersheds. Should the consolidation efforts between SRSD and CMSA be completed, an annual evaluation of not just cost savings but also employee retention and service delivery efficiency should be completed in order to further examine whether further consolidation efforts throughout the region could produce greater accountability and efficiency within the combined watershed.

b) The reorganization of SQVSMD by dissolving the District and concurrently placing its respective service area into RVSD by annexation appears readily merited to improve local accountability and service efficiencies. This reorganization would eliminate a seemingly superfluous dependent special district governed by the County of Marin in favor of recognizing RVSD as the preferred and more capable service provider moving forward.

c) Corrective action is needed to appropriately amend jurisdictional boundaries to better align service areas with existing property lines within the Ross Valley and San Rafael Creek Watersheds. Similarly, boundary clean-ups are needed to correct instances where actual service provision in this region does not match up with assigned jurisdictional boundaries.

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

a) During the course of this municipal service review, Marin LAFCo requested information from the Las Gallinas Valley Sanitary District regarding the area that is currently outside of its jurisdictional boundary just to the southwest of its treatment plant. The area in question holds the McInnis Park Golf Center, the San Rafael Airport, and two recently completed developments of Gravity Vault Marin and Flyte Racquet Club. Given that this area is essentially surrounded by LGVSD lands and is in such close proximity, Marin LAFCo inquired as to whether the District was providing wastewater collection/treatment to these high-use facilities. District staff was unable to provide Marin LAFCo with the requested information within the allotted time available. As such, LGVSD staff should complete the necessary testing to assess whether service is currently being provided to this area and report back to Marin LAFCo with the findings. If service is currently being provided, the District should submit an application for annexation to Marin LAFCo in a timely manner.

b) During the course of this study, staff discovered that SQVSMD ratepayers do not receive charges for the treatment of their wastewater from CMSA. It appears that this has been occurring due to the SQVSMD system feeding into the San Quentin Rehabilitation Center, which then mixes with that facility's wastewater flows, and the facility being charged a fixed annual fee under the current contractual agreement. In addition, the Caltrans Maintenance yard which is just outside of SQVSMD boundaries has been sending wastewater flows through SQVSMD to CMSA without payment to SQVSMD for collection or to CMSA for treatment.

4.0 RECOMMENDATIONS

The following recommendations call for specific action either from the Commission and/or by the affected agencies based on information generated as part of this study.

Recommendations for Commission action are dependent on a subsequent directive from the membership and through the adopted work plan.

1. Representatives from the County of Marin, acting on behalf of the San Quentin Village Sewer Maintenance District, and staff from the Ross Valley Sanitary District should continue to explore the feasibility of the reorganization of the area of SQVSMD into RVSD. Should an agreement be reached, any application for annexation of SQVSMD should also include the annexation of assessor parcel number 018-154-11. This parcel lies adjacent to SQVSMD on the eastern side of Main Street and is approximately 11.43 acres. It contains a California Department of Transportation (Caltrans) maintenance station. The wastewater from this parcel flows into the SQVSMD system on its way to the Central Marin Sanitation Agency treatment plant and should be subject to the respective collection and treatment fees associated. Should an agreement between SQVSMD and RVSD not be forthcoming in the near future then SQVSMD and Caltrans should work to submit an application for the Caltrans parcel to be annexed into SQVSMD so it can pay for its use of the systems.
2. The Ross Valley Sanitary District should submit an application to Marin LAFCo for the annexation of the area of the San Quentin Peninsula that is currently outside of its jurisdictional boundary but within the area of its current sphere of influence for the Commission's consideration. Should the annexation be approved, the District would still bear the responsibility of negotiating any agreement for future service with the San Quentin State Rehabilitation Center as well as the reorganization of the San Quentin Village Sewer Maintenance District.
3. Given the contiguous nature of the three single-service wastewater collection agencies within CMSA as well as the ongoing discussions surrounding the possible consolidation of services between SRSD and CMSA, the Commission as well as the affected agencies should continue to evaluate options to potentially reorganize and consolidate public wastewater services in Central Marin among agencies in the Ross Valley and San Rafael Creek Watersheds. Should the consolidation efforts between SRSD and CMSA be completed, an annual evaluation of not just cost savings but also employee retention and service delivery efficiency should be completed in order to provide a clearer analysis of whether further consolidation efforts throughout the region could produce greater accountability and efficiency within the combined watershed.

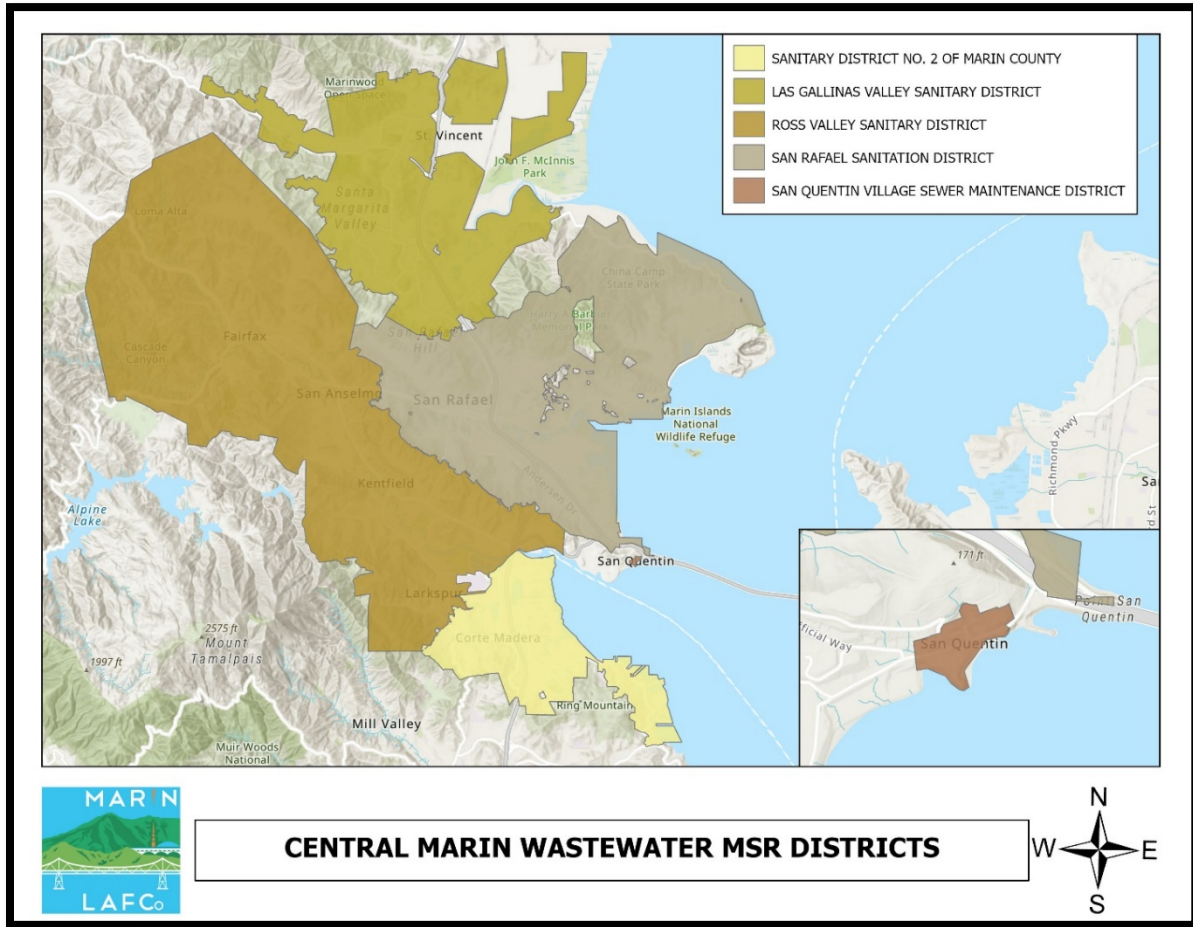
4. Though not a legislatively mandated requirement of public agency websites, the San Rafael Sanitation District should add information to its website regarding its current rates, rate schedule, the most recent Prop 218 process it completed, and any rate study that was completed as this has become standard operating procedure and a generally accepted best practice amongst public wastewater agencies.
5. During the course of this municipal service review, Marin LAFCo requested information from the Las Gallinas Valley Sanitary District regarding the area that is currently outside of its jurisdictional boundary just to the southwest of its treatment plant. The area in question holds the McInnis Park Golf Center, the San Rafael Airport, and two recently completed developments of Gravity Vault Marin and Flyte Racquet Club. Given that this area is essentially surrounded by LGVSD lands and is in such close proximity, Marin LAFCo inquired as to whether the District was providing wastewater collection/treatment to these high-use facilities. District staff was unable to provide Marin LAFCo with the requested information within the allotted time available. As such, LGVSD staff should complete the necessary testing to assess whether service is currently being provided to this area and report back to Marin LAFCo with the findings. If service is currently being provided, the District should submit an application for annexation to Marin LAFCo in a timely manner.
6. In the same manner that staff from RVSD and SD2 worked collaboratively and proactively to test and confirm which district was providing service to each of the properties along their shared boundary area, SRSD, LGVSD, and RVSD should make an effort to perform a similar analysis in order to ensure boundary lines are correct and that customers are receiving billing from the correct agency. In addition, any district that has island(s) of areas within their broader boundary that do not show as being serviced and in one of these smaller islands should determine if they are getting service and then work with LAFCo to fix the situation.
7. Through the course of this study, LAFCo staff determined that a sphere of influence was never formally established for SQVSMD. It appears, though not substantiated in any identified document, this is the result of previous notions that SQVSMD falls outside of the Commission's authority due to its size and the principal act under which it was formed. Commission staff has revisited this matter as part of this study and, after conferring with both other LAFCos around the state as well as State Government Code, conclude that SQVSMD and more specifically sewer maintenance districts formed under Public Health and Safety Code Section 4860-4927 are subject to LAFCo and as such a sphere designation is ultimately required. Marin LAFCo staff recommends the Commission adopt a zero sphere of influence in order to indicate the Commission's stance that the District should be reorganized in the future.
8. Land use authorities in Central Marin should work proactively to match the affected wastewater service provider with sites that have been identified for potential

development opportunities in their recently updated housing elements as a means to better sync land use and service planning in the region.

9. SQVSMD, CMSA, the San Quentin Rehabilitation Center, and Caltrans should all work together to ensure each is paying its proper share for both the collections and treatment of wastewater in that area. RVSD may also need to be included in discussions if it is determined that in the near future, a consolidation of the SQVSMD into RVSD could occur.

10. Given the apparent and continually evolving impacts of climate change on local precipitation totals, CMSA should continue to explore the feasibility of the production of both recycled water and direct potable reuse in order to aid in the sustainability of Central Marin's future water supplies

5.0 REGIONAL SETTING



The Central Marin Wastewater Municipal Service Review (MSR) study area consists of the Central Marin County Highway 101 Corridor encompassing an area that is approximately 60 square miles. Seven public agencies, including one joint powers authority (JPA), are reviewed within this document. Many distinct communities lie within and adjacent to the Study Area. These communities are served by a number of municipal service providers that have been established over time to meet local conditions and needs. While jurisdictional boundaries define the geographical extent of an agency’s authority and responsibility to provide services, there are several instances of overlapping service responsibilities in the Study Area both by contractual and informal agreements. These service arrangements and relationships for providing municipal services within the Study Area are described in this report.

Within the study area, all incorporated and unincorporated communities are within the current boundary or service area of a fire protection and emergency medical service provider. While there are several small pockets of development in the study area that are not currently provided sanitary sewer service by a local agency, the vast majority are within the jurisdictional boundary

of one of the sanitary sewer agencies. The Marin Municipal Water District provides water for domestic use and fire-flow to the entire study area.

6.0 CENTRAL MARIN SANITATION AGENCY

6.1 OVERVIEW

The Central Marin Sanitation Agency (CMSA) was established in 1979 as a joint powers authority (JPA) under Section 6500 of the California State Government Code. The JPA provides wastewater treatment and disposal to the three member agencies that comprise the authority: Ross Valley Sanitary District, San Rafael Sanitation District, and Sanitary District #2. CMSA is also contracted by the State of California to treat and dispose of wastewater received from the San Quentin Rehabilitation Center, and also by the County of Marin for the operation and maintenance of the San Quentin Village Sewer Maintenance District. The JPA's service area encompasses approximately 36.5 square miles. The last municipal service review that included CMSA was conducted in 2017.

Table 6-1: Central Marin Sanitation Agency Overview

| Central Marin Sanitation Agency | | | |
|---------------------------------|---------------------------------|---------------------------|----------------|
| Primary Contact: | Jason Dow | Phone: | (415)-459-1455 |
| Mailing Address: | 1301 Anderson Drive, San Rafael | | |
| Formation Date: | October 15, 1979 | | |
| Services Provided: | Wastewater Treatment/Disposal | | |
| Service Area: | 23,350 acres | Population Served: | ≈105,000 |

6.2 FORMATION AND DEVELOPMENT

The Central Marin Sanitation Agency was formed in October of 1979 for the purpose of carrying out the construction and installation of advanced wastewater treatment and disposal facilities to serve the Central Marin area. The initial agreement included four member agencies: the City of Larkspur, San Rafael Sanitation District, Sanitary District #1 of Marin County², and Sanitary District #2 of Marin County. The agreement provided for the planning, acquisition, financing, construction, maintenance, and operation of a regional wastewater treatment facility, and maintenance of certain facilities already in place, as well as responsibility for all functions pertaining to the treatment, reclamation, and disposal of sewage and other wastewater.

The service areas that would eventually make up CMSA's contracted service area were primarily agricultural hubs in the early 1900s, with a population totaling just over 6,000 residents in 1900. Over the course of the following 40 years however, significant increases in accessibility to the region such as multiple rail lines, ferry services, and the completion of the Golden Gate Bridge in 1937 would all contribute to this population total ballooning to just under 21,000 in 1940. As the growth continued into the 1950s, multiple agencies were necessitated for wastewater collection to accommodate the current and anticipated growth. The four that provided wastewater collection service within what would become CMSA's service area were Sanitary District #1 of

² Sanitary District #1 of Marin County adopted a resolution changing the District's name to the Ross Valley Sanitary District (RVSD) in February of 2018 and will be referred to as such throughout this document.

Marin County (SD1), Sanitary District #2 of Marin County (SD2), San Rafael Sanitation District, and the City of Larkspur. SD1 also had a treatment facility and contracted with SD2 and the City of Larkspur to provide treatment and disposal of the three agencies' wastewater. San Rafael Sanitation District owned and operated its own two treatment plants.

Between 1940 and 1970, the population within the CMSA service area grew by nearly four times to just over 81,000 residents. This rapid population growth, not just in this service area but throughout the greater Bay Area at the time, began to raise significant concerns about the manner in which agencies were handling wastewater discharges. New federal and state water pollution laws, such as the Clean Water Act of 1972 with its National Pollutant Discharge Elimination System (NPDES) permit requirements added much-needed regulations to help improve the quality of wastewater discharges into surface waters. The new legislation simultaneously provided a grant funding mechanism for local agencies to receive monies to construct the new treatment facilities that would be necessary to meet the new regulations that required all wastewater discharges to meet enhanced quality standards.

Soon after the official formation of CMSA on October 15, 1979, the newly formed Joint Powers Agency (JPA) applied for grant funding for the construction of numerous wastewater system improvements in central Marin County, such as pump stations, interceptors, a new regional treatment plant, and wastewater outfall. Of what would eventually amount to a total construction cost of \$84 million for the new facilities, approximately 87.5% of the total cost was funded by federal and state clean water grants. The new treatment plant, located on San Quentin Point, began operation in January of 1985 with a permitted average dry weather flow capacity of 10 million gallons per day³ and a sustained peak secondary treatment design capacity of 30 million gallons per day.

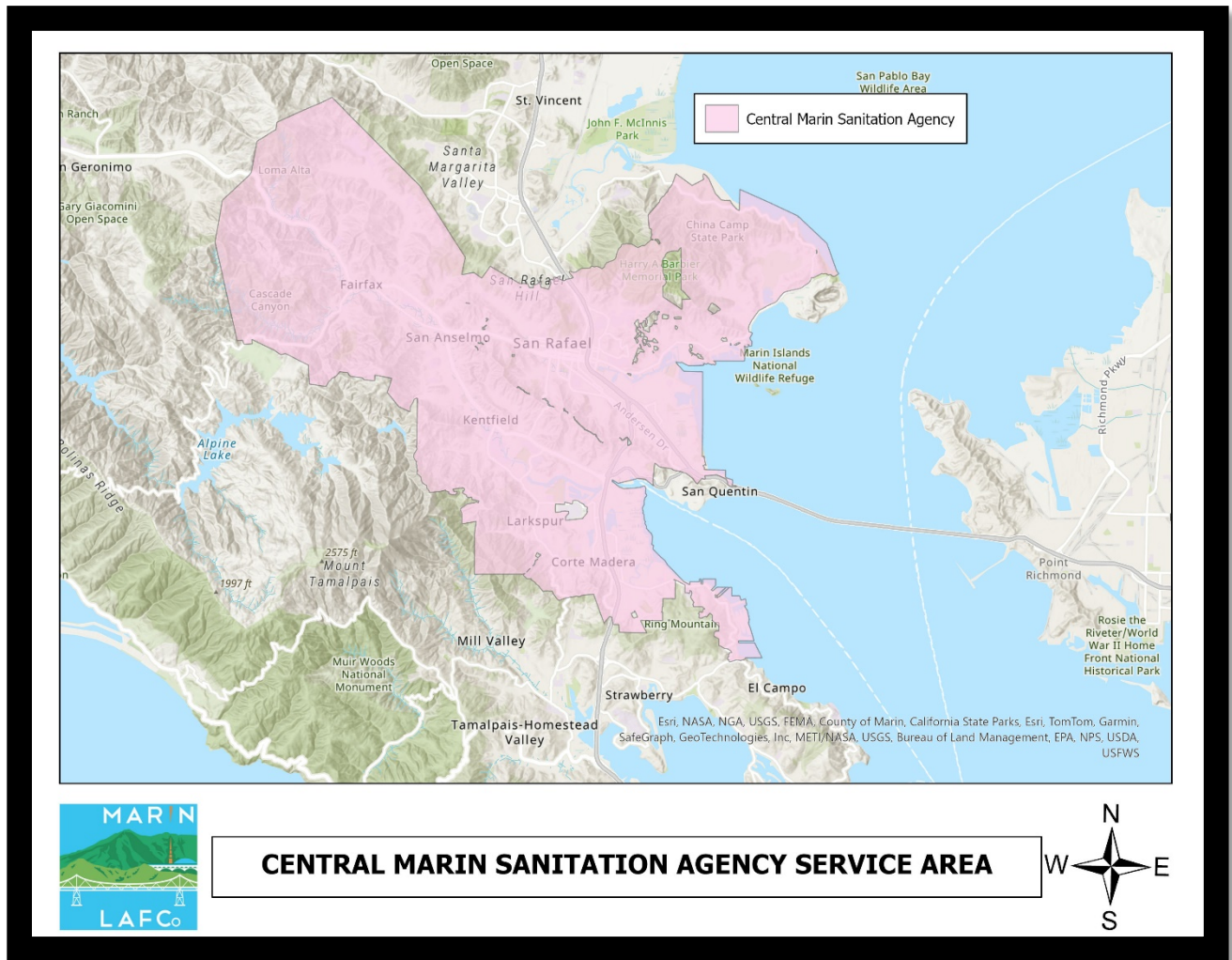
In 1993, Marin LAFCo approved the annexation of the territory of the City of Larkspur by SD1 and the transfer of responsibility for sewer service provided by Larkspur to the Sanitary District. LAFCo, however, did not attach terms and conditions of approval requiring the alteration of representation on the CMSA governing board. As a result, the City of Larkspur continued to appoint a representative to the CMSA board despite having no role in services provided by CMSA.

In May 2012, the County of Marin entered into an agreement with CMSA for the operation and maintenance of the San Quentin Village Sewer Maintenance District's (SQVSMD) sewer system assets. The County owns and had previously been operating the SQVSMD sewer collection system.

At its December 12, 2018, meeting, the Larkspur City Council approved a resolution to withdraw the City from CMSA due to its wastewater operations having been annexed by the Ross Valley Sanitary District (formerly SD1). The withdrawal agreement and revised JPA both reflected the City of Larkspur's removal from representation on the CMSA board. The updated JPA agreement was approved by the CMSA member agencies in January 2020.

³ [CMSA Facilities Master Plan Pg. 1-1](#)

Figure 6-1: Central Marin Sanitation Agency Service Area



6.3 SERVICE AREA

There is no formal jurisdictional boundary set by the Commission for CMSA, as would be the case for other agencies under LAFCo oversight such as cities, towns, and special districts, due to the agency’s formation as a joint powers authority. CMSA’s service area is statutorily bound to match its three member agencies’ jurisdictional boundaries. This area covers 23,350 acres (36.5 square miles), within which there are nine distinct land use authorities. The County of Marin accounts for approximately 40% of the CMSA service area and includes the census-designated places of Kentfield, Greenbrae, and Sleepy Hollow, as well as the unincorporated areas surrounding the City of San Rafael, the Town of Tiburon, and the Town of Fairfax, and also CMSA’s largest single customer, the San Quentin State Rehabilitation Center. Approximately 19% of the CMSA service area is within the city limits of San Rafael (approximately two-thirds of the City of San Rafael in total), 15% within the Town of San Anselmo, 12% in the Town of Fairfax, 3% in the Town of Corte Madera, 4% in the Town of Ross, 6% in the City of Larkspur, 2% in the Town of Tiburon, and the City of Mill Valley makes up slightly less than 1%. As joint

powers authorities are not assigned spheres of influence within the California State Government Code, CMSA in and of itself has no assigned sphere of influence.

6.4 GROWTH AND POPULATION

The service area of the Central Marin Sanitation Agency is coterminous with the jurisdictional boundaries of its three member agencies. The growth and population data for those three districts within this study (San Rafael Sanitation District, Ross Valley Sanitary District, and Sanitary District No. 2) can be found in those district’s respective agency profiles within this study. CMSA also contracts with the County of Marin to provide service to the San Quentin Village Sewer Maintenance District. The growth and population data for that district can be found in that agency’s profile within this study. Lastly, CMSA contracts with the State of California Department of Corrections to provide service to the San Quentin Rehabilitation Center. As of June 2024 (the most recent data publicly available) the total population of the San Quentin Rehabilitation Center⁴ was 3,361.

6.5 MUNICIPAL SERVICES

Wastewater Collection and Treatment

CMSA provides wastewater treatment and disposal to each of the three collection agencies that create the JPA’s service area, as well as the San Quentin Rehabilitation Center and the San Quentin Village. The wastewater treatment plant treats raw wastewater from its members through a process consisting of screening and grit removal, followed by primary and secondary treatment processing, after which the processed wastewater is disinfected and dechlorinated before ultimately being discharged into the San Francisco Bay. Figure 6-2 shows a satellite view of the location of the wastewater treatment plant as well as the effluent outflow and discharge areas. CMSA operates under the permit provisions of the California Regional Water Quality Control Board – San Francisco Bay Region (RWQCB) with respect to discharge allowances. This permit⁵ was most recently renewed on May 10, 2023, and extends through June 30, 2028. Biosolids removed from the wastewater stream are treated by sludge thickening, anaerobic digestion, biosolids dewatering, and the biogas generated in the digesters is used as fuel in a cogeneration system that produces renewable power. Biosolids are reused at the Redwood Landfill, land application sites in Sacramento County and the Organic Materials Recovery Center in Fairfield.

In 2010, CMSA completed a \$58 million upgrade to the facility known as the Wet Weather Improvements Project to expand treatment and storage facilities to accommodate intense wet weather events and better protect against inflow and infiltration during wet weather flows from its collection agencies. Among other significant improvements, the project included two new primary clarifiers to increase the primary treatment capacity to 125 million gallons per day (previously 90 million gallons per day) and a new 155 million gallons per day effluent pumping station. While the agency is no longer reliant upon it, CMSA maintains a storage pond for

⁴ [California Department of Corrections Office of Research Statistical Reports \(SB601\)](#)

⁵ [Reference to RWQCB National Pollutant Discharge Elimination System Permit No. CA0038628](#)

effluent flow shaving with the ability to hold 7.2 million gallons in the case of emergencies or to allow for facility shutdowns to accommodate maintenance and construction activities.

In 2023, CMSA provided treatment and disposal within its service area in the total amount of 51,268 equivalent dwelling units (EDU). CMSA’s definition of an EDU is “A unit of wastewater discharge that is the estimated volume and strength generated by a single-family residence.” In that same year, the wastewater treatment plant had an average dry weather flow of 8.3 million gallons per day and a total average daily wastewater treatment of 13.3 million gallons per day. The total annual flow for the facility for the year was approximately 4.8 billion gallons. These totals were all in line with the averages throughout the course of the study window.

CMSA reported zero sanitary sewer overflows (SSO) from its treatment facility during the course of the study window. In the event of an SSO occurrence, CMSA has established protocols such as contacting the RWQCB within two hours of a spill being identified as well as notifying Marin County Environmental Health Services and the Office of Emergency Services. Final effluent exceedances of compounds specified in CMSA’s NPDES permit must be followed by a notification to RWQCB within 24 hours of discovery. Samples must also be collected to quantify any environmental safety impacts. CMSA has not experienced an exceedance of its NPDES permit during the course of the study window.

CMSA bills its JPA member agencies an annual regional sewer service charge that is from a CMSA Board adopted 5-year Revenue Plan, and a semi-annual debt service charge pursuant to revenue bond payment agreements. CMSA bills San Quentin Rehabilitation Center a monthly service fee for wastewater treatment, debt service, and operation and maintenance of the facility’s main pump station. CMSA allocates sewer service charges to each of its member agencies based on a three-year rolling average of the volume and strength of delivered wastewater. This methodology allows for the calculation of a cost per equivalent dwelling unit. Beginning in fiscal year 2018, the annual debt service charges have been billed to member agencies based upon fixed EDU counts (totaling 52,044 EDUs) assigned to each member in an effort to avoid fluctuations in debt service allocation. In FY 2023, the regional sewer service charge was \$278.59 per EDU and the debt service charge was \$108.61 per EDU. Ross Valley Sanitary District produced the most EDUs at 22,114, followed by San Rafael Sanitation District at 19,334, and Sanitary District No 2 at 5,815. San Quentin Rehabilitation Center has a fixed EDU total of 4,005 annually. Over the course of the 5-year study window, the regional service charge has increased 17.6%⁶.

The CMSA treatment facility is equipped with two 261,381 cubic foot capacity anaerobic digesters that are fed wastewater sludge from the primary and secondary clarifiers, fats/oils/grease (FOG)⁷, liquid organic wastes, and food wastes from private haulers. The

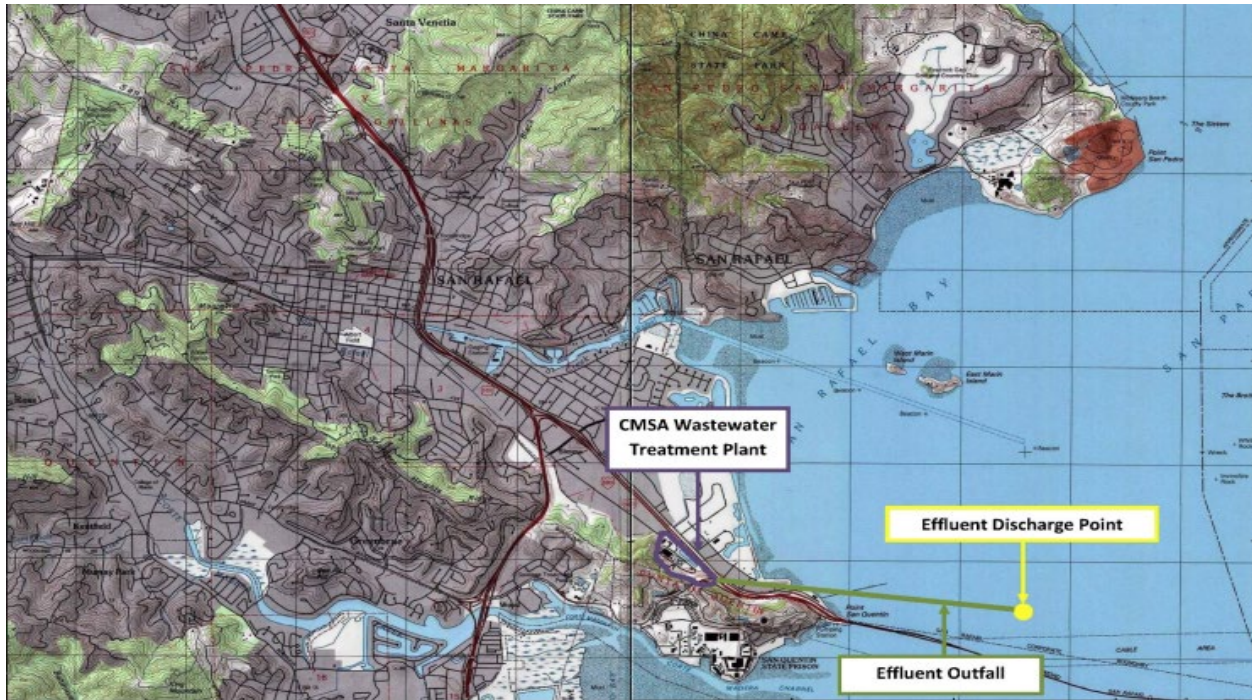
⁶ CMSA FY 2023 ACFR; Pg. 120

⁷ In 2006, the SWRCB issued a statewide general waste discharge requirement for all collection system agencies within the State that requires each to prepare a Sewer System Master Plan and a source control program for FOG, if FOG is determined by the collection system agency to be a contributor to sewer overflows. CMSA has agreements with each of its member agencies as well as the Tamalpais Community Services District and the Almonte Sanitary District to administer a FOG source control program.

agency's organic waste program, known as the Central Marin Food-to-Energy (F2E) program, was instituted in 2014 in partnership with Marin Sanitary Service. Marin Sanitary Service collects pre-consumer food waste from restaurants, markets, and other small businesses in its service area and after being processed at the Marin Sanitary Service Facility, a truck transports the processed food waste to CMSA's organic waste facility. Organic wastes are mixed with the wastewater sludges in the digesters and produce enough biogas to power the CMSA facility an average of 19.6 hours per day over the past year, and for several days each week, CMSA is energy independent and exports excess to Marin Clean Energy. The organic waste receiving program and cogeneration system have been so successful that in FY 2021, CMSA received permission from Pacific Gas and Electric (PG&E) to export excess power to its electrical grid, and CMSA has exported and sold renewable power to Marin Clean Energy through a Power Purchase Agreement. CMSA brought a new 995kW cogeneration system online in 2023 that allowed for even greater renewable energy production capacity.

CMSA maintains multiple contractual agreements for service with local agencies that offer such services as operating, maintaining, and monitoring wastewater pump stations and force mains, operating and maintaining sewer collection systems, and regulating commercial and industrial businesses that discharge to the sewer system. The first of these such agreements is with Sanitary District No. 2. CMSA and SD2 entered into this agreement in 1985 for CMSA to operate and maintain SD2's 19 pump stations and provide maintenance to the District's force mains. In 2012, CMSA entered into an agreement with the California Department of Corrections to operate and maintain the San Quentin Rehabilitation Center's main pump station and force main that transports wastewater to CMSA's treatment plant, as well as the treatment and disposal of the facility's wastewater. Additionally, in 2012 CMSA and the County of Marin entered into an agreement for the operation and maintenance of the County's sewer collection system and pump station in the San Quentin Village Sewer Maintenance District.

Figure 6- 2: CMSA Discharge Map



6.6 ORGANIZATION STRUCTURE

Board of Commissioners

The Central Marin Sanitation Agency receives oversight and policy direction by way of a five-member Board of Commissioners. Their governance authority is established under the Joint Exercise of Powers Act which authorizes two types of joint powers authority arrangements. The first type consists of two or more public agencies that jointly contract to exercise common service powers, and the second type consists of two or more public agencies that jointly contract to form a separate legal entity to provide common service powers. CMSA was formed under the latter structure as a legally autonomous agency. Each of the three member agencies appoints at least one member of its governing body as a delegate to serve on the CMSA Board of Commissioners, with the larger two agencies – SRSD and RVSD – each being allocated two representatives of its choosing.

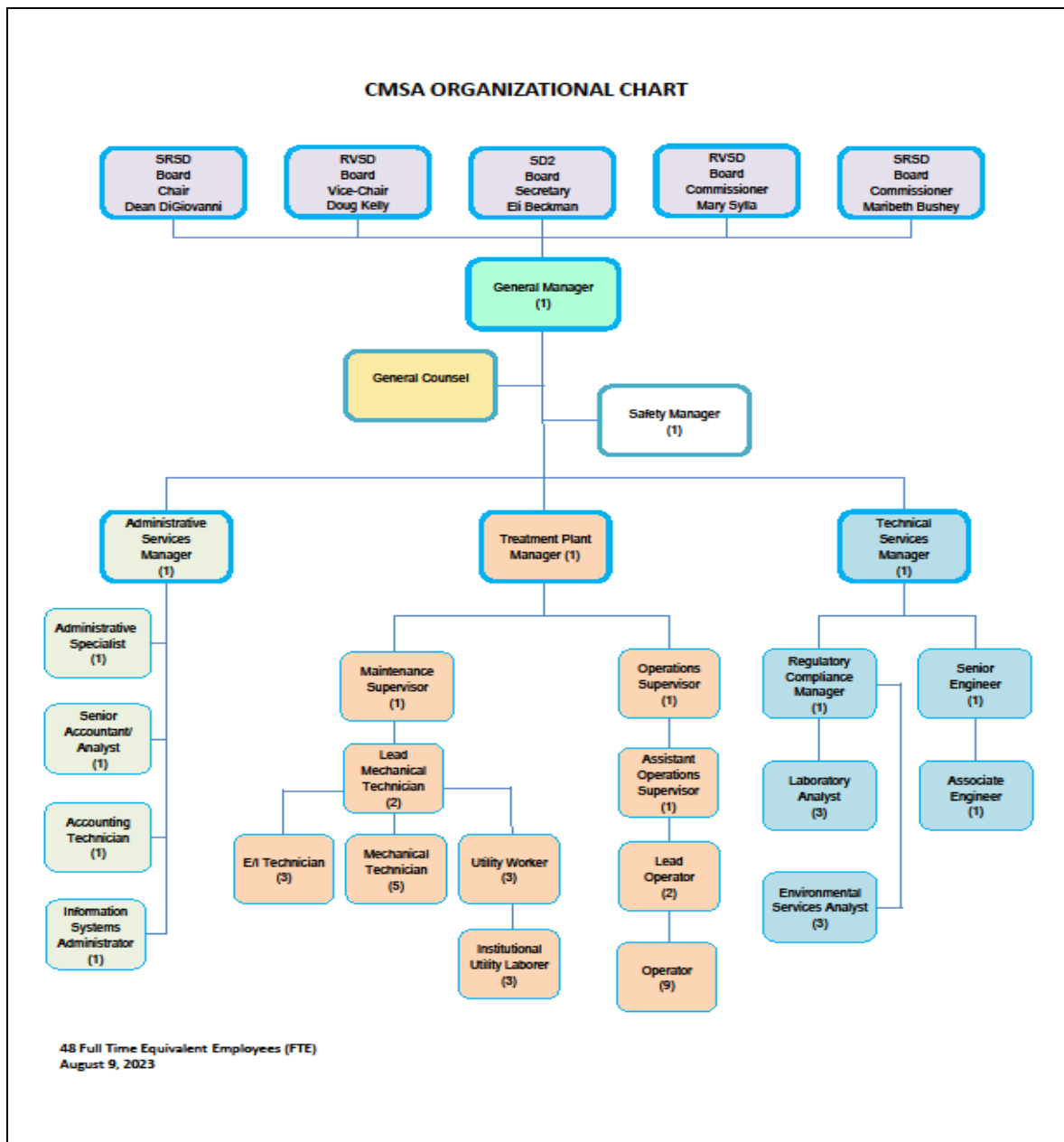
Table 6-2: Central Marin Sanitation Agency Board of Commissioners

| Member | Position | Member Agency |
|-----------------|--------------|---------------|
| Eli Beckman | Chair | SD2 |
| Dean DiGiovanni | Vice-Chair | SRSD |
| Mary Sylla | Secretary | RVSD |
| Maribeth Bushey | Commissioner | SRSD |
| Doug Kelly | Commissioner | RVSD |

Administration

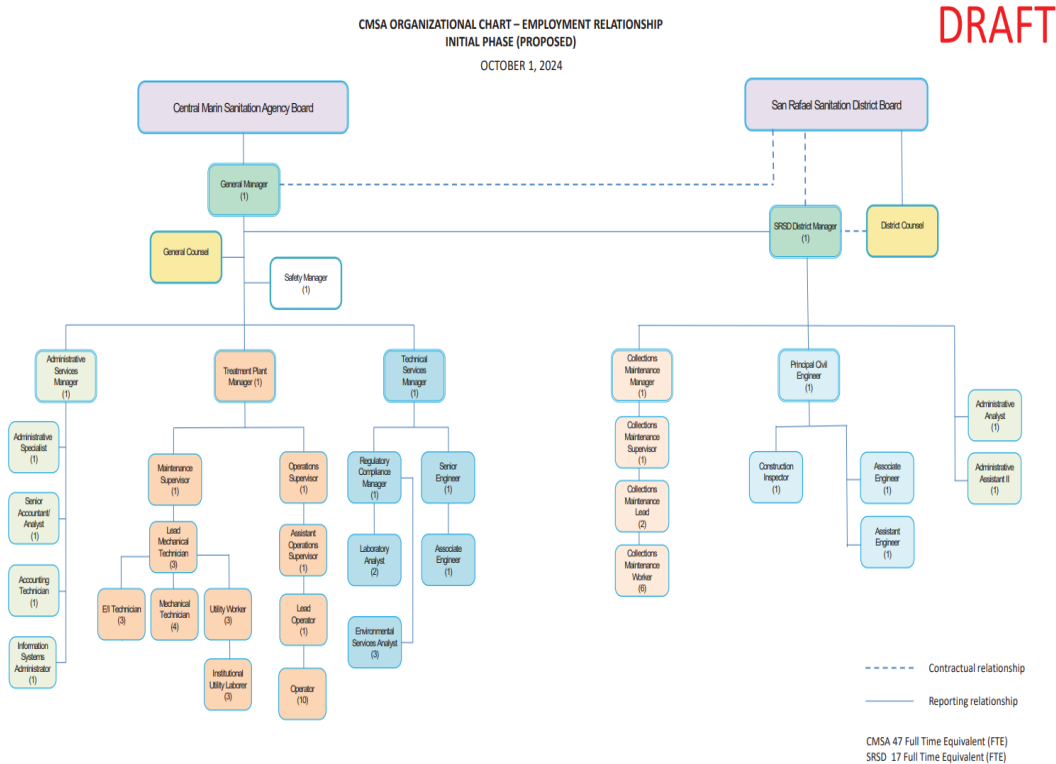
CMSA appoints an at-will General Manager to oversee all agency operations. The current General Manager, Jason Dow, was hired as an engineer in June 1993 and later was appointed to the General Manager position by the Commission in 2002 and is full-time. The General Manager currently oversees 48 other full-time employees, and this includes four senior management support positions: Safety Specialist/Manager, Administrative Service Manager, Treatment Plant Manager, and Technical Services Manager. The JPA's current org chart can be seen below in Figure 6-3.

Figure 6- 3: CMSA Organization Chart



CMSA is currently in advanced discussions with the San Rafael Sanitation District towards a service agreement for CMSA to “provide all staffing, regulatory compliance, Board support coordination and services necessary for the proper management, administration, and operation of SRSD including all owned and operated SRSD assets.” Due to the manner in which SRSD’s labor contract is currently structured, the District has experienced significant difficulty over recent years in recruiting and retaining employees. This difficulty led the District to exploring options to ensure a high level of service would be maintained throughout its service area. Under the most recent iteration of the proposed service agreement between the two agencies, CMSA would agree to hire all of SRSD’s 17 current employees who would continue working in their current capacity within the SRSD service area. Preliminarily, the agreement would be set up so that SRSD would fully reimburse CMSA for all services provided including all overhead costs for CMSA general services by way of monthly invoices provided to SRSD from CMSA. The agreement also states that “The services provided to SRSD shall not result in increased costs to other JPA members”. SRSD would also agree to remit payment to CMSA for any of the unfunded pension liabilities for the transferring employees prior to the employees' transfer to CMSA. The two agencies have enlisted the services of an independent consultant as well as created an ad-hoc Committee of CMSA JPA Member Representatives to consider the JPA’s Organization Development Future to continue to pursue this endeavor. To date, the Committee has held four public meetings to discuss the subject matter, fine-tune the proposed agreement, and continue to try to mitigate any possible disruptions that could arise. The proposed agreement would hold an initial 5-year term. The preliminary proposed org chart for what this agreement would entail in the initial phase can be seen below in Figure 6-4.

Figure 6- 4: Draft CMSA Organization Chart



6.7 ACCOUNTABILITY AND TRANSPARENCY

The Central Marin Sanitation Agency makes a concerted effort to maintain high accountability and transparency in all of its activities. The Agency’s website maintains a robust web presence with multiple pages dedicated to the JPA (cmsa.us). The CMSA web pages provide extensive documentation and information on Board meetings, financial reports, services, projects, studies, and more. Additionally, CMSA has been awarded recognition from the Government Finance Officers Association (GFOA) for its financial reporting, and a Platinum Peak Performance Award from the National Association of Clean Water Agencies for an exceptional NPDES permit compliance record. At this time, CMSA is meeting all of the transparency requirements of a public agency for the State of California.

Meeting and Agendas

The CMSA Board of Commissioners meets regularly on the 2nd Tuesday of each month at 6:00 p.m. at the CMSA office at 1301 Andersen Drive in San Rafael. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the [CMSA website](https://cmsa.us).

6.8 FINANCIAL OVERVIEW

Over the course of the study window (past 5 fiscal years), CMSA has maintained increases in total net position each year, with the exception of fiscal year 2019-20. The Agency implemented a two-year budget cycle format beginning in FY 2020. All operating and capital activities of CMSA are included in the approved biennial budget, along with a 10-year capital improvement program and a 10-year financial forecast model. The FY 2024 and 2025 budgets were crafted through the incorporation of a 5-year revenue plan that currently forecasts through FY 2028. Strictly operationally, CMSA’s revenues have outpaced expenditures in each of the past five fiscal years, by an annual average of approximately \$1,783,176. The average annual operating revenues for the Agency over the 5-year period were \$19,765,119. The most significant apportionment (approximately 89% annually) of the Agency’s revenue comes from service charges paid to the Agency by its members. An additional eight percent comes from CMSA’s contract maintenance with local agencies for collection system operation and source control services. The remaining amounts are produced from fees charged for permitting and site inspections, organic waste and septage tipping fees, and renewable energy sales. The primary annual operating expenses for CMSA are Salaries and Benefits (53%), and Operations Supplies and Services (9%). The projected total revenue for the Agency for fiscal year 2024-25 is \$23,518,100⁸. A breakdown of the past 5 years of operational revenues and expenses can be seen below in Table 6-3.

Table 6-3: CMSA Revenues and Expenditures from the Past Five Fiscal Years

| Operating Revenue | FY2018-19 | FY2019-20 | FY2020-21 | FY2021-22 | FY2022-23 | Averages |
|----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------------|
| Service Charges | \$16,400,143 | \$16,974,164 | \$17,578,817 | \$18,183,132 | \$18,819,541 | \$17,591,159.40 |
| Contract Maintenance | \$1,067,515 | \$1,401,010 | \$1,670,204 | \$2,126,787 | \$1,856,889 | \$1,624,481.00 |
| Other Revenues | \$434,012 | \$427,699 | \$602,417 | \$556,030 | \$727,233 | \$549,478.20 |
| Total | \$17,901,670 | \$18,802,873 | \$19,851,438 | \$20,865,949 | \$21,403,663 | \$19,765,118.60 |

| Operating Expenses | FY2018-19 | FY2019-20 | FY2020-21 | FY2021-22 | FY2022-23 | Averages |
|----------------------------------|-------------|-------------|-------------|-------------|--------------|----------------|
| Salaries and Benefits | \$8,486,703 | \$9,925,545 | \$9,679,736 | \$8,619,869 | \$11,105,246 | \$9,563,419.80 |
| Operations Supplies and Services | \$1,436,895 | \$1,638,012 | \$1,364,543 | \$1,510,280 | \$2,098,928 | \$1,609,731.60 |
| Repairs and Maintenance | \$1,034,818 | \$588,963 | \$654,095 | \$1,344,474 | \$650,455 | \$854,561.00 |
| Permit Testing and Monitoring | \$144,968 | \$178,099 | \$176,099 | \$198,248 | \$204,105 | \$180,303.80 |

⁸ [CMSA Operating and Capital Budget; Pg 47](#)

| | | | | | | |
|--------------------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|
| Insurance | \$111,545 | \$134,522 | \$380,764 | \$445,916 | \$410,435 | \$296,636.40 |
| Utilities and Telephone | \$454,082 | \$495,207 | \$263,560 | \$591,547 | \$446,020 | \$450,083.20 |
| General and Administrative | \$774,050 | \$736,513 | \$647,269 | \$840,867 | \$792,304 | \$758,200.60 |
| Depreciation and Amortization | \$4,110,575 | \$4,128,150 | \$4,221,630 | \$4,299,319 | \$4,585,208 | \$4,268,976.40 |
| Total | \$16,553,636 | \$17,825,011 | \$17,387,846 | \$17,850,520 | \$20,292,701 | \$17,981,942.80 |

Debt

As of June 30, 2023, CMSA was carrying \$60,086,943 in long-term liabilities. This amount is inclusive of net pension and other post-employment benefits (OPEB) liabilities as well as compensated absences. The sources of the Agency’s long-term liabilities are outlined below.

- **2015 Refunding Revenue Bonds** - In March of 2015, CMSA issued \$49,310,000 in Series 2015 revenue Bonds. The Bonds were used to refund the Series 2006 Revenue Bonds whose proceeds were used to finance improvements to the wastewater treatment and disposal system to increase capacity for wet weather flows, to pay costs of issuance of the Bonds and for certain other capital projects to provide treatment capacity, replace capital assets at the end of service life, and to make other capital improvements.
- **2020 Revenue Bonds** – In November of 2020, CMSA issued \$9,115,000 in Series 2020 Revenue Bonds. The Bonds were used primarily for improvements to the treatment plant and for certain other capital improvements.
- **2022 Pension Obligation Bonds** – In April of 2022, CMSA issued \$9,432,000 in private placement Series 2022 taxable pension Obligation Bonds. The bonds were used solely for reducing the Agency’s unfunded actuarial pension liability by paying off a significant portion of the balance.
- **Net Pension Liability** – CMSA 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 measurement year ended June 30, 2022, CMSA’s Net Pension Liability is \$6,951,524. CMSA’s pension-funded ratio is approximately 87.3%. The Agency further funds an Internal Revenue Code (IRC) Section 115 pension trust to prefund its pension liability. As of fiscal year, ended June 30, 2023, the balance within the Agency’s pension trust is \$207,709, which adds to the Agency’s pension-funded ratio to 87.7%. The Agency expects to continue funding its IRC Section 115 trust in future years to manage its pension liability.
- **Other Post-Employment Benefits (OPEB)** – CMSA provides other post-employment benefits to its retirees. As of measurement year ended June 30, 2022, the Agency’s Net OPEB liability is \$1,569,984, with a funding ratio of 65.9%. The OPEB Plan provides retiree medical reimbursement to eligible employees either at both the single payer Kaiser medical rate and required CalPERS medical contribution rate, or the required CalPERS medical contribution rate and 1.5% contribution to a health reimbursement trust account.

Employees hired after January 1, 2010, are to receive the required CalPERS medical contribution rate and 1.5% contribution to a health reimbursement trust account. The health reimbursement account contributions are performed on a pay-as-you-go basis and are excluded from the actuarial figure. The Net OPEB Liability is expected to significantly decrease by 2039 as a result of the health reimbursement account update and the Agency prepares an OPEB funding plan to manage its expected funding ratio by contributing to or withdrawing from its IRC Section 115 OPEB trust fund. There are 82 total employees, both active and inactive, within the District's OPEB plan.

While technically not yet on the books, CMSA is planning in FY 2026⁹ to issue \$13 million in revenue bonds to continue the financing of its 10-year capital improvement program which currently contains 46 projects carrying an estimated total cost of \$75.8 million.

⁹ CMSA ACFR 2023; Pg 40

7.0 MURRAY PARK SEWER MAINTENANCE DISTRICT

7.1 OVERVIEW

In December of 2019, Marin LAFCo approved the annexation¹⁰ of the Murray Park Sewer Maintenance District (MPSMD) to the Ross Valley Sanitary District (RVSD). Information regarding MPSMD can be found within the RVSD agency profile section of this study.

¹⁰ Marin LAFCo Resolution 19-08

8.0 ROSS VALLEY SANITARY DISTRICT

8.1 OVERVIEW

The Ross Valley Sanitary District was formed in 1899 as an independent special district under Section 6400 of the California State Health and Safety Code. The District provides wastewater collection to the Town of Fairfax, the Town of Ross, the Town of San Anselmo, the City of Larkspur, and the unincorporated communities¹¹ of Sleepy Hollow, Kentfield, and Greenbrae. The District is one of three member agencies that comprise the Central Marin Sanitation Agency which is a joint powers authority (JPA). The District’s jurisdictional boundary encompasses just under 27 square miles. The last municipal service review that included Ross Valley Sanitary District was conducted in 2017.

Table 8-1: Ross Valley Sanitary District Overview

| Ross Valley Sanitary District | | | |
|-------------------------------|---------------------------------|---------------------------|----------------|
| Primary Contact: | Steve Moore | Phone: | (415)-259-2949 |
| Mailing Address: | 1111 Andersen Drive, San Rafael | | |
| Formation Date: | May 27, 1899 | | |
| Services Provided: | Wastewater Collection | | |
| Service Area: | 17,120 acres | Population Served: | ≈47,000 |

8.2 FORMATION AND DEVELOPMENT

The Ross Valley Sanitary District’s service area was originally a sparsely developed rural area that was home to a handful of ranchers and loggers in the early 1800s. The land that Marin County residents now refer to as the Ross Valley, originally owned by Mexico, was gifted in 1840 to an English settler by the name of John Rodgers Cooper as part of a 9,000-acre land grant referred to as the Rancho Punta de Quentin Canada de San Anselmo. In 1857, James Ross purchased a significant apportionment of the land grant for \$50,000. Upon Ross’s passing in 1862, the majority of his land holdings were sold off to newer settlers in the area and it would thus garner its name as Ross Valley.

The initial urban development in the area began in 1875 with the completion of the North Pacific Railroad that connected the area that is now the City of Sausalito to the City of San Rafael. At the time of the railroad’s completion, there was an estimated total of residents throughout the Ross Valley of less than 1,000. A main hub for the railroad was located in the Town of San Anselmo. This station allowed passengers less than an hour-long journey to San Francisco by way of connecting to the ferry station to the south. This new accessibility led to an increase in demand to settle in the area and the corresponding subdividing of lots to meet the demand. By the latter stages of the 1890s, the population in the area had grown to just under 2,000, and the added wastewater runoff was becoming problematic for the local creeks to handle. In addition,

¹¹ While not a formally census-designated place, the District also provides service to the unincorporated developments outside of the jurisdictional boundary of the Town of Fairfax and the Town of San Anselmo.

the local water quality – particularly that of the San Anselmo Creek, which had become a primary source for the region’s growing water provider, Marin County Water Company – was seeing an increase in adverse effects. This led local landowners to petition the State Legislature to utilize the recently established Sanitary District Act of 1891 to create a solution. In 1899, the petition was confirmed by the voters, and the Ross Valley Sanitary District¹² was formed even before a single sewer main had been constructed. Not long after the formation, work began to construct the District’s first 10-inch trunk line that would stretch from the community of Fairfax south to the community of Greenbrae, allowing wastewater discharge into a deep-water slough of Corte Madera Creek.

The Ross Valley continued to grow in the early 1900s, with the Town of San Anselmo formally incorporating in 1907, followed by the incorporation of the Town of Ross and the City of Larkspur in 1908. With this steady growth, the practice of discharging untreated wastewater into the San Francisco Bay became untenable, and in 1922 a bond measure was passed to release \$450,000 to the District for the construction of an additional 7.5 miles of sewer line as well as a wastewater treatment facility in Greenbrae to provide basic screening of wastewater before discharging.

The Town of Fairfax was incorporated in 1931 and, not long after in 1937, the completion of the Golden Gate Bridge connecting the City of San Francisco north to Marin County created an influx of development demand throughout the Ross Valley. The population of approximately 2,000 in 1900 ballooned to over 12,000 by 1940. In order to meet the increasing demands, in 1945¹³ RVSD, in collaboration with the City of Larkspur and the Sanitary District No. 2 of Marin County, constructed a second wastewater facility at Larkspur Landing to provide secondary treatment before discharging into the Corte Madera estuary. This facility would undergo several expansions over the following decades until its decommissioning in 1984.

As populations continued to grow, not just in RVSD’s service area but throughout the greater Bay Area at the time, significant concerns began to arise surrounding the manner in which agencies were handling wastewater discharges. Resulting regulations such as the Clean Water Act of 1972 and the National Pollutant Discharge Elimination System (NPDES) added much-needed restrictions to help regulate the treatment of wastewater discharges into surface waters. The new legislation simultaneously provided a funding mechanism for local agencies to receive monies to construct the new facilities that would be necessary to meet the updated regulations that required all discharges to meet enhanced standards. Given these circumstances, in 1979 RVSD – along with Sanitary District No. 2 of Marin County, the City of Larkspur, and the San Rafael Sanitation District – formed the Joint Powers Authority (JPA) known as the Central Marin Sanitation Agency. Soon after the official formation of CMSA in October of 1979, the newly formed agency applied for grant funding for the construction of a new treatment plant

¹² The Ross Valley Sanitary District was originally formed as the Sanitary District No. 1 of Marin County. It was not until February of 2018 that the District adopted a resolution to formally change its name. For the sake of uniformity, the District will be referred to as Ross Valley Sanitary District (RVSD) throughout the course of this section.

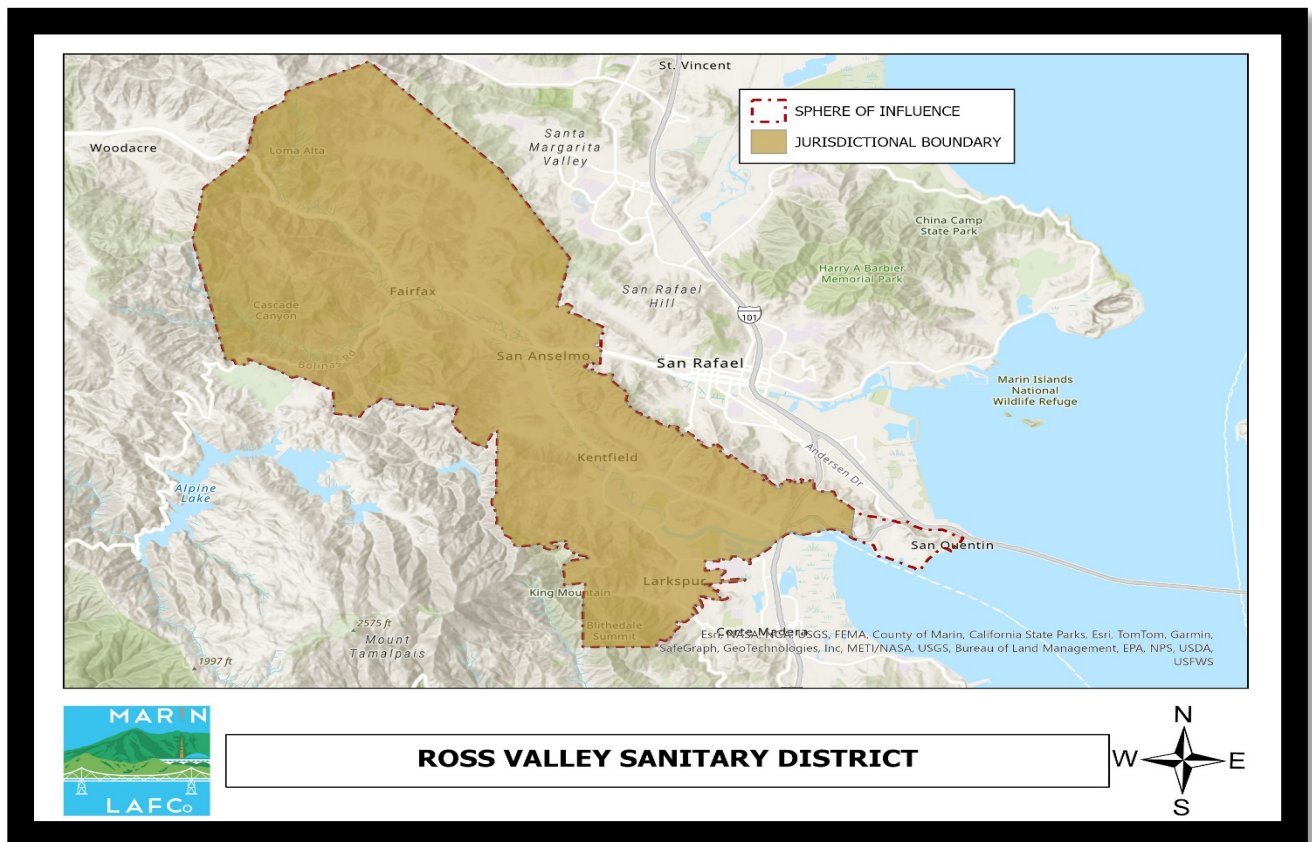
¹³ This facility was completed and began operating in 1948.

facility. Of what would eventually amount to a total construction cost of \$84 million for the new facility, approximately 87.5% of the total cost was funded by federal and state clean water grants. The new treatment plant, located on San Quentin Point, began operation in January of 1985. At this time RVSD deactivated the Larkspur Landing treatment facility and redirected all wastewater flows to the CMSA wastewater facility.

On April 1st, 1993, Marin LAFCo approved¹⁴ the annexation of the City of Larkspur Sanitation Area to the Ross Valley Sanitary District. The City of Larkspur would retain its voting membership status within CMSA until December 2018, at which time the Larkspur City Council approved a resolution to withdraw the City from CMSA. The updated JPA agreement was approved by the CMSA member agencies in January 2020.

In December of 2019, Marin LAFCo approved the annexation¹⁵ of the Murray Park Sewer Maintenance District (MPSMD) to RVSD. MPSMD is a small residential area of just under 60 acres between the City of Larkspur and Kent Woodlands. The District was created by the Marin County Board of Supervisors in 1949 and includes about 6,000 feet of sewer pipelines and serves 91 living units.

Figure 8- 1: Ross Valley Sanitary District Jurisdictional Boundary and Sphere of Influence



¹⁴ Marin LAFCo Resolution 92-7

¹⁵ Marin LAFCo Resolution 19-08

8.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

The Ross Valley Sanitary District’s jurisdictional boundary encompasses approximately 26.75 square miles of both incorporated and unincorporated Marin County. The District’s service area includes five land use authorities within the jurisdictional boundary. The County of Marin accounts for approximately 41% of all RVSD lands and includes the communities of Kentfield, Sleepy Hollow, Greenbrae, and all of the unincorporated lands surrounding the Town of Fairfax. The municipalities of the Town of San Anselmo, the Town of Fairfax, the City of Larkspur, and the Town of Ross comprise the remainder¹⁶ of the District’s jurisdictional lands.

While not yet formally approved, through a collaborative effort between Sanitary District No 2., RVSD, and Marin LAFCo, a tentative agreement is in place pending approvals for a total of 7 parcels that are currently within the jurisdictional boundary of SD2 to be transferred to RVSD due to RVSD being the agency that is providing service to those parcels. Through the work of a multi-year dye testing project by both SD2 and RVSD staff, it was determined that these parcels were not receiving service from the jurisdiction in which they resided. The collaborative effort between the three agencies has allowed for the development of a tax exchange agreement in order to reorganize the parcels into their proper jurisdiction. The formal reorganization requires a sphere of influence update. This update coincided with the timeline of this study, and as such the formal approval of this reorganization is tentatively planned for the early part of 2025.

The District’s sphere of influence was established in 1985 as part of Marin LAFCo’s initial sphere of influence studies for special districts throughout Marin County. The sphere was subsequently amended in 2006 following the Ross Valley Area Municipal Service Review to be coterminous with the District’s boundaries with the addition of the Murray Park Sewer Maintenance District area and the San Quentin Village Sewer Maintenance District/San Quentin Rehabilitation Center. This amendment included the Commission labeling this as an “interim sphere of influence” in order to signify its support of the ongoing exploration of the consolidation of the collection agencies in Central Marin. The most recent update of the sphere of influence occurred in 2017 and added all of the area of 238 Summit Drive to the District’s sphere following a reorganization of a number of parcels between the District and SD2.

8.4 GROWTH AND POPULATION

The Ross Valley Sanitary District provides service to four of the eleven incorporated towns/cities in Marin County (Fairfax, Larkspur, Ross, San Anselmo) as well as the two census-designated places of Kentfield and Sleepy Hollow. The District also provides service to the community of Greenbrae as well as the unincorporated developments surrounding the Town of Fairfax. While the communities of Kentfield and Greenbrae may have local distinctions separating one from the other, the US Census Bureau recognizes both of these spaces as a single census-designated place for population data. The population change data for the cities, towns, and census-designated places within the District’s boundary from 2010 and 2024¹⁷ can be seen below in Table 8-2.

¹⁶ The District also has approximately 15 parcels in the City of San Rafael currently within its jurisdictional boundary.

¹⁷ 2024 data is based upon State of California Department of Finance 2024 Estimates.

Table 8-2: Population Changes as Single Census-Designated Areas for 2010 and 2024

| Community Name | 2010 | 2024 |
|---------------------|--------|--------|
| Sleepy Hollow | 2,384 | 2,401 |
| Kentfield/Greenbrae | 6,485 | 6,808 |
| Town of Fairfax | 7,441 | 7,371 |
| Town of Ross | 2,415 | 2,272 |
| Town of San Anselmo | 12,336 | 12,426 |
| City of Larkspur | 11,926 | 12,655 |

The remaining development potential within each of the planning areas within the District’s boundary (both incorporated and unincorporated), while relatively minimal based upon the number of remaining undeveloped parcels zoned for residential development, has experienced recent changes with the majority of Cities/Towns as well as Marin County itself having adopted updated housing elements that included planning for accommodations of the housing mandates from the State. The Association of Bay Area Governments (ABAG) has designated a need for a total of 3,569 additional housing units in unincorporated Marin County by 2031 within the Regional Housing Needs Allocation (RHNA) plan. This number is 907 units shy of what Marin County had deemed as the total buildout for unincorporated Marin County. Of those 3,569 units, 353¹⁸ of those have identified sites for development within the unincorporated spaces in Ross Valley Sanitary District’s sphere of influence. Meanwhile, the additional housing unit mandates for each of the incorporated spaces within the District’s sphere of influence create a sum total of 2,413¹⁹ and are as follows:

- Town of Fairfax – 490
- City of Larkspur – 979
- Town of San Anselmo – 833
- Town of Ross – 111

The current projection in the hypothetical scenario that each of the member agencies (including RVSD) within the Central Marin Sanitation Agency were to be developed to their maximum buildout potential, the additional dry weather flow would be approximately 0.18 million gallons per day²⁰. Given its current average dry weather flows as well as the permitted allowances for flows, CMSA has the capacity to accommodate this level of growth. As far as growth within strictly RVSD, the District’s EDU levels have seen a minimal increase over the past 10 years, with a total EDU count of 21,940 in 2014 and 22,114 in 2023. In that same time frame, the District maintained an average annual wastewater flow to CMSA of 1,995.7 million gallons. Over the course of the study window, the District’s total number of service connections has increased by 71.

¹⁸ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 210](#)

¹⁹ [ABAG Final RHNA Plan](#)

²⁰ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 115](#)

8.5 MUNICIPAL SERVICES

Wastewater Collection

Ross Valley Sanitary District provides wastewater collection to all residents and businesses within its jurisdictional boundary. The District has a total of 15,999 service connections. In total, the District's sewer infrastructure is composed of approximately 199 miles of mainline and trunk line and 7.3 miles of force main pipe with approximately 66% of all the pipes being 6" diameter or less, 20% being 8", 9% ranging from 9"-18", and 5% being greater than 18" in diameter. The pipes throughout the District vary between vitrified clay (VCP), high-density polyethylene (HDPE), ductile iron (DI), cast iron (CIP), and polyvinyl chloride (PVC) among others. There are 5 major pump stations owned and operated by the District, as well as 14 smaller pump and lift stations. The District's sewer service rates were last adjusted on July 1, 2024, as the first year of what is to be a 5-year rate schedule following a service rate study that was presented to the RVSD Board in May of 2024. The District has two distinct service rate zones: the Ross Valley zone and the Larkspur zone. The Larkspur zone is administered higher rates as the District does not receive any of the ad-valorem from property taxes in that area as part of the annexation agreement. The Ross Valley rate zone does provide ad-valorem to the District, so in order to achieve equitable costs to all of its customers, the District utilizes this two-rate zone structure. The updated rate schedule calls for a 4% annual increase from 2024 to 2026, followed by a 3.8% increase in 2027, and 3.5% in 2028. For FY 2024-25, a single-family home in the Ross Valley rate zone could expect to see a sewer service charge of \$1,238, while the same home in the Larkspur rate zone would see a charge of \$1,773.

Over the past five fiscal years, the District has replaced a total of approximately 17 miles of pipe within its boundary as a product of its Capital Improvement Plan. The District maintains a ten-year capital improvement plan, with the current plan running through fiscal year 2033-34. Within that span, the District has plotted capital improvements that include funding allocations of \$66.4 million for gravity sewer improvements, \$9.8 million for force main sewer improvements, \$18.7 million for pump station improvements, and \$12.9 million for upgrades to the District's facilities, vehicle fleet, and other capital assets.

In May of 2013, the Regional Water Board issued a Cease-and-Desist Order (CDO) to the District in response to annually reoccurring excessive sewer system overflows (SSO). The CDO contained a list of specific actions and best practices for the District to implement in order to minimize the number of future SSOs. One of the requirements was the development of an Infrastructure Asset Management Plan (IAMP). Through the implementation of the IAMP, which was updated in 2021, the District has made significant improvements in both infrastructure and operations. The risk points identified in the IAMP aid the district in developing its Capital Improvement Plan (CIP). In FY 2023, the District's Capital Budget expenditures totaled \$10,733,288. Over the course of the past five fiscal years, the District has experienced a total of 63 sanitary sewer overflows (25 dry weather and 38 wet weather) totaling approximately 172,187 gallons. While a number of the sewer collection agencies throughout Marin County contract with private contractors for sewer system overflow response, the District's in-house staff are trained and respond to all incident reports within the District's

boundaries. The District is making continual efforts to upgrade the infrastructure throughout its service area in order to minimize inflow and infiltration as well as other structural defects. In the past 5 years, the District has restored 34.3 miles of pipe and has cleaned 910 miles of pipes.

Murray Park Sewer Maintenance District

In December of 2019, Marin LAFCo approved the annexation²¹ of the Murray Park Sewer Maintenance District (MPSMD) to RVSD. The MPSMD's jurisdictional boundary spanned approximately 60 acres with a population of 193 and is generally considered part of the unincorporated community of Kentfield. MPSMD's formation was approved by the County of Marin's Board of Supervisors in 1949 as a means for landowners to self-tax themselves for purposes of constructing and operating a community wastewater collection system. The initial collection system for MPSMD was constructed in early 1951 with the County of Marin's Public Works Department overseeing all operational and maintenance activities. In March of 1975, MPSMD entered into a service agreement with the City of Larkspur. This agreement transferred operational management of MPSMD's collection system and wastewater flows to Larkspur in exchange for an annual service fee based on the number of dwelling units within the District. Following the annexation of the City of Larkspur to RVSD in 1993, RVSD became the successor to the City of Larkspur's agreement to provide operational management of MPSMD's collection system and wastewater flows in August 1993.

The MPSMD collection system includes approximately 6,000 feet of lines ranging in size from four to eight inches. The lines are all gravity feed with no public pump stations. All wastewater generated from the collection system is conveyed for treatment to CMSA. There are a total of 89 service connections, with all but one serving residential uses. Upon being annexed into RVSD, MPSMD had a fund balance of \$315,301 that was transferred to RVSD with language in the annexation agreement restricting the use of those funds strictly to MPSMD. Residential customers within MPSMD's area paid an annual rate of \$472 each, which totals \$43,896 in total rate collections within the area. This rate is significantly (approximately 54%) less than what the RVSD rate is for the service in the Ross Valley rate zone. As such, for the four fiscal years leading up to the rate restructuring, an apportionment of the funds that were transferred from MPSMD to RVSD was used to subsidize the rate shortfall. In total, \$238,737 has been allocated to this rate subsidy. An additional \$111,492 of the transferred funds was allocated to the Pump Station 14 Rehabilitation Project as the Murray Park system flows into pump station 14 in order to get to the CMSA plant. The Murray Park system represents 4.9% of the total flows received at pump station 14, and thereby was charged 4.9% of the total cost of the pump station rehabilitation, which was completed in FY 2023/24. As of October 11, 2024, all of the transferred funds have been allocated to support the MPSMD.

After the preparation of a sewer rate study and a duly noticed Prop 218 process, the RVSD Board of Directors adopted Ordinance 102, updating the District's sewer service rate schedule. This

²¹ Marin LAFCo Resolution 19-08

rate schedule became effective on July 1, 2024. At that time, the former MPSMD area became included in the Ross Valley rate zone for the District.

8.6 ORGANIZATION STRUCTURE

Board of Directors

The Ross Valley Sanitary District is an independent special district receiving oversight and policy direction by way of a five-member Board of Directors that is elected to staggered four-year terms by way of at-large elections within the service boundary. All directors are required to be registered voters residing within the District’s jurisdictional boundary. Two of the Board members are annually appointed to the Central Marin Sanitation Agency Commission, with the remaining Board members serving as alternates. Based on data provided by the County Department of Elections which span from 1972 to 2022, Ross Valley Sanitary District had 14 election cycles during that timeframe in which a formal election process was necessitated, 11 seats were appointed in lieu of an election, and the District’s Board necessitated zero appointments to seats on the Board by the Marin County Board of Supervisors.

Table 8-3: Ross Valley Sanitary District Board of Directors

| Member | Position | Term Expiration |
|-------------------|-----------|-----------------|
| Mary Sylla | President | April 2028 |
| Doug Kelly | Secretary | April 2028 |
| Michael Boorstein | Director | July 2026 |
| Pamela Meigs | Director | July 2026 |
| Thomas Gaffney | Director | July 2026 |

Administration

The Board of Directors of Ross Valley Sanitary District appoints the District’s General Manager who leads and manages the District’s day-to-day operations. The General Manager for Ross Valley Sanitary District is full-time and manages the other 35 FTE employees employed by the District. The General Manager oversees the three operational departments of Engineering and Inspection, Administration, and Operations and Maintenance. The General Manager also serves as the District Engineer.

8.7 ACCOUNTABILITY AND TRANSPARENCY

The Ross Valley Sanitary District maintains a high level of accountability and transparency in all its activities. The District [website](#) provides documentation on board meeting agendas and minutes as well as financial reports, services, studies, sewer system management plan, permitting, contracts, and more.

Meeting and Agendas

The Ross Valley Sanitary District Board of Directors meets regularly on the 3rd Wednesday of each month at 5:00 p.m. in the District Administrative Office at 1111 Andersen Drive in San Rafael. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the District’s [website](#).

Annual Budget Review

The District's budget, typically 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 District's budgetary financial planning consists of a two-fund system, planning for both operating and capital expenditures each year. The General Manager presents financial reports to the Board every month to ensure budgetary compliance.

8.8 FINANCIAL OVERVIEW

Over the course of the study window (past 5 fiscal years of available audited financials), Ross Valley Sanitary District has maintained increases in total net position each year and seen an increase in unrestricted net position in that same time frame of approximately \$6.2 million. The District's total annual revenues²² (operating and nonoperating) have outpaced operating expenditures in each of the five fiscal years by an annual average of \$5,429,789. These excess funds are primarily allocated toward the District's capital improvement projects and maintaining the District's target reserves. The average annual operating revenues for the District over the 5-year period were \$23,510,110, with a total increase of just over 26% in that span.

The primary revenue sources for the District are sewer service charges (70%) and property taxes (25%) with permit and inspection fees, lease income by way of renting space within its administrative building to Comcast Corporation, miscellaneous revenues, and investment income supplementing the District's total revenues at approximately 5%. The primary annual operating expenses for Ross Valley Sanitary District are treatment costs (37%), Operating and Maintenance (26%), and General and Administrative (12%).

Debt

As of June 30, 2023, RVSD carried a total long-term debt amount of \$94,345,794. Below is a description of the borrowings comprising that amount:

- **2023 State Revolving Fund Loan** – In April of 2022, the District received approval through a loan program sponsored by the California State Water Resources Control Board for capital project financing in the amount of \$1,708,256. The proceeds of the loan were allocated to the refurbishment of existing wastewater collection and conveyance system infrastructure.
- **2013 Revenue Bonds** – In August of 2013, the District issued \$17,780,000 of revenue bonds in order to both provide new money for wastewater capital projects and refund \$9,103,322 of the District's privately placed debt obligations. As of June 30, 2023, the outstanding principal balance is \$14,780,000.
- **2014 Revenue Bonds** – In November of 2015, the District issued \$30,155,000 of revenue bonds in order to provide new money for wastewater capital projects. As of June 30, 2023, the outstanding principal balance is \$23,515,000.

²² As the District views its operating purpose is to provide wastewater collection and conveyance services that are funded by sewer service charges, property tax and leasing revenues are classified as nonoperating within the District's accounting policies.

- **2018 Revenue Bonds** – In January of 2018, the District issued \$21,870,000 of revenue bonds in order to provide new money for wastewater capital projects. As of June 30, 2023, the outstanding principal balance is \$19,250,000.
- **2019 Revenue Bonds** – In July of 2019, the District issued \$31,455,000 of revenue bonds in order to provide new money for wastewater capital projects as well as purchasing the building at 1111 Anderson Drive for the District administrative offices, and also for the completion of the remediation project at 2000 Larkspur Landing at the site of the District’s former treatment plant. As of June 30, 2023, the outstanding principal balance is \$27,715,000.

The District plans a bond refunding in early 2025 for the 2013, 2014, and 2018 bonds, with an anticipated total savings of approximately \$7 million over the life of the bonds.

The District 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, 2023, the District’s Net Pension Liability was \$8,636,262. As of the most recent CalPERS actuarial Valuation on June 30, 2023, the District’s pension-funded ratio was 70.1% which does not include the District’s Section 115 trust assets. The District’s CalPERS Section 115 Trust holds irrevocable deposits for future pension contributions to achieve a Board policy funding ratio of at least 90%. In addition to the pension plan, the District provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2023, the District carried a net OPEB liability of \$819,797. The District currently has 47 employees, both active and inactive, in its OPEB plan.

A breakdown of the past 5 years of operational revenues and expenses can be seen below in Table 8-4.

Table 8-4: Ross Valley Sanitary District Financial Information

| Operating Revenue | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Averages |
|----------------------------|----------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| Sewer Service Charges | \$20,565,156 | \$21,963,689 | \$23,547,004 | \$24,478,887 | \$25,965,473 | \$23,304,041.80 |
| Permit and Inspection Fees | \$173,389 | \$138,587 | \$152,053 | \$156,473 | \$183,369 | \$160,774.20 |
| Other Operating | \$8,456 | \$39,111 | \$18,165 | \$63,386 | \$91,263 | \$44,076.20 |
| Total | \$20,747,0010 | \$22,141,387 | \$23,717,222 | \$24,698,746 | \$26,240,105 | \$23,508,892 |

| Operating Expenses | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Averages |
|-----------------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| Treatment Costs | \$7,776,952 | \$8,026,987 | \$8,144,157 | \$8,462,641 | \$8,869,040 | \$8,255,955.40 |
| Operating and Maintenance | \$5,844,749 | \$6,128,753 | \$6,152,281 | \$6,884,268 | \$6,047,437 | \$6,211,497.60 |
| Engineering and Inspections | \$1,614,279 | \$1,443,706 | \$1,002,285 | \$1,137,982 | \$1,078,643 | \$1,255,379.00 |

| | | | | | | |
|---|--------------|--------------|--------------|--------------|--------------|-----------------|
| Lateral Replacement Grants | \$625,330 | \$515,929 | \$406,608 | \$237,500 | \$242,500 | \$405,573.40 |
| Provision for Uncollectable Accounts | N/A | N/A | N/A | \$26,414 | \$4,729 | \$15,571.50 |
| General and Administrative | \$3,353,756 | \$3,638,021 | \$3,333,796 | \$3,733,204 | \$2,960,311 | \$3,403,817.60 |
| Depreciation and Amortization | \$3,058,862 | \$4,082,590 | \$4,613,779 | \$4,655,488 | \$4,469,692 | \$4,608,626.20 |
| Total | \$22,273,928 | \$23,835,986 | \$23,652,906 | \$25,137,497 | \$23,672,352 | \$24,156,420.70 |

Financial Audit

The Ross Valley Sanitary District annually has its financial statements audited by an outside certified public accounting firm and currently contracts with Cropper Accountancy Corporation. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2023.

9.0 SAN RAFAEL SANITATION DISTRICT

9.1 OVERVIEW

The San Rafael Sanitation District (SRSD) was formed in 1947²³ as a dependent special district under Section 4700 of the California State Health and Safety Code. The District provides wastewater collection to the central and southern areas of the City of San Rafael, including the unincorporated areas of Country Club, Bayside Acres, and California Park. The District in effect covers the portion of San Rafael south of Puerto Suello Hill to the southerly city limit. The jurisdictional boundary encompasses just over 12.9 square miles. The District is one of three member agencies that comprise the Central Marin Sanitation Agency which is a joint powers authority (JPA). The last municipal service review that included the San Rafael Sanitation District was conducted in 2017.

Table 9-1: San Rafael Sanitation District Overview

| San Rafael Sanitation District | | | |
|--------------------------------|--------------------------------|---------------------------|----------------|
| Primary Contact: | Doris Toy | Phone: | (415)-454-4001 |
| Mailing Address: | 111 Morphew Street, San Rafael | | |
| Formation Date: | May 26, 1947 | | |
| Services Provided: | Wastewater Collection | | |
| Service Area: | 8,194 acres | Population Served: | 43,466 |

9.2 FORMATION AND DEVELOPMENT

The primary service area of the San Rafael Sanitation District, the City of San Rafael, is an area that saw some of the earliest development within Marin County. Established in December of 1817, the Mission San Rafael Arcángel was founded as the 20th Spanish mission in what was then the Spanish province of Alta California. It was constructed to provide treatment to the Central Valley Native Americans who had fallen ill at Mission Dolores in San Francisco. Under the leadership of Father Luis Gil, who was fluent in several Native American languages, the mission quickly grew its residency to nearly 1,000 and gained its full mission status in 1822, just a month prior to Alta California declaring independence from Spain as part of Mexico. Despite the mission flourishing in its early years, following the Mexican Secularization Act of 1833, the Mexican government took control of the California missions in 1834, and by 1844, Mission San Rafael had been abandoned.

Following the American conquest of California, the area of San Rafael began to transition from a mission settlement to a growing agricultural community and regional commerce hub. The community officially incorporated as a city in 1874 with an initial resident count of 840, marking the beginning of San Rafael's development as an urban center. The arrival of the San Francisco and North Pacific Railroad in 1879 significantly boosted the city's growth and economic prospects, allowing for easier transportation of goods and people between San Rafael and San

²³ Marin County Board of Supervisors Resolution No. 938

Francisco, as well as other areas of Northern California. The newfound ease of travel made commuting to jobs in San Francisco possible and allowed thousands of San Franciscans to visit San Rafael on weekends. By 1900, the population had surged to 3,879, an amount that represented over one-fourth of the total population in Marin County at the time. By 1930, that total had increased to just over 8,000. This rapid growth necessitated a more organized wastewater management, and in 1947 the County of Marin's Boundary Change Commission approved the official service area of the District to include what was the City's incorporated boundary at the time, as well as adjacent unincorporated lands to the east towards Bayside Acres and south to California Park. At the time of its formation, the District owned and operated two smaller treatment plants.

By 1960, the population within SRSD's service area had ballooned to 20,460. This growth, not just in SRSD's service area but throughout the greater Bay Area at the time, began to raise significant concerns about the manner in which agencies were handling wastewater discharges. Resulting regulations such as the Clean Water Act of 1972 and the National Pollutant Discharge Elimination System (NPDES) added much-needed restrictions to help regulate the treatment of wastewater discharges into surface waters. The new legislation simultaneously provided a funding mechanism for local agencies to receive monies to construct the new facilities that would be necessary to meet the updated regulations that required all discharges to meet enhanced standards.

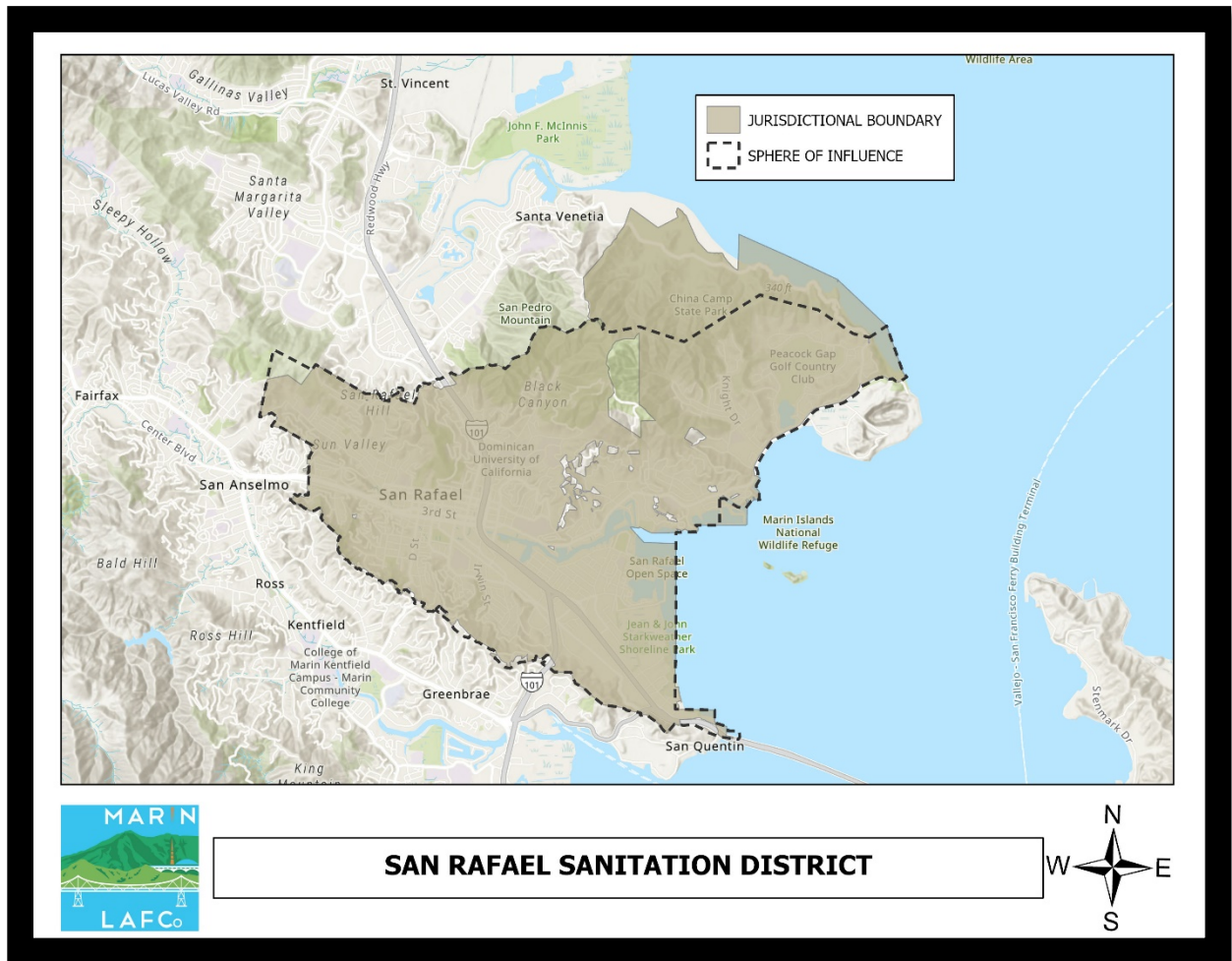
On October 15, 1979, SRSD joined three other neighboring agencies, the City of Larkspur, Sanitary District No. 1 of Marin County, and Sanitary District No. 2 of Marin County, to form the Joint Powers Authority (JPA) of the Central Marin Sanitation Agency. The JPA was created for the purpose of planning, constructing, and operating wastewater treatment and disposal services for its member agencies. Soon after its formation, the newly formed Joint Powers Authority applied for grant funding for the construction of a new treatment plant facility. Of what would eventually amount to a total construction cost of \$84 million for the new facility, approximately 87.5% of the total cost was funded by federal and state clean water grants. The new treatment plant, located on San Quentin Point, began operation in January of 1985 with an average dry weather flow capacity of 10 million gallons per day²⁴ and a sustained peak secondary treatment capacity of 30 million gallons per day.

On January 13, 1989, Marin LAFCo approved²⁵ an application by SRSD for the annexation of the area of China Camp State Park. The total annexation area added 1,160 acres to the District's jurisdictional boundary.

²⁴ [CMSA Facilities Master Plan Pg. 1-1](#)

²⁵ Marin LAFCo Resolution No. 89-2

Figure 9- 1: San Rafael Sanitation District Jurisdictional Boundary and Sphere of Influence



9.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

The SRSD jurisdictional boundary encompasses approximately 12.9 square miles of both incorporated and unincorporated Marin County. The District’s service area includes three land use authorities overlapping the jurisdictional boundary. The City of San Rafael accounts for a majority of the total acreage in the District at approximately 60%, while the unincorporated spaces within the District’s boundary, of which the County of Marin has general land use authority, primarily make up the remaining approximately 39% of the District’s jurisdictional area. The unincorporated neighborhoods within the boundary include the Country Club neighborhood in the Central San Rafael basin east of Highway 101 off of Point San Pedro Road, the Bayside Acres neighborhood just to the east of the Country Club area, and the California Park neighborhood in the southern portion of the Central San Rafael basin west of Highway 101. The Town of San Anselmo comprises less than 1% of the District’s boundary, with approximately 25 parcels within the District.

The District’s sphere of influence was established in November of 1984 as part of Marin LAFCo’s initial sphere of influence studies for special districts throughout Marin County. The

initial sphere was coterminous with the District’s jurisdictional boundary. At the time, the Commission gave the sphere the designation of “interim” to signify the belief that the District should be reorganized with the other members of CMSA as the Central Marin Sanitation District, combining the four members of CMSA into a single sanitation district with an appointed governing board. The sphere received its first amendment in February of 1989 to include the area of the recent annexation of China Camp State Park. The sphere was subsequently amended in 2006 following the San Rafael Area Municipal Service Review to be coterminous with the District’s boundaries with the inclusion of the area of Sun Valley. This amendment included the Commission labeling this as an “interim sphere of influence” in order to signify its support of the ongoing exploration at the time of the consolidation of the collection agencies within CMSA.

9.4 GROWTH AND POPULATION

The San Rafael Sanitation District provides service to two of the eleven incorporated towns/cities in Marin County (San Rafael and San Anselmo) as well as the unincorporated neighborhoods of California Park, Country Club, and Bayside Acres. The area comprising the District’s boundary is nearly coterminous with the areas that comprise ten U.S. Census Tracts.²⁶ The current²⁷ total combined population of these tracts is 43,466. This amount is an increase of 1,749 (4.2%) from the 2010 population total of 41,717.

The remaining development potential within each of the planning areas within the District’s boundary (both incorporated and unincorporated), while relatively minimal based upon the number of remaining undeveloped parcels zoned for residential development, has experienced recent changes with the majority of Cities/Towns as well as Marin County itself having adopted updated housing elements that included planning for accommodations of the housing mandates from the State. The Association of Bay Area Governments (ABAG) has designated a need for a total of 3,569 additional housing units in unincorporated Marin County by 2031 within the Regional Housing Needs Allocation (RHNA) plan. This number is 907 units shy of what Marin County had deemed as the total buildout for unincorporated Marin County. There is currently one identified site for RHNA-specific development within the unincorporated spaces in SRSD’s sphere of influence²⁸. Meanwhile, the additional RHNA housing unit mandates within the City of San Rafael are 3,220. In its recently updated Housing Element, the City of San Rafael has identified sites and projects that are suitable to accommodate 4,858 total units, with 1,957 of these already having been approved or proposed. Of those 1,957, 677 are within the jurisdictional boundary of SRSD.

The current projection in the hypothetical scenario that each of the member agencies (including RVSD) within the Central Marin Sanitation Agency were to be developed to their maximum buildout potential, the additional dry weather flow would be approximately 0.18 million gallons per day²⁹. Given its current average dry weather flows as well as the permitted allowances for flows, CMSA has the capacity to accommodate this level of growth. As far as growth within

²⁶ U.S. Census Tracts: 1121, 1122.02, 1122.03, 1122.04, 1110.01, 1110.02, 1090.02, 1090.01, 1101, 1102

²⁷ 2023 American Community Survey Data

²⁸ Auburn Cove; 79 units

²⁹ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 115](#)

strictly SRSD, the District’s EDU levels, and annual wastewater flow totals have been relatively static over the course of the past 5 years.

9.5 MUNICIPAL SERVICES

Wastewater Collection

San Rafael Sanitation District provides wastewater collection to all residents and businesses within its jurisdictional boundary. In total, the District’s sewer infrastructure is composed of approximately 134 miles of gravity sewer line and 13 miles of force main pipe with approximately 91% of all the gravity sewer pipes being 12” in diameter or less, while the majority (approximately 54%) of the force main pipes are greater than 12” in diameter. The pipes throughout the District vary between vitrified clay (VCP), high-density polyethylene (HDPE), ductile iron (DI), cast iron (CIP), and polyvinyl chloride (PVC) among others. There are a total of 32 pump stations within the District. The District’s sewer service rates were last adjusted on June 21st, 2024³⁰, by way of the adoption of Ordinance No. 59. The newly adopted rate schedule became effective on July 1, 2024, and was the first-rate increase by the District since 2017. The adopted rate schedule increased the District’s rate for an Equivalent Dwelling Unit (EDU) for all customer classes from \$860.63 to \$963.91 in the first year, which is an increase of 12%. This amount will undergo an annual increase through FY 2026-27 to an amount of \$1062.72 per EDU. The most recent available data from the district shows an EDU total of 19,334. Over the course of the study window, the average total annual volume of wastewater flow from the District into CMSA is 1,588 million gallons.

From 2020-2024, the District experienced a total of 50 sanitary sewer overflows. These overflows equated to approximately 161,982 gallons, with approximately 97,904 of those gallons reaching the waters of the State.

9.6 ORGANIZATION STRUCTURE

Board of Directors

SRSD’s governance authority is established under the County Sanitation District act of 1923 and codified under Public Health and Safety Code Sections 4700-4858. This principal act empowers SRSD to provide a moderate range of municipal services upon approval by LAFCo. As of the writing of this study, SRSD is authorized to provide only one municipal service, wastewater collection. Any and all other latent powers enumerated under the principal act would need to be formally activated by LAFCo before SRSD would be allowed to initiate service. Similarly, should it ever seek to divest itself of directly providing wastewater services, SRSD would also need to seek LAFCo approval.

SRSD has been governed since its formation in 1947 as a dependent special district with three appointments to its Board of Directors with two made by the San Rafael City Council and the third by the County Board of Supervisors. As the majority of District’s service area lies within

both Marin County Board of Supervisors Districts 1 and 2 and a small amount within District 4, the Marin County Supervisors that serve on the SRSD Board are appointees from one of those two majority voting districts. As a member agency of the Central Marin Sanitation Agency, the District appoints two members to CMSA’s Board of Commissioners. The SRSD Board meets on the 3rd Friday of each month at 9:00 a.m. at the San Rafael City Hall located at 1400 Fifth Avenue in San Rafael. A current listing of the SRSD Board of Directors can be seen below in Table 9-2.

Table 9-2: San Rafael Sanitation District Board of Directors

| Member | Position | Term Expiration |
|-----------------|----------|-----------------|
| Kate Colin | Chair | December 2028 |
| Maribeth Bushey | Director | December 2026 |
| Katie Rice | Director | December 2024 |

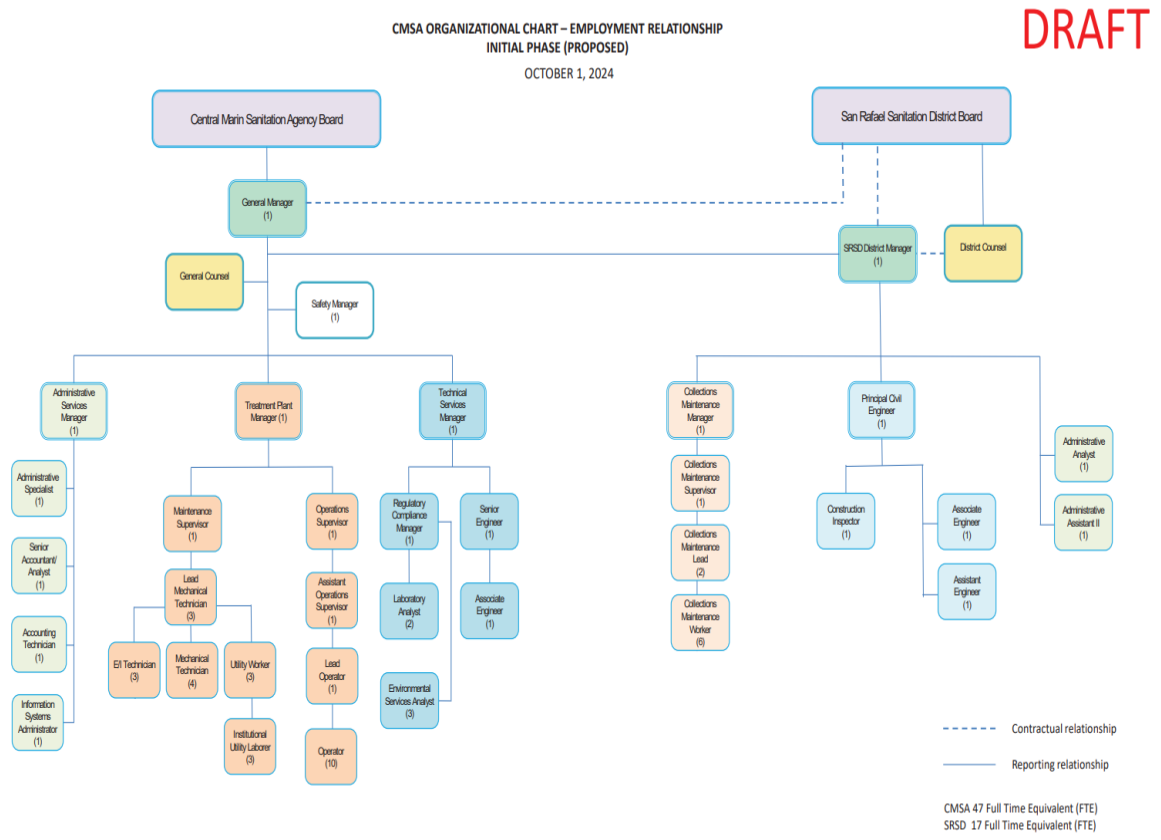
Administration

SRSD appoints an at-will General manager to oversee all District operations. The current District Manager, Doris Toy, was appointed by the Board in 2009 and is full-time. The General manager oversees 16 other full-time employees, and this includes two senior management support positions: Principal Civil Engineer and Operations and Maintenance manager. SRSD contracts with the City of San Rafael for a number of staff support services including (but not limited to) information technology, payroll, and human resources.

SRSD is currently in advanced discussions with the Central Marin Sanitation Agency towards a service agreement for CMSA to “provide all staffing, regulatory compliance, Board support coordination and services necessary for the proper management, administration, and operation of SRSD including all owned and operated SRSD assets.” Due to the manner in which SRSD’s labor contract is currently structured, the District has experienced significant difficulty over recent years in recruiting and retaining employees. This difficulty led the District to explore options to ensure a high level of service would be maintained throughout its service area. Under the most recent iteration of the proposed service agreement between the two agencies, CMSA would agree to hire all of SRSD’s 17 current employees who would continue working in their current capacity within the SRSD service area. Preliminarily, the agreement would be set up so that SRSD would fully reimburse CMSA for all services provided including all overhead costs for CMSA general services by way of monthly invoices provided to SRSD from CMSA. The agreement also states that “The services provided to SRSD shall not result in increased costs to other JPA members”. SRSD would also agree to remit payment to CMSA for any of the unfunded pension liabilities for the transferring employees prior to the employees' transfer to CMSA. SRSD has enlisted the services of an independent consultant as well as CMSA has created an ad-hoc Service Contract Development Committee to continue to pursue this endeavor. To date, the Committee has held four public meetings to discuss the subject matter, fine-tune the proposed agreement, and continue to try to mitigate any possible disruptions that could arise.

The proposed agreement would hold an initial 5-year term. The preliminary proposed org chart for what this agreement would entail in the initial phase can be seen below in Figure 9-2.

Figure 9- 2: Draft CMSA Organization Chart



9.7 ACCOUNTABILITY AND TRANSPARENCY

The San Rafael Sanitation District maintains a high level of accountability and transparency in all its activities. The District [website](#) is housed within the website for the City of San Rafael, and provides documentation on board meeting agendas and minutes as well as financial reports, services, sewer system management plan, permitting, projects, and more.

Meeting and Agendas

The SRSD Board of Directors meets regularly on the 3rd Friday of each month at 9:00 a.m. at the San Rafael City Hall located at 1400 Fifth Avenue in San Rafael. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the District’s [website](#).

9.8 FINANCIAL OVERVIEW

Over the course of the study window (past 5 fiscal years of available audited financials), San Rafael Sanitation District has maintained increases in total net position each year which has been driven primarily by its increases in capital assets and net investment in its infrastructure. In total, the District has seen a growth in net position 29% from FYE 2019 to FYE 2023. The District has also realized a significant increase in unrestricted net position of approximately 56% in that same timeframe. The District's total revenues have outpaced operating expenditures in each of the five fiscal years. These excess funds are primarily allocated toward the District's capital improvement projects and maintaining the District's target reserves. The average annual operating revenues for the District over the 5-year period were \$16,849,471 and saw a total decline of approximately 1% in operating revenues over the course of the study window. The recently enacted rate schedule will significantly bolster the District's essentially stagnant operating revenues over the course of the next five years. Conversely, the District's nonoperating revenues saw an increase of approximately 53% over the course of the study window. This was due in large part to an anomalous influx of nonoperating revenues in FYE 2023 as investment returns from the Marin County Investment Pool experienced a large increase.

The primary revenue sources for the District are sewer charges (91%) and property taxes (7%) with investment income and connection fees supplementing the District's total revenues at approximately 2%. The primary annual operating expenses for SRSD are sewage treatment (54.9%), sewage collection (26.2%), depreciation and amortization³¹ (16%), and general and administration (2.4%).

The District's capital improvement program (CIP) has been proactively working towards replacing the older pipes and rehabilitating pump stations, among other things, throughout the boundary. The District adopted a policy in June of 2017 requiring transfers to separate reserve accounts to provide funding for planned capital improvement projects. The transfers are based on average annual expenditures projected for the subsequent ten years. One of the primary objectives related to the recently updated rate schedule was to increase the District's amount of annual pipe replacement from 1.6 miles to 2.5 miles. The District has created three separate capital improvement funds: the 80-Year Life-Cycle Program, the Pump Station and Force Main Capital Improvement Program, and the Equipment Replacement Program. Each of these targeted reserves has seen an increase in fund balance, with the 80-Year Life Cycle Program totaling \$20.6 million at the FYE 2023, the Pump Station and Force Main Program totaling \$10.1 million, and the Equipment Replacement Program totaling \$2.2 million. In FYE 2023, the District totaled \$6.43 million in capital expenditures.

³¹ Depreciation is shown as an operating expense in the financial statements in step with generally accepted governmental accounting standards, and as such impacts - and often negatively - gross profit or total margin. Depreciation takes into account the wear and tear on physical infrastructure, such as sewer lines, pumps, and other capital equipment. Government accounting standards direct agencies to spread out the costs of replacing these assets over the long term, which generates the term depreciation or amortization. The "charge" for using these assets during the period is a fraction of the original cost of the assets based on the expected life of the assets and presumably is rolled into the agencies' fund balance at the end of the fiscal year and as part of the restricted reserve.

The District currently carries no long-term debt that has been reviewed by an independent auditor, however, as a member agency of CMSA it shares in the debt service of the joint power's authority. Additionally, The District's staff is provided by the City of San Rafael under a contractual arrangement that requires the District to pay all related employee costs incurred by the City on its behalf. Quarterly payments are made by the District to the City and include amounts sufficient to cover the City's currently required contributions to employee benefit plans, including a portion for past service costs. During fiscal year 2014-15, the District and the City agreed that SRSD was also responsible for unfunded obligations related to past service. Under the agreement, this obligation will be funded and will correspond to the City's required payments to fund its pension and post-employment health benefits. As of June 30, 2023, the District's portion of the unfunded obligations was \$2,002,944. A breakdown of the past 5 years of operational revenues and expenses can be seen below in Table 9-3.

Table 9-3: San Rafael Sanitation District Total Revenues and Operating Expenditures Data

| Revenue | FY 2022-23 | FY 2021-22 | FY 2020-21 | FY 2019-20 | FY 2018-19 | Averages |
|---------------------------------------|--------------|--------------|--------------|--------------|---------------------------|-----------------|
| Sewer Charges | \$16,638,611 | \$16,458,113 | \$16,945,721 | \$16,874,361 | \$16,964,083 | \$16,776,177.80 |
| Property Taxes | \$2,129,197 | \$2,086,682 | \$1,888,197 | \$1,833,137 | \$1,727,221 | \$1,932,886.80 |
| Aid from Governmental Agencies | \$5,531 | \$5,568 | \$5,609 | \$5,719 | \$5,907 | \$5,666.80 |
| Investment Income (loss) | \$1,328,202 | (\$406,535) | \$48,614 | \$876,369 | \$519,793 | \$473,288.60 |
| Miscellaneous Income | \$11,759 | \$0 | \$0 | \$489 | \$7,768 | \$4,003.20 |
| Connection Fees | \$175,481 | \$517,752 | \$277,752 | \$175,217 | \$1,433,871 ³² | \$516,014.60 |
| Total | \$20,288,781 | \$18,661,580 | \$19,165,893 | \$19,765,292 | \$20,658,643 | \$19,708,037.80 |

| Operating Expenses | FY 2022-23 | FY 2021-22 | FY 2020-21 | FY 2019-20 | FY 2018-19 | Averages |
|--------------------------------------|--------------|--------------|--------------|--------------|--------------|-----------------|
| Sewage Collection | \$2,850,158 | \$2,458,749 | \$3,923,907 | \$4,368,531 | \$3,923,907 | \$3,505,050.40 |
| Sewage Treatment | \$7,770,615 | \$7,657,698 | \$7,480,877 | \$6,996,412 | \$6,687,210 | \$7,318,562.40 |
| Depreciation and Amortization | \$2,443,272 | \$2,360,343 | \$2,075,305 | \$2,154,056 | \$1,889,198 | \$2,184,434.80 |
| General and Administration | \$477,882 | \$415,897 | \$310,816 | \$334,264 | \$100,942 | \$327,960.20 |
| Total | \$13,541,927 | \$12,892,687 | \$13,790,905 | \$13,853,263 | \$12,601,257 | \$13,336,007.80 |

³² There was a notable spike in connection fees in FYE 2019, primarily due to a one-time reimbursement from Caltrans for a sewer line relocation project.

Financial Audit

The San Rafael Sanitation District annually has its financial statements audited and contracts with an outside certified public accounting firm, most recently Maze & Associates. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2023.

10.0 SANITARY DISTRICT NO. 2 OF MARIN COUNTY

10.1 OVERVIEW

The Sanitary District No. 2 of Marin County (SD2) was formed in 1901 as an independent special district under Section 6400 of the California State Health and Safety Code. The District provides wastewater collection to the Town of Corte Madera as well as a portion of the Town of Tiburon along Paradise Drive, a small number of parcels in the City of Larkspur, the unincorporated Greenbrae area, and the unincorporated area of Paradise Cay. The District is one of three member agencies that comprise the Central Marin Sanitation Agency which is a joint powers authority (JPA). The District’s jurisdictional boundary encompasses just under 3.9 square miles. The last municipal service review that included Sanitary District No. 2 of Marin County was conducted in 2017.

Table 10-1: Sanitary District No. 2 of Marin County Overview

| Sanitary District No. 2 of Marin County | | | |
|---|-----------------------------------|---------------------------|----------------|
| Primary Contact: | R.J. Suokko | Phone: | (415)-927-5057 |
| Mailing Address: | 300 Tamalpais Drive, Corte Madera | | |
| Formation Date: | January 21, 1901 | | |
| Services Provided: | Wastewater Collection | | |
| Service Area: | 2,468 acres | Population Served: | ≈11,500 |

10.2 FORMATION AND DEVELOPMENT

The majority of SD2’s present-day service area’s earliest motion towards development came in 1834 when the area of land that was then known as the Rancho Corte Madera del Presidio was granted to the European settler, John Reed, but the Mexican Governor Jose Figueroa. The total area of the land grant was 7,845 acres, and John Reed promptly shortened the name of his new holdings to Corte Madera, which translates to “wood cutting”. Reed soon after completed the construction of a sawmill in order to create lumber from the local redwood trees to sell for the burgeoning construction within the City of San Francisco. As more and more area was cleared, cattle grazing and other avenues of local farming became more prominent. By the time of the State of California’s second official census in 1860, only a few dozen residents were calling the area home, with Marin County as a whole having a population of just over 3,000.

The spur for the first real development of the Corte Madera area arrived with the completion of the North Pacific Coast Railroad in 1875. This newfound access to travel that stretched through Marin County and continued north gave residents of San Francisco the ability to travel by ferry to Sausalito and then take the train to different locations within Marin. This included tracks that ran directly along with is now Montecito Drive and the construction of a train station in 1885 where Montecito is now intersected by Tamalpais Drive. The area surrounding the train station slowly developed into a small commercial area that grew outward to accommodate both the area’s business owners as well as a growing number of laborers who now had daily access to work in San Francisco.

By 1900, the local population had grown to approximately 300 and there was a rapidly increasing need to coordinate the collection and disposal of the raw sewage flows from the downtown area that had formed around the train station. SD2's formation was petitioned by the local area landowners to the legislators for just this purpose. The template for these proceedings had been laid locally just two years prior by the formation of the neighboring County Sanitary District No. 1 of Marin County. Following this groundwork, a successful election was held, and the formation of County Sanitary District No. 2 of Marin County was officially incorporated on January 21, 1901.

In June of 1916, the Town of Corte Madera was officially incorporated and while the District and the Town remained separate legal entities, they worked collaboratively in such areas as the sharing of office space, equipment, and other facilities. The two agencies remained separate until the late 1960s following the creation of the District Reorganization Act in 1965 as well as changes to the Municipal Organization Act. These legislative changes allowed the District to be reorganized into a dependent subsidiary district³³ of the Town of Corte Madera on January 15, 1969. By April 1, 1969, the former employees of the District became employees of the Town.

By 1970 there had been rapid population growth, with the Town of Corte Madera going from a population of 1,933 in 1950 to 8,464 in 1970. This growth, not just in SD2's service area but throughout the greater Bay Area at the time, began to raise significant concerns about the manner in which agencies were handling wastewater discharges. Resulting regulations such as the Clean Water Act of 1972 and the National Pollutant Discharge Elimination System (NPDES) added much-needed restrictions to help regulate the treatment of wastewater discharges into surface waters. The new legislation simultaneously provided a funding mechanism for local agencies to receive monies to construct the new facilities that would be necessary to meet the updated regulations that required all discharges to meet enhanced standards.

On October 15, 1979, SD2 joined three other neighboring agencies, the City of Larkspur, Sanitary District No. 1 of Marin County, and the San Rafael Sanitation District, to form the Joint Powers Authority (JPA) of the Central Marin Sanitation Agency. The JPA was created for the purpose of planning, constructing, and operating wastewater treatment and disposal services for its member agencies. Soon after its formation, the newly formed Joint Powers Authority applied for grant funding for the construction of a new treatment plant facility. Of what would eventually amount to a total construction cost of \$84 million for the new facility, approximately 87.5% of the total cost was funded by federal and state clean water grants. The new treatment plant, located on San Quentin Point, began operation in January of 1985 with an average dry weather flow capacity of 10 million gallons per day³⁴ and a sustained peak secondary treatment capacity of 30 million gallons per day.

On September 8, 2020, SD2 as well as the Town of Corte Madera entered into a settlement agreement and mutual release of claims with the environmental advocacy non-profit, California

³³ Marin LAFCo Resolution 68-21

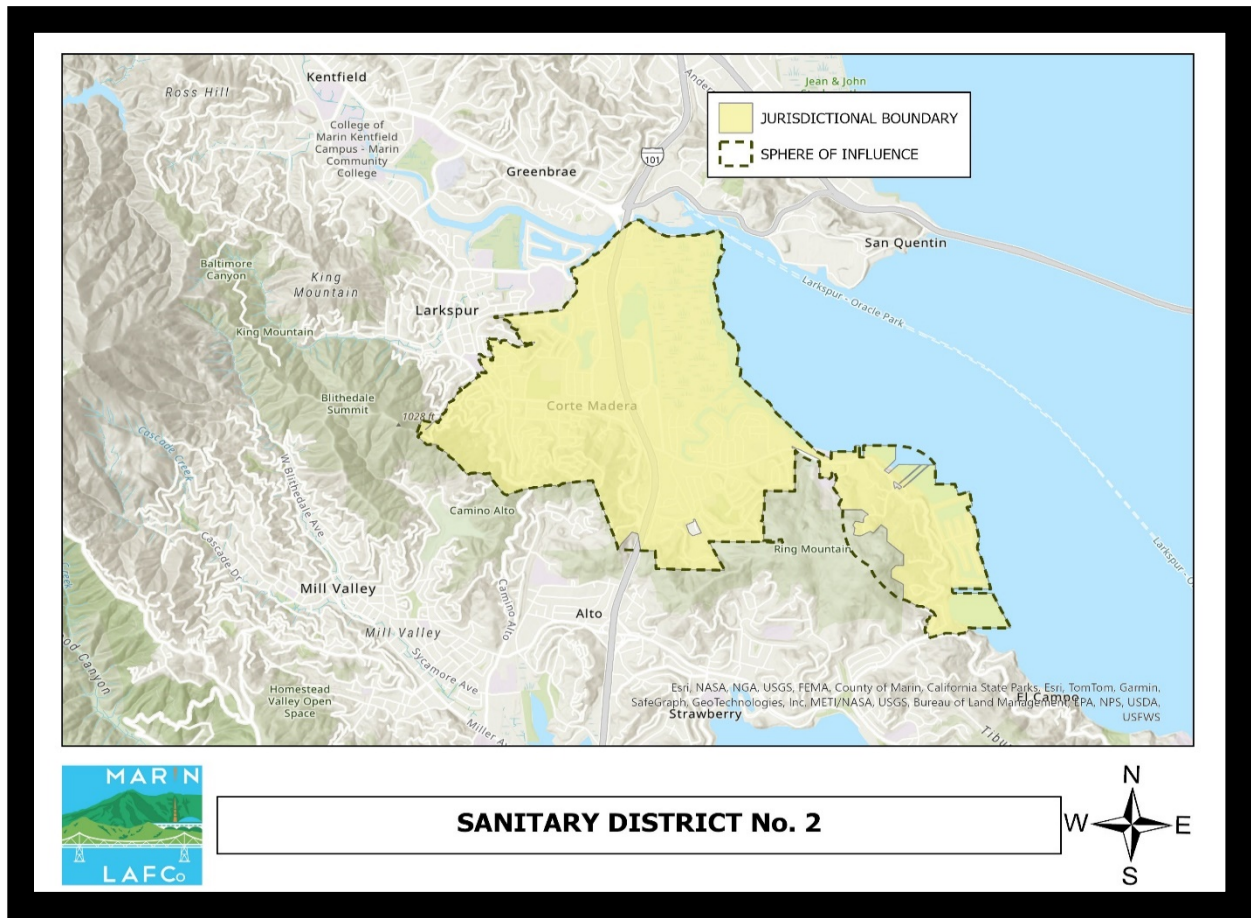
³⁴ [CMSA Facilities Master Plan Pg. 1-1](#)

River Watch. The agreement outlined a number of specific action items for the District to accomplish prior to the agreement's termination date in 2027. Among other things, the agreement committed SD2 to complete a full gravity pipe condition assessment by September of 2022³⁵ using closed-circuit television data that had been obtained within the previous 10 years. It required SD2 to invest up to \$5 million over a 5-year period to repair significantly defective³⁶ gravity sewer lines. Additionally, SD2 was required to conduct a desktop study of the force mains and pump stations that had not already been assessed, rehabilitated, repaired, or replaced within the prior 10 years. The agreement required the updating of the District's Sanitary Sewer Master Plan (SSMP) within 120 days of the effective date of the agreement. The District's current SSMP was most recently updated in March of 2024 and holds numerous specific projects that have been identified by the District in order to ensure the satisfaction of all of the items agreed to within the 2020 settlement in conjunction with the District's capital improvement program.

³⁵ The District' completed the inspection of its 232,082 linear feet of gravity mains by November of 2021. The assessment showed approximately 9% of that system as having Structural Quick Score 5 defects.

³⁶ The qualification for "significantly defective" was defined as a Pipeline Assessment and Certification Program (PACP) structural rating grade 5. The PACP rating system was developed by the National Association of Sewer Service Companies and is a nationally recognized sewer pipeline condition rating system for CCTV inspections.

Figure 10- 1: Sanitary District No. 2 of Marin County Jurisdictional Boundary and Sphere of Influence



10.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

The SD2 jurisdictional boundary encompasses approximately 3.85 square miles of both incorporated and unincorporated Marin County. The District’s service area includes seven land use authorities overlapping the jurisdictional boundary. The Town of Corte Madera accounts for a significant majority of the total acreage in the District. The Town of Tiburon and the City of Larkspur comprise the remainder of the District’s incorporated jurisdictional lands. The unincorporated spaces within the District’s boundary, of which the County of Marin has general land use authority, make up the remaining approximately 20% of the District’s jurisdictional area.

While not yet formally approved, through a collaborative effort between Sanitary District No 2., RVSD, and Marin LAFCo, a tentative agreement is in place pending approvals for a total of 7 parcels that are currently within the jurisdictional boundary of SD2 to be transferred to RVSD due to RVSD being the agency that is providing service to those parcels. Through the work of a multi-year dye testing project by SD2 staff, it was determined that these parcels were not receiving service from the jurisdiction in which they resided. The collaborative effort between the three agencies has allowed for the development of a tax exchange agreement in order to

reorganize the parcels into their proper jurisdiction. The formal reorganization requires a sphere of influence update. This update coincided with the timeline of this study, and as such the formal approval of this reorganization is tentatively planned for the early part of 2025. In addition to this, the District has identified 3 parcels outside of its boundary along Paradise Drive as well as Ranch Road that it plans to submit an application for annexation. Lastly, the Tamalpais Union High School District property that holds, among other structures, Redwood High School, will be annexed into SD2, along with three surrounding parcels adjacent to the property that will be transferred from RVSD to SD2.

The District's sphere of influence was established in 1982 as part of Marin LAFCo's initial sphere of influence studies for special districts throughout Marin County. The initial sphere included the totality of the District's boundary as well as the Ring Mountain area that, at the time, was proposed for development off Taylor Road. At the time, the Commission gave the sphere the designation of "interim" to signify the belief that the District should be reorganized with the other members of CMSA as the Central Marin Sanitation District, combining the four members of CMSA into a single sanitation district with an appointed governing board. The sphere was subsequently amended in 2006 following the Ross Valley Area Municipal Service Review to be coterminous with the District's boundaries. This amendment included the Commission labeling this as an "interim sphere of influence" in order to signify its support of the ongoing exploration at the time of the consolidation of the collection agencies within CMSA. The most recent update of the sphere of influence occurred in 2017 and added all of the areas of 244, 246, and 260 Summit Drive to the District's sphere following a reorganization of four parcels between the District and RVSD.

10.4 GROWTH AND POPULATION

The Sanitary District No. 2 of Marin County provides service to three of the eleven incorporated towns/cities in Marin County (Corte Madera, Larkspur, and Tiburon) as well as the unincorporated community of Paradise Cay, and the Greenbrae Boardwalk area and Lucky Drive areas. The area comprising the District's boundary in the Paradise Cay area that is made up of unincorporated lands as well as the Town of Tiburon is nearly coterminous with U.S. Census Block Group 2 within Census Tract 1241. As such, population estimates for the District will be projected using this area's population determinations. The town of Corte Madera has a 2024 population estimate from the California Department of Finance of 9,882, which is a 6.8% increase from the Town's population totals from the 2010 Census total of 9,253. Census Tract 1241; Block Group 2 has an estimated current population of 1,284, which is an 11.7% increase from its population totals from the 2010 Census of 1,149.

The remaining development potential within each of the planning areas within the District's boundary (both incorporated and unincorporated), while relatively minimal based upon the number of remaining undeveloped parcels zoned for residential development, has experienced recent changes with the majority of Cities/Towns as well as Marin County itself having adopted updated housing elements that included planning for accommodations of the housing mandates from the State. The Association of Bay Area Governments (ABAG) has designated a need for a total of 3,569 additional housing units in unincorporated Marin County by 2031 within the

Regional Housing Needs Allocation (RHNA) plan. This number is 907 units shy of what Marin County had deemed as the total buildout for unincorporated Marin County. There are currently no identified sites for RHNA-specific development within the unincorporated spaces in SD2's sphere of influence. Meanwhile, the additional RHNA housing unit mandates for each of the incorporated spaces within the District's sphere of influence create a sum total of 818³⁷ and are as follows:

- Town of Tiburon³⁸ – 93³⁹
- Town of Corte Madera – 725

The current projection in the hypothetical scenario that each of the member agencies (including RVSD) within the Central Marin Sanitation Agency were to be developed to their maximum buildout potential, the additional dry weather flow would be approximately 0.18 million gallons per day⁴⁰. Given its current average dry weather flows as well as the permitted allowances for flows, CMSA has the capacity to accommodate this level of growth. As far as growth within strictly SD2, the District's EDU levels, and annual wastewater flow totals have been relatively static over the course of the past 5 years.

10.5 MUNICIPAL SERVICES

Wastewater Collection

Sanitary District No.2 of Marin County provides wastewater collection to all residents and businesses within its jurisdictional boundary with the exception of approximately six parcels that are currently known to be operating by way of a septic tank. In total, the District's sewer infrastructure is composed of approximately 45 miles of gravity sewer line and 4 miles of force main pipe with approximately 91% of all the gravity sewer pipes being 12" in diameter or less, while the majority (approximately 54%) of the force main pipes are greater than 12" in diameter. The pipes throughout the District vary between vitrified clay (VCP), high-density polyethylene (HDPE), ductile iron (DI), cast iron (CIP), and polyvinyl chloride (PVC) among others. There are 4 major pump stations owned and operated by the district, as well as 15 other stations that are classified as minor. The District contracts with the Central Marin Sanitation Agency for the operation and maintenance of its pump stations as well as limited maintenance to the District's force mains. The District's sewer service rates were last adjusted on May 21st, 2024⁴¹, by way of the adoption of Ordinance No. 49. Following the adoption of the District's Sanitary Sewer Master Plan in March of 2024 which outlined the necessary funding to ensure the District's continued operation, an independent consultant was contracted to produce a rate study report. This report developed a five-year rate schedule which the District adopted. The adopted rate increase was the first increase for the District since FY 2009-10. The updated rate schedule went into effect on July 1, 2024, and increased the District's rate for a Sewer Equivalent Unit (SEU)

³⁷ [ABAG Final RHNA Plan](#)

³⁸ [4576 Paradise Drive](#)

³⁹ This amount is representative of just the sites designated for RHNA development for the Town that are within the SD2 jurisdictional boundary.

⁴⁰ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 115](#)

⁴¹ Resolution No. 04/2024

for all customer classes from \$498 to \$697, which is an increase of 39%. This amount will undergo an annual increase through FY 2028-29 to an amount of \$1,233.02 per SEU. The most recent available data from the district shows an SEU total of 6,155.

10.6 ORGANIZATION STRUCTURE

Board of Directors

The Sanitary District No. 2 of Marin County receives oversight and policy direction as a subsidiary District to the Town of Corte Madera from the Corte Madera Town Council Members as District Board Members. The District’s business matters are incorporated as part of the Town’s regular meeting schedule, albeit as a separate entity within the same meeting space/day. All directors are required to be registered voters residing within the District’s jurisdictional boundary. One of the Board members is annually appointed to the Central Marin Sanitation Agency Commission.

Table 10-2: Sanitary District No. 2 Board of Directors

| Member | Position | Term Expiration |
|--------------|----------------|-----------------|
| Eli Beckman | President | November 2026 |
| Pat Ravasio | Vice-President | November 2026 |
| Fred Casissa | Director | November 2024 |
| Charles Lee | Director | November 2024 |
| Rosa Thomas | Director | November 2026 |

Administration

The Director of Public Works for the Town of Corte Madera serves as the District Manager for SD2 as a subsidiary district of the Town. Service activities directly performed by SD2 are done so by way of the Corte Madera Public Works Department staff, or through contractual agreements for services with both the Ross Valley Sanitary District and the Central Marin Sanitation Agency.

10.7 ACCOUNTABILITY AND TRANSPARENCY

The Sanitary District No. 2 of Marin County maintains a high level of accountability and transparency in all its activities. The District [website](#) is housed within the website for the Town of Corte Madera and provides documentation on board meeting agendas and minutes as well as financial reports, services, studies, sewer system management plan, permitting, contracts, and more.

Meeting and Agendas

The SD2 Board of Directors meets regularly on the 1st and 3rd Tuesday of each month at 6:45 p.m. or upon conclusion of the Corte Madera Town Council Meeting. Meetings are held at the

Town Hall Council Chambers at 300 Tamalpais Drive in Corte Madera. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the District's [website](#).

Annual Budget Review

The District's budget, typically adopted no later than the June Board meeting each year in alignment with the budget process for the Town of Corte Madera, provides overall control of revenue and expenditures including appropriations on a line-item basis and the means of financing them. The District's budgetary financial planning consists of a two-fund system, planning for both operating and capital expenditures each year. The District Manager presents financial reports to the Board every month to ensure budgetary compliance.

10.8 FINANCIAL OVERVIEW

Over the course of the study window (past 5 fiscal years of available audited financials), Sanitary District No. 2 of Marin County has maintained increases in total net position each year which has been driven primarily by its increases in capital assets and net investment in capital assets. The District's total revenues have outpaced operating expenditures in each of the five fiscal years. These excess funds are primarily allocated toward the District's capital improvement projects and maintaining the District's target reserves. The average annual operating revenues for the District over the 5-year period were \$3,083,119 and saw a total decline of approximately 5% in operating revenues over the course of the study window. The recently enacted rate schedule will significantly bolster the District's essentially stagnant operating revenues over the course of the next five years. Conversely, the District's nonoperating revenues saw an increase of approximately 40% over the course of the study window.

The primary revenue sources for the District are property taxes (55%) and sewer user fees (40%) with investment income and miscellaneous revenues supplementing the District's total revenues at approximately 4%. The primary annual operating expenses for SD2 are collection maintenance (26%), treatment and disposal (23%), and depreciation (20%). The District's capital improvement program (CIP) has been proactively working towards replacing the older pipes and rehabilitating pump stations, among other things, throughout the boundary. This aggressive infrastructure focus by the District has resulted in the depletion of its unrestricted fund balance by approximately 59% during the previous five years. Despite this, the District still maintains a healthy unrestricted fund balance of over \$5.6 million in addition to the District's \$2.5 million emergency reserve. In its continued efforts to proactively improve the condition of the District's infrastructure throughout its boundary, on October 15, 2024, the District's Board approved an amendment to the approved budget for FY 2024-25. The amendment to the budget allowed for the following updates:

- Add proceeds of Certificates of Participation in the amount of \$10,000,000
- Add Carryover Capital Expenditures for Meadowsweet Trunk Sewer Rehabilitation Project for \$240,000.

- Add Carryover Capital Expenditures for 2023 Madera Gardens Sewer Rehabilitation Project for \$16,525
- Add Other Capital Expenditures in the amount of \$7,915,000
- Add Debt Service Payment in the amount of \$380,757.

While during the FY 2024-25 budget review and adoption process, the District’s staff and Board were of the plan to issue Certificates of Participation (COP) in order to finance capital projects, the District did not finalize a bidder until late September⁴², thereby necessitating the budget adjustment to add the funds to the current fiscal year. In addition, this influx of funds will also increase the District’s planned capital expenditures in FY 2024-25 from \$4,875,000 to \$13,046,525

The District currently carries no long-term debt that has been reviewed by an independent auditor, however, as a member agency of CMSA it shares in the debt service of the joint powers authority. This will change at the end of the current fiscal year as impacted by the issuance of the COPs. A breakdown of the past 5 years of operational revenues and expenses⁴³ can be seen below in Table 10-3.

Table 10-3: Sanitary District No. 2 of Marin County Total Revenues and Operating Expenditures Data

| Revenue | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Averages |
|----------------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| Property Taxes | \$3,410,344 | \$3,523,798 | \$3,719,195 | \$3,981,260 | \$4,239,909 | \$3,774,901.20 |
| Sewer User Fees | \$3,050,716 | \$2,977,371 | \$3,207,792 | \$2,841,560 | \$2,891,162 | \$2,993,720.20 |
| Investment Earnings | \$297,857 | \$240,239 | \$64,016 | \$36,804 | \$169,542 | \$161,691.60 |
| Other | \$94,592 | \$85,222 | \$127,068 | \$122,351 | \$67,542 | \$99,355.00 |
| Total | \$6,853,509 | \$6,826,630 | \$7,118,071 | \$6,981,975 | \$7,367,939 | \$7,029,624.80 |

| Operating Expenses | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Average |
|-----------------------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| Administration and General | \$241,169 | \$360,970 | \$457,767 | \$262,425 | \$394,462 | \$343,358.60 |
| Collection Maintenance | \$1,176,876 | \$1,951,027 | \$1,791,645 | \$1,222,452 | \$1,569,734 | \$1,542,346.80 |
| Pump Station Maintenance | | | | \$362,515 | \$451,256 | \$406,885.50 |
| CMSA Debt Service | | | | \$668,608 | \$668,157 | \$668,382.50 |
| Utilities | | | | \$177,396 | \$249,316 | \$213,356.00 |

⁴² On September 25, 2024, SD2 sold Certificates of Participation to Morgan Stanley in the total amount of \$10,000,000.

⁴³ In FYE 2022, the District’s independent auditor updated the manner in which it calculated the annual revenues and expenses by including the CMSA Debt Service in expenses, whereas it had previously been deducted from nonoperating revenues. The firm also began including utilities and pump station maintenance as standalone line items.

| | | | | | | |
|-------------------------------|-------------|-------------|-------------|-------------|-------------|----------------|
| Treatment and Disposal | \$972,624 | \$993,458 | \$1,030,384 | \$1,127,450 | \$1,245,679 | \$1,073,919.00 |
| Depreciation | \$1,127,580 | \$1,134,300 | \$1,124,939 | \$931,929 | \$1,356,405 | \$1,135,030.60 |
| Total | \$3,518,249 | \$4,439,755 | \$4,401,735 | \$4,752,775 | \$5,935,009 | \$4,609,504.60 |

Financial Audit

The Sanitary District No. 2 of Marin County annually has its financial statements audited and contracts with an outside certified public accounting firm, The Pun Group. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2023.

11.0 SAN QUENTIN VILLAGE SEWER MAINTENANCE DISTRICT

11.1 OVERVIEW

The San Quentin Village Sewer Maintenance District (SQVSMD) was formed in 1962 as a dependent special district under Section 4860 of the California State Health and Safety Code. The District is organized as a limited-purpose agency municipal operation statutorily limited to providing wastewater collection to the community of San Quentin Village, a small unincorporated area that is directly adjacent to the San Quentin Rehabilitation Center. The District’s jurisdictional boundary encompasses .012 square miles. The last municipal service review that included the San Quentin Village Sewer Maintenance District was conducted in 2017.

Table 11- 1: San Quentin Village Sewer Maintenance District Overview

| San Quentin Village Sewer Maintenance District | | | |
|--|---|---------------------------|----------------|
| Primary Contact: | Christopher Blunk | Phone: | (415)-499-6528 |
| Mailing Address: | 3501 Civic Center Drive STE 304, San Rafael, CA | | |
| Formation Date: | May 1962 | | |
| Services Provided: | Wastewater Collection | | |
| Service Area: | 8.22 acres | Population Served: | 110 |

11.2 FORMATION AND DEVELOPMENT

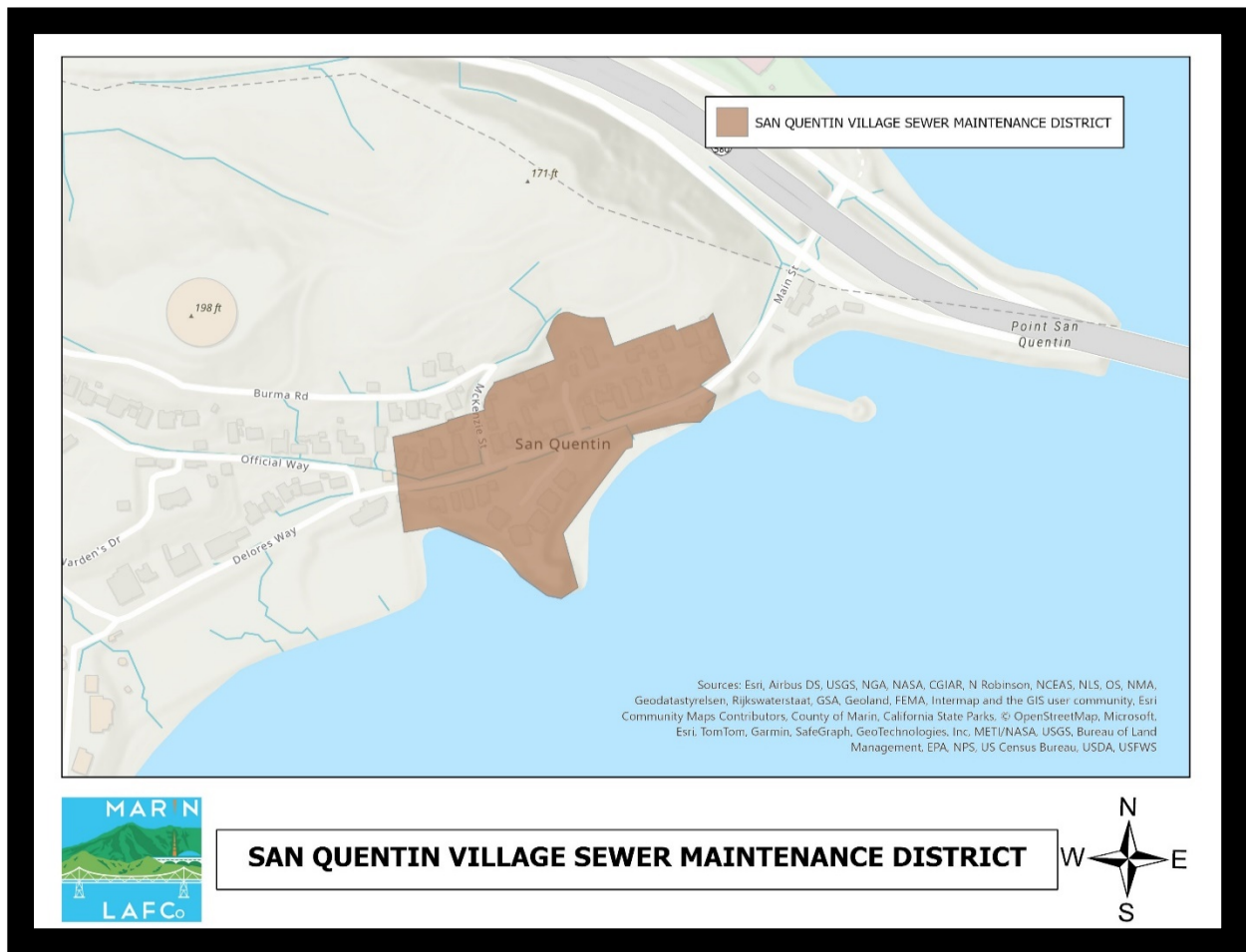
The area of Point San Quentin was originally a small apportionment of the 8,877-acre Mexican land grant known as Rancho Punta de Quentin. The land was given in 1840 by Governor Juan B Alvarado to John Cooper, and also encompassed what is now the Towns of Ross and San Anselmo, as well as the community of Kentfield. In 1850, Benjamin Rush Buckelew purchased the Rancho Punta de Quentin from Cooper with the intention of creating the country’s first major west-coast port city. When the new city failed to materialize, Buckelew moved his sawmill from the Larkspur area to Point San Quentin used as space for making lumber for the rapidly increasing construction in San Francisco.

In 1852, the California State Legislature appointed a committee to investigate sites for the establishment of a state prison. The committee ultimately decided on the San Quentin site and on July 7, 1852, Buckelew sold 20 acres to the State of California for \$10,000. At the time, the State was utilizing a large ship, the Waban, as the first state prison. In the latter part of 1852, the Waban was anchored offshore with approximately 40 incarcerated inmates. During the day, the workers were transported to land in order to quarry stone and make bricks to construct the first prison cells. The construction of the prison was completed in 1854 and originally featured 48 windowless cells. Initially, the prison was under private management, with individuals awarded contracts to run the facility. After a few years that were fraught with abuse of this arrangement, the State of California took over in 1860.

The area immediately surrounding the prison developed a few temporary structures in the late 1850s to accommodate prison staff members. It wasn't until the 1870s that the construction of permanent residences ultimately replaced the temporary housing. By the end of the 1940s, over two dozen residences had been constructed into what was referred to as San Quentin Village housing approximately 50 people. In 1962, the Marin County Board of Supervisors approved the formation of the San Quentin Village Sewer Maintenance District as a means for landowners to tax themselves for the purposes of constructing and operating a community wastewater collection system. The initial collection system's construction was completed in 1965 with the Marin County Department of Public Works overseeing all operational and maintenance activities. Just prior to the completion of the construction in 1964, SQVSMD entered into a contract with the State of California to direct wastewater flows directly into the adjacent State Prison's collection system for access to the subsequent treatment and disposal at the facility's wastewater treatment plant.

In May of 2012, SQVSMD entered into an agreement with the Central Marin Sanitation Agency to provide operation and maintenance of the SQVSMD collection system and pump station.

Figure 11- 1: San Quentin Village Sewer Maintenance District Service Area



11.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

The SQVSMD jurisdictional boundary encompasses approximately .012 square miles and covers eight total acres. The jurisdictional boundary is entirely within the land use authority of the County of Marin and comprises the unincorporated community of San Quentin Village. The District is made up of 41 assessor parcels on both sides of Main Street from the eastern end of the residential properties to approximately 260 feet to the west of the intersection of Main Street and McKenzie Street.

The Commission has not established a sphere of influence designation for SQVSMD. It appears this is the result of an earlier determination that SQVSMD falls outside of the Commission's authority. Commission staff has revisited this matter as part of this study and concludes that SQVSMD and, more specifically, sewer maintenance districts formed under Public Health and Safety Code Section 4860-4927 are subject to LAFCo. As such, a sphere designation should ultimately be assigned to the District.

11.4 GROWTH AND POPULATION

SQVSMD's resident population within its jurisdictional boundary is independently estimated by the Commission at 110 as of the term of this study. This projection is based on a calculation of the number of housing units multiplied by 2.45 which is the current average in Marin County for residents per housing unit. This calculation is necessitated as the District resides within two separate U.S. Census tracts that make up significantly larger areas. Of the 45 units, 33 are single-family and 12 are multi-family. The 41 developable assessor parcels in the District are fully built out, leaving no current possibility for any significant future growth within the District's boundary.

11.5 MUNICIPAL SERVICES

Wastewater Collection

San Quentin Village Sewer Maintenance District provides wastewater collection to all 41 of the assessor parcels within its jurisdictional boundary. In total, the District's sewer infrastructure is composed of approximately 1,500 feet of gravity sewer lines and one force main, 12 manholes, and one pump station. The pump station pushes the collected wastewater through a force main to a gravity sewer that flows into the State-owned gravity sewer system on the site of the San Quentin Rehabilitation Center (SQRC). The District's wastewater flow discharges into the SQRC collection system where it is pumped to the Central Marin Sanitation Agency for treatment and disposal. Due to the wastewater flow from the District being directly incorporated into the SQRC collection system, SQVSMD does not independently track wastewater flow totals generated within its jurisdictional boundary. The District contracts with the Central Marin Sanitation Agency for the operation and maintenance of its collection system and pump station.

The District has had no instances of any sanitary sewer overflows in the course of this study window (past 5 years). Since no further significant development in San Quentin Village is projected, the major sewer system planning consists of ensuring that the collection system is properly maintained and that deteriorated lines are repaired or replaced. The District reports that

there are currently a total of 37 service connections within the District. In FY 2023-24, those 37 connections created a wastewater collection flow equivalent of 45 equivalent dwelling units (EDU). The current sewer service rate is \$472 per EDU. Property owners receiving service from SQVSMD are assessed this annual fee which is included on their property tax bill. Rate changes are made by the Board of Supervisors. There have been no rate changes at any point within the study window.

Staff in the past was involved in discussions between the County and RVSD about the possible reorganization that would end with the SQVSMD being annexed into RVSD. While those discussions have stalled it was discovered that Caltrans has a maintenance yard between SQVSMD and I 580 on the bay side of Main Street. This maintenance yard currently connects into the SQVSMD system to transport its wastewater to the CMSA treatment plant. It would appear that neither SQVSMD nor Caltrans pay for treatment that is performed by CMSA but rather the prison seems to pay for the treatment of these groups.

11.6 ORGANIZATION STRUCTURE

Board of Directors

The governance for SQVSMD is dependently provided by the County of Marin through its five-member Board of Supervisors that are elected by supervisorial district to staggered four-year terms. SQVSMD-related matters are considered, as needed, during regular meetings held by the Board of Supervisors.

Table 11- 2: Marin County Board of Supervisors

| Member | Position | Term Expiration |
|--------------------------|--------------------------------|-----------------|
| Dennis Rodoni | President | January 2, 2025 |
| Mary Sackett | Vice-President | January 2, 2027 |
| Eric Lucan | 2 nd Vice-President | January 2, 2027 |
| Katie Rice | Supervisor | January 2, 2025 |
| Stephanie Moulton-Peters | Supervisor | January 2, 2027 |

Administration

The Marin County Board of Supervisors assigns the Director of Public Works to serve as the SQVSMD District Engineer. Key duties of the Public Works Department performed on behalf of SQVSMD include proposing an annual budget, recommending changes to the fee schedule, and collaborating with CMSA to oversee capital improvements. The day-to-day operation of SQVSMD and its collection system is managed contractually by CMSA.

11.7 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 District's budget, typically adopted no later than the June Board meeting each year in alignment with the budget process for the County of Marin, provides overall control of revenue and expenditures including appropriations on a line-item basis and the means of financing them. The Public Works Director presents financial reports to the Board as necessary to ensure budgetary compliance.

11.8 FINANCIAL OVERVIEW

Revenues for the District are generated almost entirely from the taxes assessed in each customer's property tax roll. For the course of the study window, total annual revenues have averaged \$49,140. Annual expenses consist primarily of minor maintenance and repairs as well as planned infrastructure upgrades/rehabilitation and the cost of the contract with CMSA. The average annual expenses over the course of the study window were \$40,626. As of the FYE June 30, 2023, the District maintained a fund balance of \$301,656.

12.0 LAS GALLINAS VALLEY SANITARY DISTRICT

12.1 OVERVIEW

The Las Gallinas Valley Sanitary District (LGVSD) was formed in 1954 as an independent special district under Section 6400 of the California State Health and Safety Code. The District provides wastewater collection to the City of San Rafael that is north of Puerto Suello Hill in primarily the Terra Linda community area of the City, as well as to the unincorporated communities of Santa Venetia, Los Ranchitos, and Marinwood stretching through the area of Lucas Valley. LGVSD’s current service area includes the tributary areas to Miller Creek and Gallinas Creek. The District’s jurisdictional boundary encompasses just under 9.6 square miles. The last municipal service review that included the Las Gallinas Valley Sanitary District was conducted in 2017.

Table 12- 1: Las Gallinas Valley Sanitary District Overview

| Las Gallinas Valley Sanitary District | | | |
|---------------------------------------|---|---------------------------|----------------|
| Primary Contact: | Curtis Paxton | Phone: | (415)-472-1734 |
| Mailing Address: | 101 Lucas Valley Road Suite 300, San Rafael | | |
| Formation Date: | April 6, 1954 | | |
| Services Provided: | Wastewater Collection, Recycled Water, Solid Waste Collection | | |
| Service Area: | 6,058 acres | Population Served: | 29,120 |

12.2 FORMATION AND DEVELOPMENT

The Las Gallinas Valley Sanitary District’s service area’s earliest development began in 1844 in the form of cattle ranchers who established themselves in the locale through a Mexican land grant to one of Marin County’s first western settlers, Timothy Murphy. The grant contained three distinct ranchos – San Pedro, Santa Margarita, and Las Gallinas – totaling approximately 21,000 acres and running from east to west from what is present-day Point San Pedro to Big Rock Ridge in Lucas Valley. The land was maintained as cattle ranches until Murphy’s death in the early 1850s. The land was bequeathed to Murphy’s nephew, John Lucas, who quickly began dividing and selling lots to interested outside parties. One of the larger lot sales was to a Portuguese settler named Manuel T. Freitas whose family established a large homestead that is now present-day Terra Linda.

The division and sale of lots progressively led to an increase in residential and commercial development throughout the area. On the southeastern end of the rancho, the area of what is present-day Santa Venetia produced two significant goldmines in the hills that operated until 1884 and 1889 respectively. The area of Santa Venetia, which would later serve as LGVSD’s initial service area, was developed on marshland that was filled in 1914. The area was originally planned for development to be modeled after Venice, Italy, with proposals including canals and gondolas. These development plans were ended due to the economic decline following World War I, and the area remained largely undeveloped through the early 1900s. Following the end of World War II, the same subdivision map that had been created for the earlier development

proposal in the area was utilized to construct the Gallinas Village. Development around this area continued throughout the 1940s and into the early 1950s, however, the infill that had been used to create the area came under such duress that the County of Marin had to halt the approvals of new construction permits in lieu of establishing a community wastewater system.

The formation of the Las Gallinas Valley Sanitary District came to fruition following the petition by landowners in Santa Venetia who were faced with the inability to create new developments in the area due to the halting of permit approvals as well as area residents who were faced with a serious health problem from failing septic tanks and resulting pollution of Gallinas Creek. The petition was heard and approved by the County of Marin's Boundary Change Commission and following a successful vote of local landowners, the Las Gallinas Valley Sanitary District was formed on April 6, 1954. A note of interest within the formation proceedings was that a significant premise of the formation was a desire of the local landowners to remain independent of the neighboring City of San Rafael, and the dependent wastewater district that it had formed just a few years earlier in 1947.

LGVSD completed the construction of its first wastewater treatment facility in 1955, and in 1958, completed a significant expansion to accommodate the continued growth throughout the Gallinas Valley. The District annexed the area of Terra Linda in November of 1965⁴⁴, followed soon after by the areas of San Rafael Meadows, Marinwood, and Lucas Valley, among others. By 1972, a majority of the unincorporated area of Terra Linda had been developed and was ultimately annexed that year by the City of San Rafael. LGVSD completed a second major upgrade to its treatment facility in this same year as much of the new growth within the service area shifted primarily to the east of U.S. Highway 101. The District completed a third major expansion of the treatment facility in 1984. With a continually shrinking capacity due to continued growth, in 1985 the District purchased and developed 383 acres of land for wastewater disposal adjacent to its wastewater treatment facility. The project included a 20-acre wildlife marsh, 40 acres of storage ponds, a 10-acre saltwater marsh, 20 acres of irrigated landscaping, and 200 acres of irrigated pasture. As part of the reclamation project, LGVSD dedicated three and one-half miles of public easements along the shore of the storage ponds and around the saltwater marsh.

In 1989, LGVSD entered into an agreement with the Marin Municipal Water District (MMWD) to provide a joint agency effort to treat the District's secondary treated wastewater through the tertiary phase and then distribute the treated wastewater throughout the District to make it available for landscape irrigation and for other purposes. MMWD distributes the treated wastewater through a dedicated distribution system ("purple pipes") to irrigate golf courses, landscaping at office and apartment buildings, and along freeways, streets, and parks. MMWD has ownership and provides maintenance to all purple pipes throughout this connection. This treated water is distributed throughout Marinwood, Terra Linda, and down to North San Pedro Road.

⁴⁴ Marin LAFCo Resolution 65-02

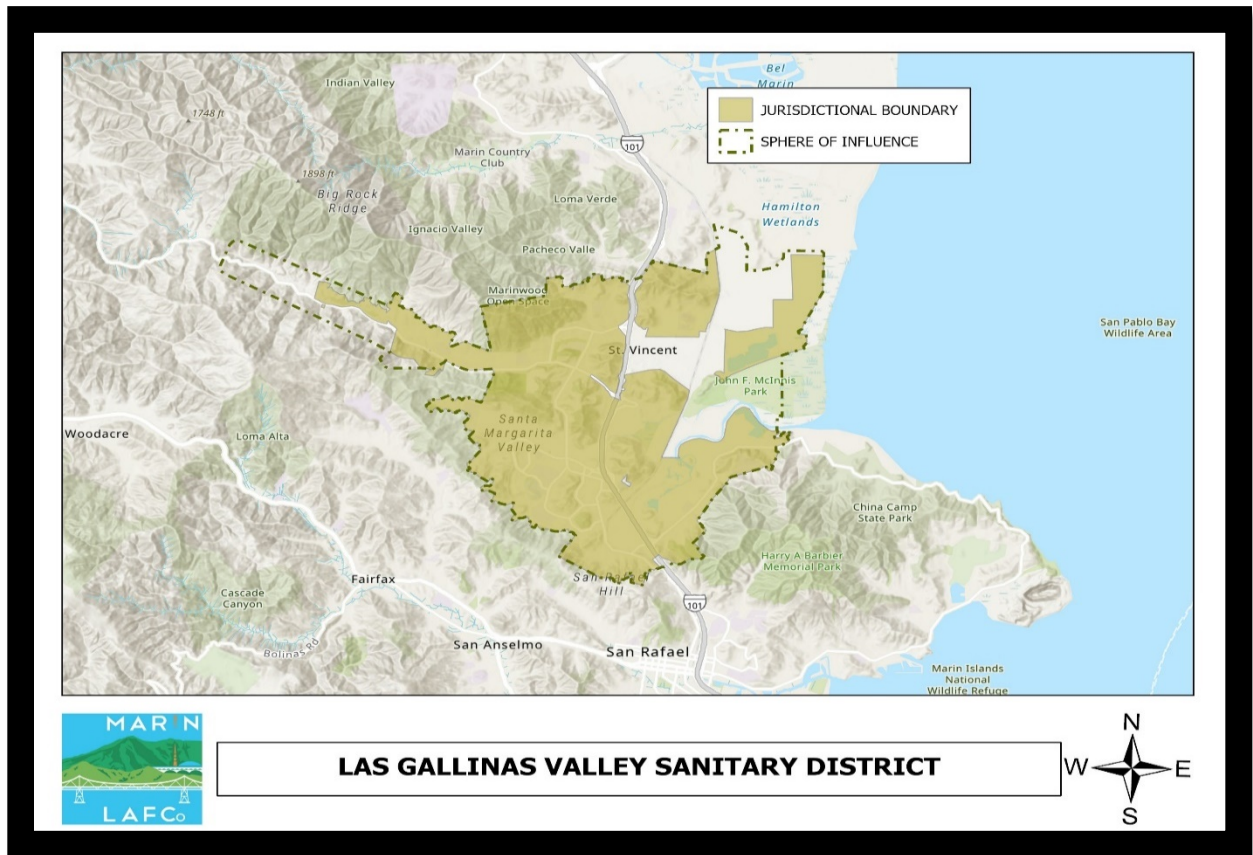
Since 1955, LGVSD has provided solid waste (garbage/refuse/recycling) services through the District's franchise service provider, Marin Sanitary Service to the entire North San Rafael area, both incorporated and unincorporated. In April 2004, the City of San Rafael acted to assume responsibility for the collection of all refuse within the City's boundaries including north San Rafael in order for the entire city to pay the same rates and receive the same level of service. Following this act, LGVSD's provision of solid waste collection within its service area was reserved to just the unincorporated areas outside of the City of San Rafael's jurisdictional boundary.

Also in 2004, the District installed an 81-kilowatt photovoltaic system to provide green power for its reclamation area. The District followed this act in 2006 with the installation of an 850,000 kWh/year photovoltaic system to power its treatment plant facilities with green power.

In 2011, LGVSD entered into an agreement with the North Marin Water District (NMWD) to provide fully treated recycled water supplies for distribution in the Novato area and surrounding communities.

In 2019, the District began a major multi-year expansion to its treatment plant which would ultimately increase the plant's capacity to 3.2 million gallons per day. The upgrade also included the rebuilding and expansion of the District's recycled water production facility, which enabled the production capacity of approximately 5 million gallons of recycled water per day. The new recycled water facility has been online since March 2021.

Figure 12- 1: Las Gallinas Valley Sanitary District Jurisdictional Boundary and Sphere of Influence



12.3 DISTRICT BOUNDARY AND SPHERE OF INFLUENCE

The Las Gallinas Valley Sanitary District’s jurisdictional boundary encompasses approximately 9.6 square miles of both incorporated and unincorporated Marin County. The District’s service area includes three land use authorities that overlay the District’s jurisdictional boundary. The County of Marin accounts for approximately 63% of all LGVSD lands and includes the communities of Santa Venetia and Marinwood as well as the Los Ranchito and Lucas Valley neighborhoods. The City of San Rafael comprises approximately 36% of the District’s service area and generally encompasses the City’s Terra Linda area. The remaining 1% of the jurisdictional boundary falls under the land use authority of the City of Novato and is specific to the Marin Valley Mobile Country Club and an adjacent open space property. In total, the District encompasses 10,443 assessor parcels, providing sewer service to 9,730 parcels.

The District’s sphere of influence was established July 14, 1983, as part of Marin LAFCo’s initial sphere of influence studies for special districts throughout Marin County. The sphere was established as the full jurisdictional boundary of the District as well as the non-jurisdictional lands along Lucas Valley Drive that encompass the Miller Creek tributary, the area of the Terra Linda-Sleepy Hollow Divide, and the unincorporated St. Vincent area. The sphere was subsequently amended in 2006 following the San Rafael Area Municipal Service Review to remove the area of the Terra Linda-Sleepy Hollow Divide as this area had been designated as

public open space with no opportunity for future service needs. The most recent update of the sphere of influence occurred in April of 2016⁴⁵ during the reorganization of one parcel from the San Rafael Sanitation District was annexed into LGVSD.

12.4 GROWTH AND POPULATION

The Las Gallinas Valley Sanitary District provides service to two of the eleven incorporated towns/cities in Marin County (San Rafael, Novato) as well as the two census-designated places of Santa Venetia and Marinwood/Lucas Valley. The District also provides service to the unincorporated Los Ranchito neighborhood. While the communities of Marinwood and Lucas Valley may have local distinctions separating one from the other, the US Census Bureau recognizes both of these spaces as a single census-designated place for population data. The District's boundaries are nearly coterminous with the inhabited spaces within six U.S. Census tracts⁴⁶. The current combined population within these tracts is estimated to be 30,567⁴⁷. This total is an increase of 4.96% from the 2010 U.S. Census population total for the area of 29,120, which equates to an annual growth rate over this period of approximately 0.35%.

The remaining development potential within each of the planning areas within the District's boundary (both incorporated and unincorporated), while relatively minimal based upon the number of remaining undeveloped parcels zoned for residential development, has experienced recent changes with the majority of Cities/Towns as well as Marin County itself having adopted updated housing elements that included planning for accommodations of the housing mandates from the State. The Association of Bay Area Governments (ABAG) has designated a need for a total of 3,569 additional housing units in unincorporated Marin County by 2031 within the Regional Housing Needs Allocation (RHNA) plan. This number is 907 units shy of what Marin County had deemed as the total buildout for unincorporated Marin County. Of those 3,569 units, 1,160⁴⁸ have identified sites for development within the unincorporated spaces in Las Gallinas Valley Sanitary District's sphere of influence. Meanwhile, the additional RHNA sites that have been identified in/by the City of San Rafael that lie within the sphere of influence of the District would create an additional 1,817^{49/50} units

The current projection in the hypothetical scenario that each of the identified sites for RHNA development within LGVSD were to be developed to their maximum buildout potential, the

⁴⁵ Marin LAFCo Resolution 2016-03; 91 Glenside Way Annexation

⁴⁶ U.S. Census Tracts: 1081, 1082.02, 1082.01, 1060.01, 1060.02, 1070

⁴⁷ Population estimates are a combination of data provided by the State of California Department of Finance as well as the American Community Survey.

⁴⁸ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 210](#)

⁴⁹ [San Rafael Housing Element; 2023-2031](#)

⁵⁰ This amount is inclusive of all 1,422 planned units in both of the 2 phases of the Northgate Town Square redevelopment proposal. The initial phase consists of the construction of 907 units and, pending the still needed approval, would be the only phase that would be completed within the current Housing Element cycle. Both the City and the Developer have already identified that the second phase of the development proposal would require a sewer line upsizing as part of the project.

additional dry weather flow would be approximately 0.18 million gallons per day⁵¹ from the unincorporated spaces and 0.20 million gallons per day from the City of San Rafael. Given its current average dry weather flows as well as the permitted allowances for flows, LGVSD has the capacity to accommodate this level of growth. The District's total number of sewer customers have been essentially stagnant over the past 10 years⁵², with a total residential customer sanitary unit count of 12,629 in 2014 and 12,491 in 2023. In that same time frame, the District maintained an average daily wastewater flow to the treatment facility of 2.52 million⁵³ gallons.

12.5 MUNICIPAL SERVICES

Wastewater Collection/Treatment

Las Gallinas Valley Sanitary District provides wastewater collection to the vast majority of residents and businesses within its jurisdictional boundary. The District has a total of 15,745 sewer service customers, which includes commercial customers class count based on their Equivalent Sanitary Unit which fluctuates based on prior year water use. In total, the District's sewer infrastructure is composed of approximately 105 miles of mainline and trunk line and 6.72 miles of force main. The average age of the collection system dates between 40 to 50 years with an expected lifespan of up to 80 years. The pipes throughout the District vary between vitrified clay (VCP), high-density polyethylene (HDPE), ductile iron (DI), cast iron (CIP), and polyvinyl chloride (PVC) among others. The area has a total of 28 pump stations throughout the District's boundary that lead to an advanced secondary-level treatment facility. The treatment plant experienced a significant upgrade in 2008, followed by another upgrade that started in 2019 and is considered the largest single capital improvement project in the District's history. The \$68 million upgrade, completed in 2023, increased the plant's secondary treatment capacity from 8 to 18 million gallons per day and increased the District's recycled water production capacity from 1.8 million gallons per day to 5 million gallons per day. The treatment plant is also equipped with a 588kW solar photovoltaic system that supplies solar energy to help power the treatment plant. The solar photovoltaic system is offline for safety reasons but the District plans to replace the system as part of a capital project. In addition to the solar energy generation system, the District also has constructed and utilizes a closed-loop biogas energy recovery system. This system allows for the recovery of 100% of the methane produced from the anaerobic digestion of wastewater sludge at the treatment facility and conditions it for onsite combined heat and power generation. This process helps lower energy costs for the District by, on average, \$53,000 over a 12-month period⁵⁴, as well as furthering the District's environmental goals by increasing the amount of its operation that is powered by renewable energy.

The District's sewer service rates were last adjusted in FY 2023/24 following a rate review by an independent consultant and a full Prop 218 process. The increase from FY 2022/23 to 2023/24 was a total of 11% and raised the annual sewer service charge for a single-family home to \$1,233. This rate is scheduled to increase by 10% annually for each of the following three fiscal

⁵¹ [Marin Countywide Plan; 2023-2031 Housing Element; Pg. 115](#)

⁵² [LGVSD ACFR 2023; Pg 60](#)

⁵³ [LGVSD ACFR 2023; Pg 68](#)

⁵⁴ [California Energy Commission Final Project Report](#)

years, through FY 2026/27. The approved rate schedule supports the District’s operations and maintenance as well as a robust capital improvement program. The District operates on a 7-year capital improvement program, with the current iteration spanning FY 2024/25 through FY 2030/31. As it currently stands, the total amount forecasted for projects within the capital improvement program is \$172,611,432.⁵⁵

Over the course of the past five years of publicly available data (2018-2022), the District has experienced 12 sanitary sewer overflows⁵⁶ totaling approximately 35,604 gallons.

Recycled Water

Las Gallinas Valley Sanitary District has played a part in the distribution of recycled water in Marin County since 1977, when the District leased land to the Marin Municipal Water District (MMWD) for the construction of Marin County’s first recycled water treatment facility. This facility would receive a significant upgrade in 1998 that expanded its capacity from producing 1.0 to 2.0 million gallons daily. On April 1, 2017, LGVSD entered into an agreement with MMWD to decommission MMWD’s older facility and partner in the construction of a new recycled water treatment facility. The current agreement between the two agencies grants MMWD access to 1.87 million gallons per day of recycled water through 2047. The decommissioning of the plant and construction of the new plant caused the non-potable recycled water distribution to be interrupted in 2019 and 2020, however, during this time the water demands by the recycled water system were met with potable water. The upgraded plant has a treatment capacity of approximately 5 million gallons daily. This recycled water service is confined to the Terra Linda, Marinwood, Smith Ranch, Santa Venetia, and Marin County Civic Center areas. The water is distributed by way of three pump stations owned by MMWD at Freitas Parkway, Channing Way, and Quail Hill through approximately 25 miles of MMWD’s “purple pipe”. The treatment facility operates seven months per year on average during the dryer seasons to coincide with the seasonal demand for recycled water. In FY 2023, LGVSD provided recycled water for 218 MMWD service connections, for a total average of approximately 638 acre-feet annually.

In 2012, North Marin Water District (NMWD) completed the construction of a purple pipeline approximately 2.5 miles long to distribute recycled water to the community of Novato. LGVSD provides recycled water and NMWD distributes this recycled water for irrigation to the Hamilton Field area of southern Novato. In FY 2022/23, the District produced 43.25 million gallons to NMWD.

In 2023, LGVSD was named California’s “Recycled Water Agency of the Year” by the California WaterReuse Association.

⁵⁵ [LGVSD Adopted Budget Book FY 2024/25; Pg 30](#)

⁵⁶ [LGVSD ACFR 2023; Pg 70](#)

Solid Waste

Since 1955, LGVSD has provided solid waste (garbage/refuse/recycling) services through contract with the District’s franchise service provider, Marin Sanitary Service, to the entire North San Rafael area within the District’s boundaries. In April 2004, the City of San Rafael Acted to assume responsibility for the collection of all refuse within the city boundaries including north San Rafael in order for the entire city to pay the same rates and receive the same level of service. The City’s action was also intended to equalize franchise fees paid by private waste haulers for the maintenance of streets throughout the City. Following this action and continuing today, LGVSD provides solid waste removal services to the unincorporated areas within its jurisdictional boundaries. As of January 1, 2023, residential customers pay a monthly service fee of \$43.93 for a 32-gallon cart.

12.6 ORGANIZATION STRUCTURE

Board of Directors

The Las Gallinas Valley Sanitary District receives oversight and policy direction by way of a five-member Board of Directors that is elected to staggered four-year terms by way of at-large elections within the service boundary. All directors are required to be registered voters residing within the District’s jurisdictional boundary. Based on data provided by the County Department of Elections which span from 1972 to 2022, Las Gallinas Valley Sanitary District had 19 election cycles during that timeframe in which a formal election process was necessitated, 9 seats were appointed in lieu of an election, and the District’s Board necessitated zero appointments to seats on the Board by the Marin County Board of Supervisors.

Table 12- 2: Las Gallinas Valley Sanitary District Board of Directors

| Member | Position | Term Expiration |
|-----------------|----------------|-----------------|
| Craig Murray | Director | December 2028 |
| Gary Robards | President | December 2028 |
| Crystal Yezman | Vice-President | December 2026 |
| Megan Clark | Director | December 2026 |
| Nicholas Lavrov | Director | December 2026 |

Administration

The Board of Directors of Las Gallinas Valley Sanitary District appoints the District’s General Manager who leads and manages the District’s day-to-day operations. The General Manager for Las Gallinas Valley Sanitary District is full-time and manages the other 31 FTE employees employed by the District.

12.7 ACCOUNTABILITY AND TRANSPARENCY

The Las Gallinas Valley Sanitary District maintains a high level of accountability and transparency in all its activities. The District [website](#) provides documentation on board meeting agendas and minutes as well as financial reports, services, studies, sewer system management plan, permitting, contracts, and more.

Meeting and Agendas

The Las Gallinas Valley Sanitary District Board of Directors meets regularly on the 1st and 3rd Thursday of each month at 4:00 p.m. in the District Administrative Office at 101 Lucas Valley Road, Suite 300 in San Rafael. Special meetings are held as needed to go over specific topics. Meeting agendas and minutes can be found on the District's website, [lgvsd.org](#).

Annual Budget Review

The District's budget, typically 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 annual budget proposal is prepared by the General Manager and Administrative Services Manager. The Administrative Services Manager presents financial reports to the Board every quarter to ensure budgetary compliance.

12.8 FINANCIAL OVERVIEW

Over the course of the study window (past 5 fiscal years of available audited financials), Las Gallinas Valley Sanitary District has maintained increases in total net position each year, with a total increase in net position during that time of just over 30%, indicating a consistent addition by the District to its asset base and concerted effort at a reduction in liabilities. Simultaneously, the District has seen a fluctuation in unrestricted net position that has ultimately resulted in a total increase over the 5 years of approximately 9%. The District's total annual operating revenues⁵⁷ have outpaced operating expenditures in each of the five fiscal years by an annual average of 13.8%. These excess funds are primarily allocated toward the District's capital improvement projects and maintaining the District's target reserves. The average annual operating revenues for the District over the 5-year period were \$15,590,930, with a total increase of just over 21% in that span. Overall, LGVSD demonstrates strong financial health over the study window. The consistent growth in net position, steady increase in revenues outpacing expenses, decreasing debt ratio, and significant investment in capital assets all point to a well-managed and financially sound organization. The District appears to be balancing the need for infrastructure investment with maintaining financial stability and flexibility.

The primary revenue sources for the District are sewer use charges (89%) and property taxes (8%) with franchise fees, recycled water fees, and interest income supplementing the majority of the remaining 3% annually. The primary annual operating expenses for Las Gallinas Valley

⁵⁷ As the District views its operating purpose is to provide wastewater collection and treatment services that are funded by sewer service charges, property tax and franchise fees are classified as nonoperating within the District's accounting policies.

Sanitary District are sewage treatment (27%), sewage collection and pump stations (20%), and general and administrative (17%), and depreciation⁵⁸ (25%). A breakdown of the past 5 years of operational revenues and expenses can be seen below in Table 12-3.

Table 12- 3: Las Gallinas Valley Sanitary District Financial Information

| Operating Revenue | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Averages |
|----------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|
| Sewer Use Charges | \$14,228,877 | 14,831,995 | \$15,284,365 | \$15,491,846 | \$16,999,751 | \$15,3367,367.00 |
| Recycled Water Fees | \$63,463 | \$67,288 | \$123,155 | \$27,345 | \$127,742 | \$81,798.60 |
| Other | \$42,905 | \$65,401 | \$614,272 | \$6,175 | \$67,675 | \$159,286.40 |
| Total | \$14,335,245.00 | \$14,964,684.00 | \$16,021,792.00 | \$15,525,366.00 | \$17,195,168.00 | \$15,608,451.00 |

| Operating Expenses | FY 2018-19 | FY 2019-20 | FY 2020-21 | FY 2021-22 | FY 2022-23 | Average |
|--|----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Sewage Collection and Pump Stations | \$1,162,234 | \$1,272,839 | \$1,570,736 | \$1,941,906 | \$2,741,055 | \$1,737,754.00 |
| Sewage Treatment | \$1,934,173 | \$4,269,850 | \$2,865,940 | \$3,211,152 | \$3,671,060 | \$3,190,435.00 |
| Sewage and Solid Waste Disposal | \$197,680 | \$616,172 | \$506,939 | \$435,226 | \$712,974 | \$493,798.20 |
| Laboratory | \$318,732 | \$359,635 | \$498,183 | \$506,403 | \$534,204 | \$443,431.40 |
| Engineering | \$469,826 | \$616,435 | \$874,206 | \$982,986 | \$937,443 | \$776,179.20 |
| Recycled Water | \$181,058 | \$115,532 | \$106,416 | \$62,460 | \$102,306 | \$113,554.40 |
| General and Administrative | \$1,773,711 | \$2,890,950 | \$2,582,892 | \$2,898,595 | \$2,290,957 | \$2,487,421.00 |
| Depreciation | \$2,654,616 | \$2,896,926 | \$3,044,656 | \$3,127,040 | \$3,619,251 | \$3,068,497.80 |
| Totals | \$8,692,030.00 | \$13,038,339.00 | \$12,049,968.00 | \$13,165,768.00 | \$14,609,250.00 | \$12,311,071.00 |

Debt

As of June 30, 2023, LGVSD carried a total long-term debt amount of \$51,766,054 with a debt ratio of 0.36. Below is a description of the borrowings comprising that amount as of June 30, 2023:

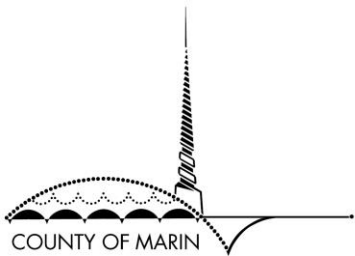
⁵⁸ Depreciation is shown as an operating expense in the financial statements in step with generally accepted governmental accounting standards, and as such impacts - and often negatively - gross profit or total margin. Depreciation takes into account the wear and tear on physical infrastructure, such as sewer lines, pumps, and other capital equipment. Government accounting standards direct agencies to spread out the costs of replacing these assets over the long term, which generates the term depreciation or amortization. The “charge” for using these assets during the period is a fraction of the original cost of the assets based on the expected life of the assets and presumably is rolled into the agencies’ fund balance at the end of the fiscal year and as part of the restricted reserve.

- **Loan Payable 2011** – \$2,279,755
- **State Revolving Fund Loan 2012** - \$2,254,080
- **Loan Payable 2019** – \$10,623,025
- **Revenue Bonds 2005** – \$2,068,800
- **Revenue Bonds 2017** – \$32,265,000

The District 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, 2023, the District’s Unfunded Actuarial Liability was \$5,412,284. As of the most recent CalPERS actuarial Valuation on June 30, 2023, the District’s pension-funded ratio was 71.8%. In addition to the pension plan, the District provides other post-employment benefits (OPEB) to its retirees. As of June 30, 2023, the District carried a net OPEB liability of \$899,028.

Financial Audit

The Las Gallinas Valley Sanitary District annually has its financial statements audited and contracts with an outside certified public accounting firm, Nigro &Nigro. The most recent audited financial statement was prepared for the fiscal year ending June 30, 2023.



BOARD OF SUPERVISORS

January 15, 2025

PRESIDENT

Mary Sackett

1ST DISTRICT

VICE PRESIDENT

Eric Lucan

5TH DISTRICT

2ND VICE PRESIDENT

Stephanie Moulton-Peters

3RD DISTRICT

Brian Colbert

2ND DISTRICT

Dennis Rodoni

4TH DISTRICT

Derek Johnson

COUNTY EXECUTIVE

CLERK OF THE BOARD

Carla Kacmar

ASSISTANT CLERK OF THE BOARD

Marin County Civic Center

3501 Civic Center Drive

Suite 329

San Rafael, CA 94903

415 473 7331 T

415 473 3645 F

415 473 6172 TTY

MarinCounty.gov/board

Jason Fried, Executive Officer
Marin County Local Agency Formation Commissions (LAFCo)
1401 Los Gamos, Suite 220
San Rafael, CA 94903

Re: San Rafael Sanitation District (SRSD) Board of Directors – Appointment Process for County Supervisor seat

Dear Commissioners,

On behalf of the Marin County Board of Supervisors, I am writing to formally request that the County Supervisor seat on the San Rafael Sanitation District (SRSD) Board of Directors be appointed by the President of the Board of Supervisors, representing the appointment decision of the full Board. This follows past practice to have the Board of Supervisors retain discretion in the appointment of the County Supervisor seat on the SRSD Board of Directors. SRSD is a sanitation district that includes both incorporated and unincorporated parts of San Rafael and surrounding areas. SRSD operates sewage collection, treatment and disposal for its service area. The District is governed by a 3-member Board that includes two San Rafael City Councilmembers, and one County Supervisor. Supervisor Katie Rice previously served as the County Supervisor on the SRSD Board, and Supervisor Dennis Rodoni was selected to serve on the Board for 2025.

When considering yearly assignments for boards, Supervisors weigh schedule availability, relevant experience and expertise, and geographic representation. Allowing the decision of the SRSD appointment to come from the full Board of Supervisors allows for maximum flexibility and consideration of the most appropriate member to serve in the seat for the coming year.

We appreciate your attention to this important matter, and support for this change. This letter is to serve as record to document our Board's request, and so that the matter can be formally approved by the LAFCo Commission in the Municipal Service Review (MSR) process.

Thank you for your continued collaboration, and we look forward to working with you in the coming year. Please do not hesitate to reach out if you have any questions.

Sincerely,

Mary Sackett, President
Marin County Board of Supervisors

CC: Marin County Board of Supervisors



101 Lucas Valley Road, Suite 300
San Rafael, CA 94903
Tel.: 415-472-1734
Fax: 415-499-7715
www.LGVSD.org

MANAGEMENT TEAM
General Manager, Curtis Paxton
Plant Operations, Mel Liebmann
Collections/Safety/Maintenance, Greg Pease
Engineering, Michael P. Cortez
Administrative Services, Dale McDonald

DISTRICT BOARD
Megan Clark
Nicholas Lavrov
Craig K. Murray
Gary E. Robards
Crystal J. Yezman

January 24, 2025

via email: staff@marinlafco.org

Marin LAFCo
1401 Los Gamos, Suite 220
San Rafael, CA . 94903

Re: Public Comment on Central Marin Wastewater Municipal Service Review Public Draft

To Marin LAFCo Staff,

The Las Gallinas Valley Sanitary District (LGVSD) appreciates the opportunity to provide comments on Marin LAFCo's Public Draft of the Municipal Service Review (MSR) Central Marin Wastewater Study dated December 2024.

Section 2.1 – recommended adding column to Table 2.1 to list agency abbreviations, which are used elsewhere in the MSR. For example, Las Gallinas Valley Sanitary District is referenced as LGVSD.

Section 3.0. page 17 subsection a) of “Any other matter related to effective or efficient service delivery, as required by commission policy.” ; and

Section 4.0 page 18 subsection 4.

“During the course of this municipal service review, Marin LAFCo requested information from the Las Gallinas Valley Sanitary District regarding the area that is currently outside of its jurisdictional boundary just to the southwest of its treatment plant. The area in question holds the McInnis Park Golf Center, the San Rafael Airport, and two recently completed developments of Gravity Vault Marin and Flyte Racquet Club. Given that this area is essentially surrounded by LGVSD lands and is in such close proximity, Marin LAFCo inquired as to whether the District was providing wastewater collection/treatment to these high-use facilities. District staff was unable to provide Marin LAFCo with the requested information within the allotted time available. As such, LGVSD staff should complete the necessary testing to assess whether service is currently being provided to this area and report back to Marin LAFCo with the findings. If service is currently being provided, the District should submit an application for annexation to Marin LAFCo in a timely manner.”

Comment:

The Las Gallinas Valley Sanitary District appreciates the opportunity to provide clarification regarding the inquiry raised in the Municipal Service Review by Marin LAFCo. We confirm that

1/24/2025

1 of 3

the District is currently providing wastewater treatment services via outside service agreements for wastewater generated from the McInnis Park Golf Center, the San Rafael Airport, and the developments of Gravity Vault Marin and Flyte Racquet Club. However, the wastewater collection systems for these properties, including pump stations and sewer pipes, remain private and are not maintained or operated by LGVSD. It is important to note that the District has previously investigated annexation of these properties in consultation with the respective property owners, and the decisions were made to not pursue annexations. LGVSD remains committed to fostering collaborative relationships with stakeholders and maintaining compliance with LAFCo requirements. As such, the District will consider revisiting the terms of existing outside service agreements with the subject property owners. This reassessment could include exploring the possibility of submitting an application for annexation to Marin LAFCo.

Section 12.2, page 71, 5th paragraph- clarify ownership and maintenance of purple pipes rests with MMWD.

Suggested Revision (underlined):

“LGVSD provides the recycled water and MMWD distributes the recycled water ~~treated wastewater~~ through a dedicated distribution system (“purple pipes”), owned and maintained by MMWD, to irrigate golf courses, landscaping at office and apartment buildings, and along freeways, streets, and parks.”

Section 12.5 Municipal Services – Recycled Water page 76 - clarification that MMWD owns recycled water pump stations and recycled water pipelines referenced in MSR.

Suggested Revision (underlined):

“The water is distributed by way of three pump stations owned by MMWD at Freitas Parkway, Channing Way, and Quail Hill through approximately 25 miles of MMWD “purple-pipe” pipelines.”

Section 12.5 Municipal Services – Recycled Water page 76 - clarification that NMWD owns recycled water distribution system.

Suggested Revision:

“In 2012, North Marin Water District (NMWD) completed the construction of a purple pipeline system approximately 2.5 miles long to distribute recycled water to the community of Novato. LGVSD provides the recycled water and NMWD distributes this recycled water for irrigation to the Hamilton Field area of southern Novato. In FY 2022/2023, LGVSD provided 43.25 million gallons of recycled water to NMWD.

Section 12.6 Table 12.2: Las Gallinas Valley Sanitary District Board of Directors

- Replace Barry Nitzberg with Nicholas Lavrov (Director) with a Term Expiration of December 2026.
- Change Gary E. Robards position to President with a Term Expiration of December 2028.
- Change Craig K. Murray position to Director with a Term Expiration of December 2028.
- Change Crystal J. Yezman position to Vice-President.

Section 12.7 Accountability and Transparency

Comment:

Change hyperlink website text in this section with lgvsd.org so that those reading printed documents will know which website to go to.

Section 12.8 Financial Overview

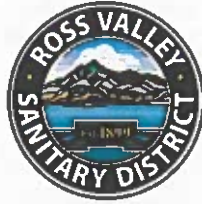
Comment:

Move last sentence “*A breakdown of the past 5 years of operational revenues and expenses can be seen below in Table12-3.*” and Table 12.3 from the end of Debt Service section up to the end of Financial Overview section. Table is more relevant to the overview section, not debt service. Leaving the table under debt service could cause confusion.

Respectfully,

A handwritten signature in blue ink that reads "Curt D. Paxton". The signature is stylized and cursive.

Curtis Paxton
General Manager



ROSS VALLEY SANITARY DISTRICT

1111 Andersen Drive, San Rafael, CA 94901
Tel. 415-259-2949 | www.rvsd.org

January 22, 2025

Jason Fried, Executive Officer
Marin Local Agency Formation Commission
1401 Los Gamos, Suite 220
San Rafael, CA 94903
jfried@marinlafco.org

Re: Municipal Service Review — Central Marin Wastewater Study (December 2024 Public Draft)

Dear Jason:

Thank you for the opportunity to comment on this draft MSR. The Ross Valley Sanitary District appreciates LAFCo's attention to these issues and shares its continued focus on efficient, effective local services.

Our most significant concern is that the MSR, intended to last for several years, assumes CMSA Board of Commissioners' approval of a currently debated proposed contract to transfer the San Rafael Sanitation District staff to the Central Marin Sanitation Agency. That approval cannot be assumed — nor its ultimate terms, if it is approved. As detailed in a white paper prepared by retired City Manager Robert Richardson (which we shared with you under separate cover and which we request be made a part of the record of the adoption of this MSR), the proposal has significant unexplored consequences for CMSA, its three member agencies, and the public we all serve.

Therefore, RVSD urges LAFCo to analyze other options to address SRSD's reported difficulties in recruitment and retention, such as severing its administrative relationship with the City of San Rafael to escape the constraints of the City's personnel system so SRSD can compete more effectively for talent. If the concern is that a stand-alone SRSD would not be able to efficiently provide the administrative services the City of San Rafael now provides, those can be provided by contract with the County, a private contractor or another agency without the risks Mr. Richardson identifies. As you know, and as just one example, many small special districts obtain financial management services from County Auditor-Controllers.

Board Members: *Michael Boorstein ~ Thomas Gaffney ~ Doug Kelly ~ Pamela Meigs ~ Mary Sylla*

Serving the Communities of: *Fairfax, Larkspur, Greenbrae, Ross, Kentfield, San Anselmo, Kent Woodlands, and Sleepy Hollow*

A few more specific comments, each leading with the page number of the draft MSR which raises them:

p. 16: We disagree there are no opportunities for shared facilities among the agencies studied. Cooperation to better pursue opportunities to deliver recycled water should be considered.

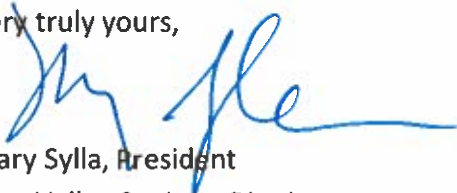
p. 17: RVSD is open to the proposal to annex San Quentin Village to RVSD, but notes there will be administrative issues with the State to clarify payment responsibilities.

p. 17: Not all CMSA commissioners are members of their appointing boards; SRSD, at least, appoints other non-elected(s) to represent them on CMSA.

Pp. 30 & 52: The organization chart for the CMSA / SRSD contract is not current and will be uncertain until the agreement is approved — if it is approved. Does the chart add sufficient value to the MSR to risk including a proposal that may soon be outdated?

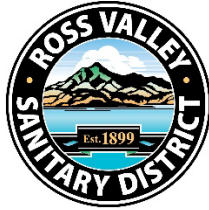
Thank you for your consideration of these comments. If you would like to discuss any of them, or require further information about any point, please let me know.

Very truly yours,



Mary Sylla, President

Ross Valley Sanitary District



ROSS VALLEY SANITARY DISTRICT

1111 Andersen Drive, San Rafael, CA 94901

Tel. 415-259-2949 | www.rvsd.org

January 24, 2025

Jason Fried, Executive Officer
Marin Local Agency Formation Commission
1401 Los Gamos, Suite 220
San Rafael, CA 94903
jfried@marinlafco.org

Re: *Ross Valley Sanitary District Comments on Jurisdictional Boundaries
and Sphere of Influence*

Dear Jason:

As you know, we have been working closely with LAFCo staff to address gaps in sanitary sewer jurisdictional boundaries within and adjacent to Ross Valley Sanitary District (RVSD). Working collaboratively with LAFCo and Marin County, RVSD annexed Murray Park Sewer Maintenance District from Marin County in 2020, as recommended by the 2017 MSR.

RVSD has most recently been working collaboratively with SD2 to verify the boundary between our jurisdictions and have collectively identified almost a dozen properties that required boundary corrections based on sewer services provided by our respective districts. This interagency effort revealed that Redwood High School is a gap that is not included within either of our boundaries and LAFCo is now addressing this gap in their application process (map attached, from LAFCo website).

As LAFCo and RVSD have demonstrated a common interest in identifying and correcting jurisdictional boundaries, we would like to take this opportunity to bring your attention to another jurisdictional gap at San Quentin ("San Quentin Gap") which we understand is within the RVSD sphere of influence (see attached map). RVSD is willing to work collaboratively with its partners in addressing this matter and believe actions could be completed within the span of time contemplated in the current draft MSR.

Board Members: *Michael Boorstein ~ Thomas Gaffney ~ Doug Kelly ~ Pamela Meigs ~ Mary Sylla*

Serving the Communities of: *Fairfax, Larkspur, Greenbrae, Ross, Kentfield, San Anselmo, Kent Woodlands, and Sleepy Hollow*

Specific matters for consideration are as follows:

- LAFCo's recommendation for RVSD to annex the San Quentin Village Sewer Maintenance District (SQVSMD) from Marin County (2017 MSR and 2025 MSR).
- Recently approved Oak Hill Affordable Housing Development on State property outside RVSD boundary that requires sewer services to be provided by RVSD, and concurrent annexation.
- Contract between CMSA and San Quentin Prison (CDCR) expiring in June 2025.

RVSD suggests an annexation that includes the entire San Quentin Gap during the upcoming MSR period. For administrative and operational service efficiencies, RVSD suggests annexing this area as one effort, which could occur as the above matters are resolved within their respective individual timelines.

For a bit of context, RVSD previously provided sewer services under contract with what is now California Department of Corrections and Rehabilitation (CDCR) for the San Quentin Prison wastewater collection system dating back to 1982. In 2012 as an outgrowth but not a requirement of settlement negotiations, CMSA assumed responsibility for this contract. As part of an annexation of the San Quentin Gap, working cooperatively with affected agencies, RVSD could seamlessly and immediately provide sewer services in a contract renewal with CDCR, due to RVSD's experience and expertise in wastewater collection and transport, as well as its proven competency.

For these reasons, we kindly suggest that LAFCo expand its recommendation for RVSD annexation of SQVSMD to include all those areas in its sphere of influence, i.e., the San Quentin Gap.

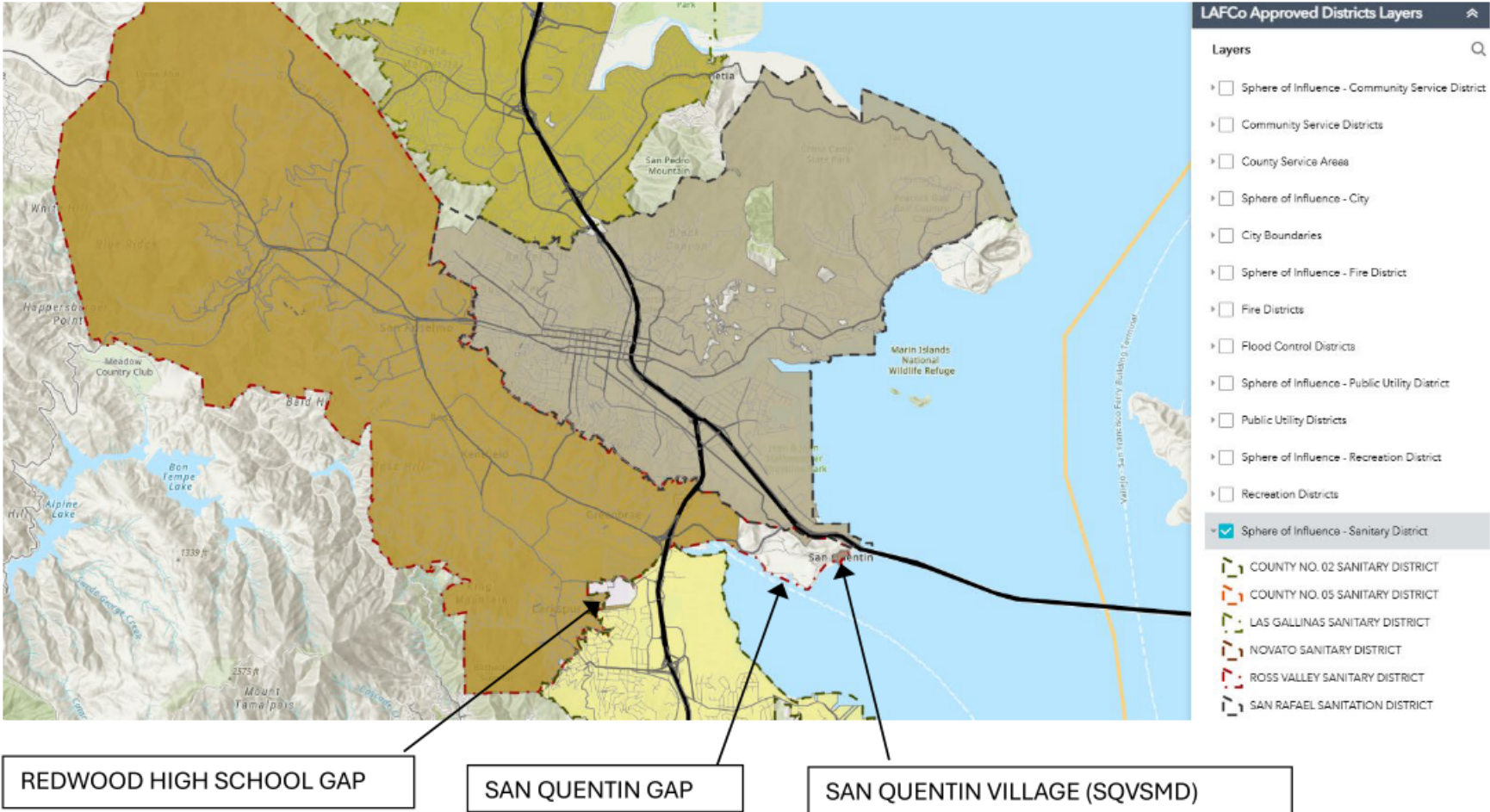
Thank you for your consideration. If you have any questions do not hesitate to reach me directly by phone at 415-870-9764 or via email at smoore@rvsd.org.

Sincerely,



Steven M. Moore, P.E., General Manager
Ross Valley Sanitary District

Cc: RVSD Board of Directors
Christopher Blunk, Marin County DPW
Jason Dow, CMSA



Board Members: Michael Boorstein ~ Thomas Gaffney ~ Doug Kelly ~ Pamela Meigs ~ Mary Sylla

Serving the Communities of: Fairfax, Larkspur, Greenbrae, Ross, Kentfield, San Anselmo, Kent Woodlands, and Sleepy Hollow

Central Marin Wastewater Draft MSR Comments Received and Responses

| Date | Name | Title | Affiliation | Comment | Responses |
|-----------|---------------|-----------------|-------------|---|--|
| 8-Dec-24 | Barbara Coler | Chair | Marin LAFCo | Pg. 60: Stated RHNA number for Town of Tiburon is incorrect. | Footnote added with clarifying language stating that the number shown for Tiburon RHNA is solely for the area where RHNA designated development sites for the Town are within SD2 boundaries, not for the entirety of the Town's jurisdictional boundary. |
| 24-Jan-22 | Steven Moore | General Manager | RVSD | PG. 18: Request from RVSD to expand the recommendation of annexation of SQVSMD to the full area of the San Quentin Peninsula that is outside of the District's boundaries but within its current sphere of influence. | Given that the area in question is within the District's current sphere of influence, Marin LAFCo is willing to work with RVSD and welcomes an application from the District to annex the entire area for the Commission to consider. A separate recommendation, now recommendation 2, has been added to reflect this. |
| 22-Jan-25 | Mary Sylla | Board President | RVSD | <p>"... assumes CMSA Board of Commissioners' approval of a currently debated proposed contract to transfer the San Rafael Sanitation District staff to the Central Marin Sanitation Agency."</p> <p>Request that white paper, prepared on RVSD's behalf by Robert Richardson that was shared with Marin LAFCo staff, be made part of the record of the adoption of the MSR.</p> <p>"RVSD urges LAFCo to analyze other options to address SRSD's reported difficulties in recruitment and retention..."</p> <p>Pg. 16: "We disagree there are no opportunities for shared facilities among the agencies studied. Cooperation to better pursue opportunities to deliver recycled water should be considered."</p> <p>Pg. 17: "RVSD is open to the proposal to annex San Quentin Village to RVSD, but notes there will be administrative issues with the State to clarify payment responsibilities."</p> | <p>Marin LAFCo Staff made a concerted effort throughout this study, in particular within each agency's Agency Profile, to simply utilize and display public information that is pertinent to each agency within the context of a municipal service review. Staff believes that each of the discussions surrounding this topic within both the SRSD and CMSA agency profile sections sufficiently encompassed the current discussions between the two agencies regarding the ongoing explorations that have been had and are continuing to be had regarding the consolidation of services while simultaneously avoiding any presumptive language of what would ultimately transpire. With that said, the language used by staff on page 18 within Recommendation 3 of, "... the significant possibility of the pending consolidation of services..." could possibly be construed as leading. As such, this language has been changed to read, "... as well as the ongoing discussions surrounding the possible consolidation of services between SRSD and CMSA..."</p> <p>Marin LAFCo staff appreciates and takes into consideration all documentation that is shared throughout the MSR process. This particular document was reviewed by staff in the same manner that all provided documentation is, and this document is thereby included as part of the record of the adoption in the exact same manner that all other reviewed documentation is. While staff appreciates the experience and perspectives that were offered within it, staff offers no opinion within the MSR on whether the current reorganization efforts are either positive or negative at this time, and is fully resigned to simply outlining the actions that had transpired in that process, and providing the publicly available information surrounding the ongoing discussions of possible service consolidations between CMSA and SRSD. Marin LAFCo has not stated any opinion or position on these continued efforts other than voicing support for efforts of agencies working together and continues to monitor the situation and make itself available when requested.</p> <p>While this level of analysis is outside the scope of what is required of a municipal service review, Marin LAFCo staff have made themselves available for collaboration to both SRSD and CMSA as they examine options for restructuring. SRSD chose to hire an independent consultant to perform the higher level feasibility analysis for this effort.</p> <p>Marin LAFCo agrees with the District's sentiment that opportunities to deliver recycled water should be considered and continue to be explored by all of the CMSA member agencies as is evidenced by Recommendation 10 on page 20. With that said, given the relatively recent feasibility study for the production of both recycled and direct potable reuse, there are still a number of significant hurdles to overcome before this can become a reality, and ultimately the opportunities for specifically shared facilities in this instance are limited as the vast majority of this work would, in all likelihood, be within the general footprint of the CMSA plant.</p> <p>Marin LAFCo staff have made note of these concerns as well as concerns voiced in prior discussions regarding right of way access within the area.</p> |

MARIN LAFCO WORK PLAN ADDITIONS FOR THE CENTRAL MARIN WASTEWATER MUNICIPAL SERVICE REVIEW

The following items will be added to the Marin LAFCo work plan:

- Staff should work collaboratively with the Ross Valley Sanitary District (RVSD) and the San Quentin Village Sewer Maintenance District (SQVSMD) to work towards the annexation of SQVSMD into RVSD.
- Staff should continue to work with staff from Las Gallinas Valley Sanitary District (LGVSD) to collect the necessary information on the parcels that are receiving services from the District that are outside of its jurisdictional boundary to determine whether there is the necessary outside service agreement compliance through LAFCo. Staff should also continue to work with the District to explore the annexation of the area being serviced as it all lies within the District's sphere of influence.
- Staff should continue to work collaboratively with RVSD, LGVSD, and San Rafael Sanitation District (SRSD) when any of the three agencies are ready and able to perform the necessary work to continue to test the parcels along the agencies' shared boundaries to confirm that the current boundaries and charges for services are accurate and make the necessary boundary reorganizations where/when necessary.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 25-01

ADOPTION OF THE CENTRAL MARIN WASTEWATER MUNICIPAL SERVICE REVIEW

WHEREAS the Marin Local Agency Formation Commission, hereinafter referred to as the “Commission”, is a political subdivision of the State of California with regulatory and planning responsibilities to produce orderly growth and development under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the Commission is responsible under Government Code Section 56430 to regularly prepare studies to independently assess the availability, performance, and need of governmental services to inform its regulatory and other planning activities; and

WHEREAS part of such reviews, LAFCos must compile and evaluate service-related information and make written determinations regarding infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities for shared facilities, government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, evaluation of management efficiencies, and local accountability and governance; and

WHEREAS a written report on the municipal service review was presented to the Commission at a public hearing on Thursday, December 12, 2024, in a manner provided by law; and

WHEREAS Marin LAFCo issued a Draft Service Review on Tuesday, December 26, 2024, which included a public hearing, and a Final Service Review on Thursday, February 13, 2025, which also included a public hearing; and

WHEREAS as part of the Central Marin Wastewater Municipal Service Review, the Commission is required pursuant to Government Code Section 56430(a) to make a statement of written determinations with regards to certain factors.

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

1. The Commission determines this municipal service review is a project under the California Environmental Quality Act but qualifies for an exemption from further action as an informational document consistent with State CEQA Guidelines Section 15306, Class 6.
2. The Commission adopts the municipal service review and the statement of written determinations generated from the information presented in the written report on the municipal service review as set forth in Exhibit “A”.
3. The Commission refers the public to the report on the municipal service review for additional details and important context, including – but not limited to – documenting each agency’s active and latent service powers.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-01

- 1) Exhibit "A"

EXHIBIT A
CENTRAL MARIN WASTEWATER MUNICIPAL SERVICE REVIEW

MUNICIPAL SERVICE REVIEW DETERMINATIONS
GOVERNMENT CODE SECTION 56430

1. Growth and population projections for the affected area.

a) Despite an annual population decline since 2017 of -0.48%, the Association of Bay Area Governments (ABAG) projects the population of Marin County to grow by 12% by 2040 to a total population of 283,000. While the current development potential within the multiple planning areas throughout the County is fairly minimal, ABAG's Regional Housing Needs Allocation plan has required the addition of 3,569 housing units in unincorporated Marin County, and 9,971 units within all of the incorporated cities and towns throughout the County. Using the baseline of the average persons per household captured by the 2020 Census for Marin County of 2.4, if the full RHNA allocation were to be met, it could reasonably be assumed to add approximately 32,000 people to the current population estimate of 252,959.

Within the affected agencies in the study area, the total estimated population is 129,282. Each of the agencies among LGVSD, RVSD, SD2, SQVSMD, and SRSD have seen minimal growth since 2010, with SD2 having the highest annual growth rate during this stretch of 0.66%. As each of the areas within the affected agencies is essentially built out, additional growth over the next ten years is expected to be minimal and on par with what has been experienced over the past decade. Despite the Regional Housing Needs Allocation (RHNA) housing mandates within each of the affected agencies' jurisdictions, the anticipated growth impacts from these prospective developments are anticipated to be dispersed well beyond the current planning cycle due in part to the nature of development difficulties in Marin County, the current costs of development in correlation to the requirement of affordable housing, and the cost of living in the area.

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

a) One census tract block group (Tract 1121, Block Group 1) that has been designated by Marin LAFCo as a disadvantaged unincorporated community (DUC) based on 2023 American Community Survey data has been identified within the study area. The block group is situated within the northern section of the California Park unincorporated island in the southern San Rafael area. A disadvantaged community is defined in Water Code Section 7905.5(a) as a community with an annual median household income of less than 80 percent of the statewide median household income. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines DUCs as "inhabited territory" that constitutes all or a portion of a disadvantaged community. "Inhabited territory" may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by "commission policy".

Per Marin LAFCo's policy, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or district sphere of influence 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. At this time Marin LAFCo has no applications for annexation for any lands contiguous to the identified DUC. Should LAFCo in the future get such a request then it will work with the community to determine if it is in the best interest of those living within the DUC to be annexed. If it is not in the community's best interest, then they would not be included in that application.

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) All of the affected agencies with collection systems and/or treatment facilities in Central Marin are accounting for and funding therein replacement of their capital infrastructure, albeit to different degrees and accordingly producing a sizeable range in equipment age among the agencies. Each of the agencies over the course of the study window has accelerated its approach to infrastructure rehabilitation in comparison to the previous study window. All of the wastewater collection systems within Central Marin appear adequately sized in accommodating current and projected flow demands. This comment is substantiated given none of the affected agencies' collection systems' peak-day demands generated during the study period exceeded 74% of estimated capacity.

LGVSD is the entity responsible for treating and disposing of all wastewater generated within the Las Gallinas Watershed portion of Central Marin and has adequate capacity to accommodate current and projected flows through the next 5 years. CMSA is the entity responsible for treating and disposing of all wastewater generated within the Ross Valley and San Rafael Creek Watersheds portion of Central Marin and has adequate capacity to accommodate current and projected flows through the next 5 years.

4. Financial ability of agencies to provide services.

a) The Central Marin Sanitation Agency, Ross Valley Sanitary District, San Rafael Sanitation District, Las Gallinas Valley Sanitary District, Sanitary District No. 2 of Marin County, and San Quentin Village Sewer Maintenance District all prepare annual budgets and financial statements in accordance with established governmental accounting standards. The Boards of Directors, Boards of Commissioners, and the County Board of Supervisors acting as the Board for SQVSMD, may amend their budgets by resolution during the fiscal year in order to respond to emerging needs, changes in resources, or shifting priorities. Expenditures may not exceed appropriations at the fund level, which is the legal level of control

b) The special district General Managers and County Administrative Officer are authorized to transfer budgeted amounts between accounts, departments, or funds under certain circumstances, however; the Special District Boards, JPA Commission, and County Board of Supervisors acting as the Board for the SQVSMD, must approve any increase in the

operating expenditures, appropriations for capital projects, and transfers between major funds and reportable fund groups. Audited financial statements are also prepared for each agency by independent certified public accounting firms.

c) While additional revenues are needed to provide some services and maintain infrastructure covered in this MSR, each agency meets its current and projected financial responsibilities to provide services. While SQVSMD creates sufficient annual revenue to meet current expense trends, a rate increase would be necessitated in the case that the District's residents were charged for CMSA treatment services that are currently being received. Each of the affected agencies within the study area has demonstrated strong financial health over the study window. All of the agencies, with the exception of SQVSMD due to its minimal infrastructure and focus on the proactive maintenance of that infrastructure as opposed to large-scale replacement, have been proactive in ensuring rates are adjusted to ensure that both current and future capital improvement plans are attainable while continuing to provide the same level of uninterrupted service to its user base. Each of the agencies has shown consistent growth in net position, significant investment in capital assets, and budgetary management that has shown revenues outpacing operating expenditures on an annual basis.

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

a) No opportunities were identified for the sharing specifically of constructed facilities between any of the agencies reviewed within the study.

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

a) Given the contiguous nature of the three single-service wastewater collection agencies within CMSA as well as the significant possibility of the pending consolidation of services between SRSD and CMSA, the Commission as well as the affected agencies should continue to evaluate options to potentially reorganize and consolidate public wastewater services in Central Marin among agencies in the Ross Valley and San Rafael Creek Watersheds. Should the consolidation efforts between SRSD and CMSA be completed, an annual evaluation of not just cost savings but also employee retention and service delivery efficiency should be completed in order to further examine whether further consolidation efforts throughout the region could produce greater accountability and efficiency within the combined watershed.

b) The reorganization of SQVSMD by dissolving the District and concurrently placing its respective service area into RVSD by annexation appears readily merited to improve local accountability and service efficiencies. This reorganization would eliminate a seemingly superfluous dependent special district governed by the County of Marin in favor of recognizing RVSD as the preferred and more capable service provider moving forward.

c) Currently, each of the member agencies that comprise the Sewerage Agency of Southern Marin has, while at varying levels, room for growth within each of their agreed-upon allocated capacities within the SASM Corrective action is needed to appropriately amend jurisdictional boundaries to better align service areas with existing property lines within the Ross Valley and San Rafael Creek Watersheds. Similarly, boundary clean-ups are needed to

correct instances where actual service provision in this region does not match up with assigned jurisdictional boundaries.

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

a) During the course of this municipal service review, Marin LAFCo requested information from the Las Gallinas Valley Sanitary District regarding the area that is currently outside of its jurisdictional boundary just to the southwest of its treatment plant. The area in question holds the McInnis Park Golf Center, the San Rafael Airport, and two recently completed developments of Gravity Vault Marin and Flyte Racquet Club. Given that this area is essentially surrounded by LGVSD lands and is in such close proximity, Marin LAFCo inquired as to whether the District was providing wastewater collection/treatment to these high-use facilities. District staff was unable to provide Marin LAFCo with the requested information within the allotted time available. As such, LGVSD staff should complete the necessary testing to assess whether service is currently being provided to this area and report back to Marin LAFCo with the findings. If service is currently being provided, the District should submit an application for annexation to Marin LAFCo in a timely manner.

b) During the course of this study, staff discovered that SQVSMD ratepayers do not receive charges for the treatment of their wastewater from CMSA. It appears that this has been occurring due to the SQVSMD system feeding into the San Quentin Rehabilitation Center, which then mixes with that facility's wastewater flows, and the facility being charged a fixed annual fee under the current contractual agreement. In addition, the Caltrans Maintenance yard which is just outside of SQVSMD boundaries has been sending wastewater flows through SQVSMD to CMSA without payment to SQVSMD for collection or to CMSA for treatment.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 25-02

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE ROSS VALLEY
SANITARY DISTRICT**

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

WHEREAS the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing wastewater services, prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and this Sphere of Influence Amendment, and staff's recommendations contained in that report on Thursday, December 12, 2024, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

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

Section 1. The sphere of influence of the Ross Valley Sanitary District is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. All currently active powers for the District are listed within the *Central Marin Wastewater Municipal Service Review* within the District's agency profile section.

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

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Central Marin Wastewater Municipal Service area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 24-05

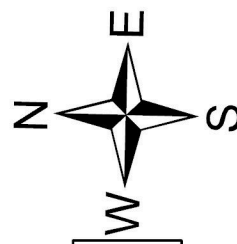
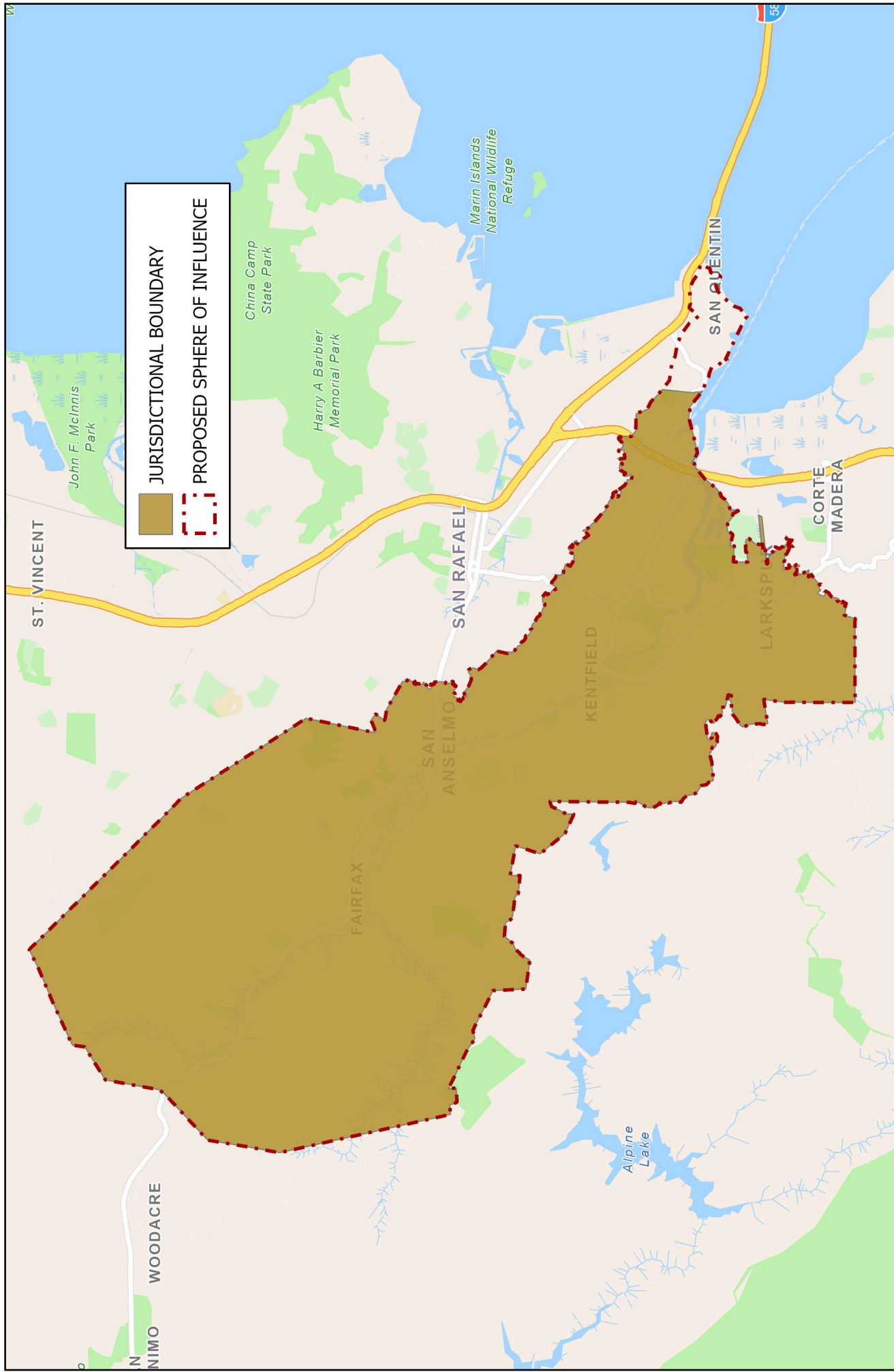
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

ROSS VALLEY SANITARY DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plans of the Town of Fairfax, Town of Ross, Town of San Anselmo, and the City of Larkspur, as well as the Marin Countywide Plan. Land uses include primarily low and medium-density residential, commercial, institutional, and other typically urban uses plus open space uses within or surrounded by the District's existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
 - The territories within the District's boundaries and sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the common sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The trunk lines and sewer mains of the Ross Valley Sanitary District are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundary of the Ross Valley Sanitary District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no disadvantaged unincorporated communities within the existing sphere of influence.



ROSS VALLEY SANITARY DISTRICT

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 25-03

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE SANITARY
DISTRICT No. 2 OF MARIN COUNTY**

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

WHEREAS the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing wastewater services, prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and this Sphere of Influence Amendment, and staff's recommendations contained in that report on Thursday, December 12, 2024, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

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

Section 1. The sphere of influence of the Sanitary District No. 2 of Marin County is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. All currently active powers for the District are listed within the *Central Marin Wastewater Municipal Service Review* within the District's agency profile section.

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

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Central Marin Wastewater Municipal Service Review area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-03

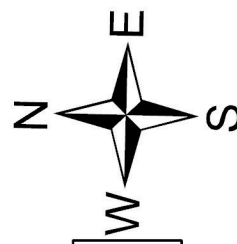
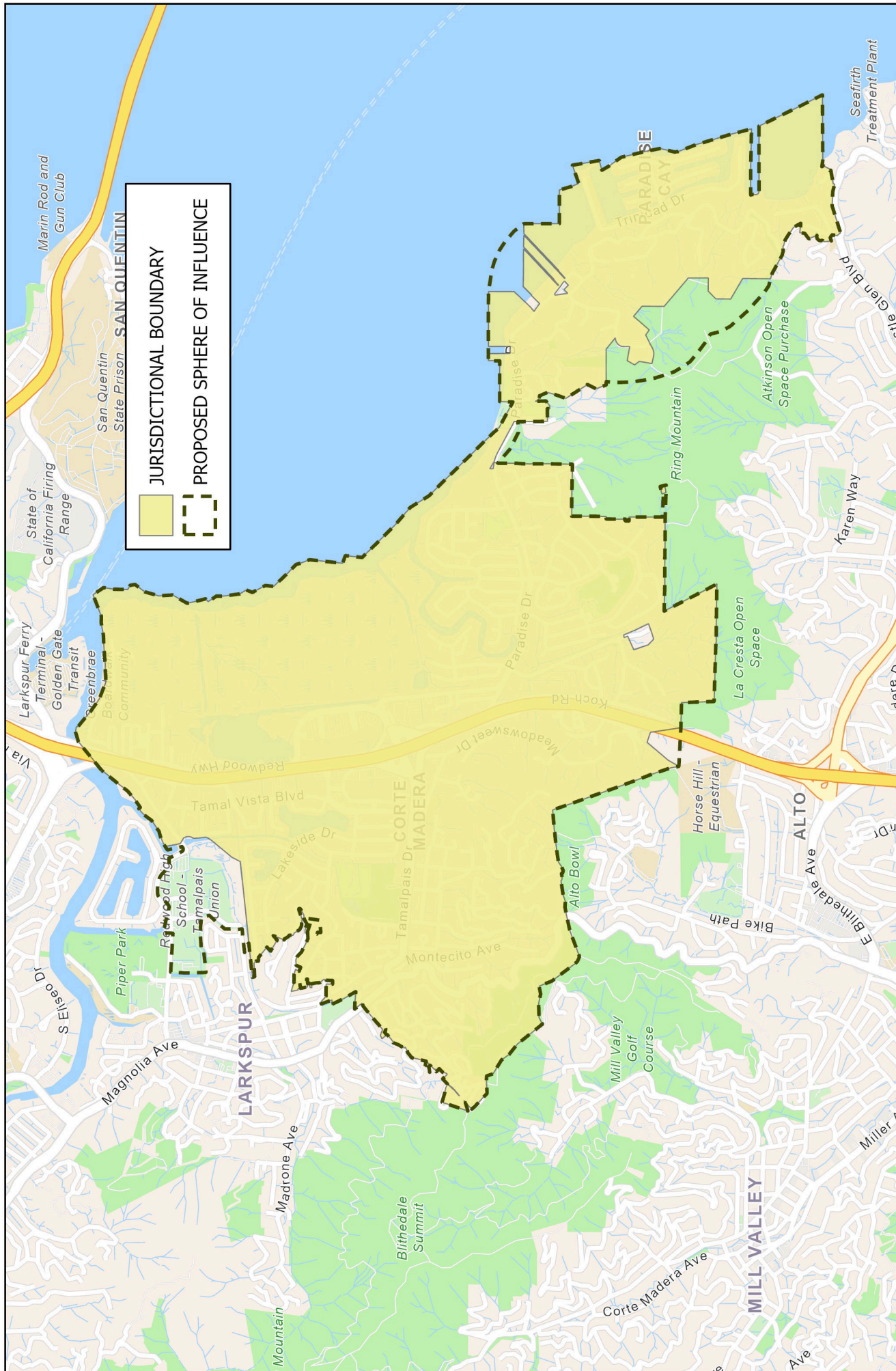
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

SANITARY DISTRICT NO. 2 OF MARIN COUNTY SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plans of the Town of Corte Madera, Town of Tiburon, and the City of Larkspur, as well as the Marin Countywide. Land uses include primarily low and medium-density residential, commercial, institutional, and other typically urban uses plus open space uses within or surrounded by the Districts' existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
 - The territories within the Districts' boundaries and common sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the common sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The trunk lines and sewer mains of Sanitary District No. 2 of Marin County are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of Sanitary District No. 2 of Marin County and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no disadvantaged unincorporated communities within the existing sphere of influence.



SANITARY DISTRICT NO. 2 OF MARIN COUNTY

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 25-04

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE SAN RAFAEL
SANITATION DISTRICT**

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

WHEREAS the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing wastewater services, prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and this Sphere of Influence Amendment, and staff's recommendations contained in that report on Thursday, December 12, 2024, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

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

Section 1. The sphere of influence of the San Rafael Sanitation District is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. All currently active powers for the District are listed within the *Central Marin Wastewater Municipal Service Review* within the District's agency profile section.

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

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Central Marin Wastewater Municipal Service Review area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-04

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

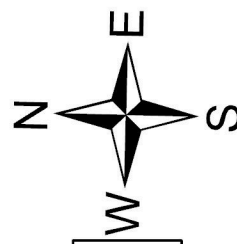
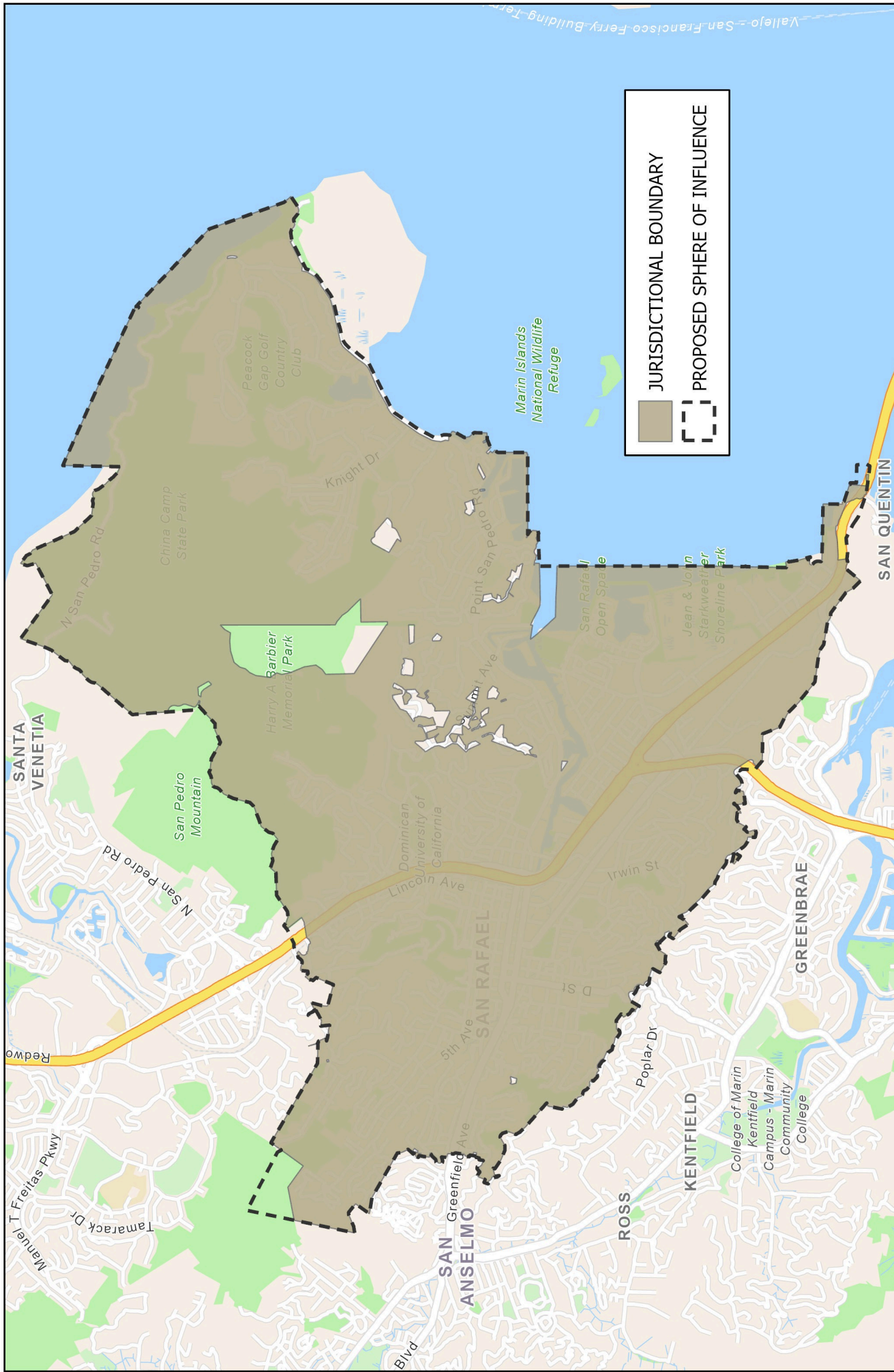
EXHIBIT A

SAN RAFAEL SANITATION DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of San Rafael, as well as the Marin Countywide Plan. Land uses include primarily low and medium-density residential, commercial, institutional, and other typically urban uses plus open space uses within or surrounded by the Districts' existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
 - The territories within the Districts' boundaries and common sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The trunk lines and sewer mains of the San Rafael Sanitation District are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundary of the San Rafael Sanitation District and the area surrounding its jurisdiction are not relevant to the determination of the district's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - The District's current jurisdictional boundary surrounds a census tract block group (Tract 1121, Block Group 1) which encompasses the northern portion of the unincorporated California Park area that has been designated by Marin LAFCo as a disadvantaged unincorporated community (DUC) based on 2023 American Community Survey estimates. A disadvantaged community is defined in Water Code Section 7905.5(a) as a community with an annual median household income of less than 80 percent of the statewide median household income. The statutory definition of DUCs comes from Government Code Section 56033.5, which defines DUCs as "inhabited territory" that constitutes all or a portion of a disadvantaged community. "Inhabited territory" may be defined by Government Code Section 56046 as having at least 12 registered voters, or it can be determined by "commission policy".

Per Marin LAFCo's policy, Marin LAFCo will include considerations of disadvantaged unincorporated communities within a city or district sphere of influence 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. At this time Marin LAFCo has no applications for annexation for any lands contiguous to the identified DUC. Should LAFCo in the future get such a request then it will work with the community to determine if it is in the best interest of those living within the DUC to be annexed. If it is not in the community's best interest, then they would not be included in that application.



SAN RAFAEL SANITATION DISTRICT

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 24-05

**RESOLUTION ESTABLISHING A ZERO SPHERE OF INFLUENCE FOR
SAN QUENTIN VILLAGE SEWER MAINTENANCE DISTRICT**

WHEREAS In 1962, the Marin County Board of Supervisors approved the formation of the San Quentin Village Sewer Maintenance District, a dependent special district, for the purposes of constructing and operating a community wastewater collection system; and

WHEREAS the Deputy Executive Officer has conducted a review of the adopted spheres of influence of local government agencies providing wastewater services and prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS during the course of that review in which San Quentin Village Sewer Maintenance District was included, it was discovered that at no time following the formation of San Quentin Village Sewer Maintenance District was a sphere of influence ever established; and

WHEREAS a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and the establishment of a Zero Sphere of Influence for San Quentin Village Sewer Maintenance District, and staff's recommendations contained in that report on Thursday, December 12, 2024, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

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

Section 1. A zero sphere of influence of the San Quentin Sewer Maintenance District is hereby established and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference.

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

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Central Marin Wastewater Municipal Service Review area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 24-05

- a) Exhibit A – Determinations

EXHIBIT A

SAN QUENTIN VILLAGE SEWER MAINTENANCE DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the sphere of influence are governed by the Marin Countywide Plan. Land uses include primarily low-density residential within the District's existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
 - The territories within the District's boundaries and common sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the common sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The trunk lines and sewer mains of San Quentin Village Sewer Maintenance District are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of San Quentin Village Sewer Maintenance District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no disadvantaged unincorporated communities within the sphere of influence.

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 25-06

RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF THE LAS GALLINAS VALLEY SANITARY DISTRICT

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

WHEREAS the Deputy Executive Officer has conducted a review of the adopted sphere of influence of local government agencies providing wastewater services, prepared a summary, *Central Marin Wastewater Municipal Service Review*, including his recommendations thereon, the summary having been presented to and considered by this Commission; and

WHEREAS a public hearing by this Commission was held on the *Central Marin Wastewater Municipal Service Review* and this Sphere of Influence Amendment, and staff's recommendations contained in that report on Thursday, December 12, 2024, and at the hearing, this Commission heard and received all oral and written testimony, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

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

Section 1. The sphere of influence of the Las Gallinas Valley Sanitary District is hereby amended as shown on Exhibit B attached hereto and incorporated herein by reference and the Commission makes the written determinations pursuant to Government Code section 56425(e) as provided for in Exhibit A attached hereto and incorporated herein by reference. All currently active powers for the District are listed within the *Central Marin Wastewater Service Review* within the District's agency profile section.

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

Section 3. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the Central Marin Wastewater Municipal Service Review area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair
Marin LAFCo

ATTEST:

APPROVED AS TO FORM:

Jason Fried, LAFCo Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-04

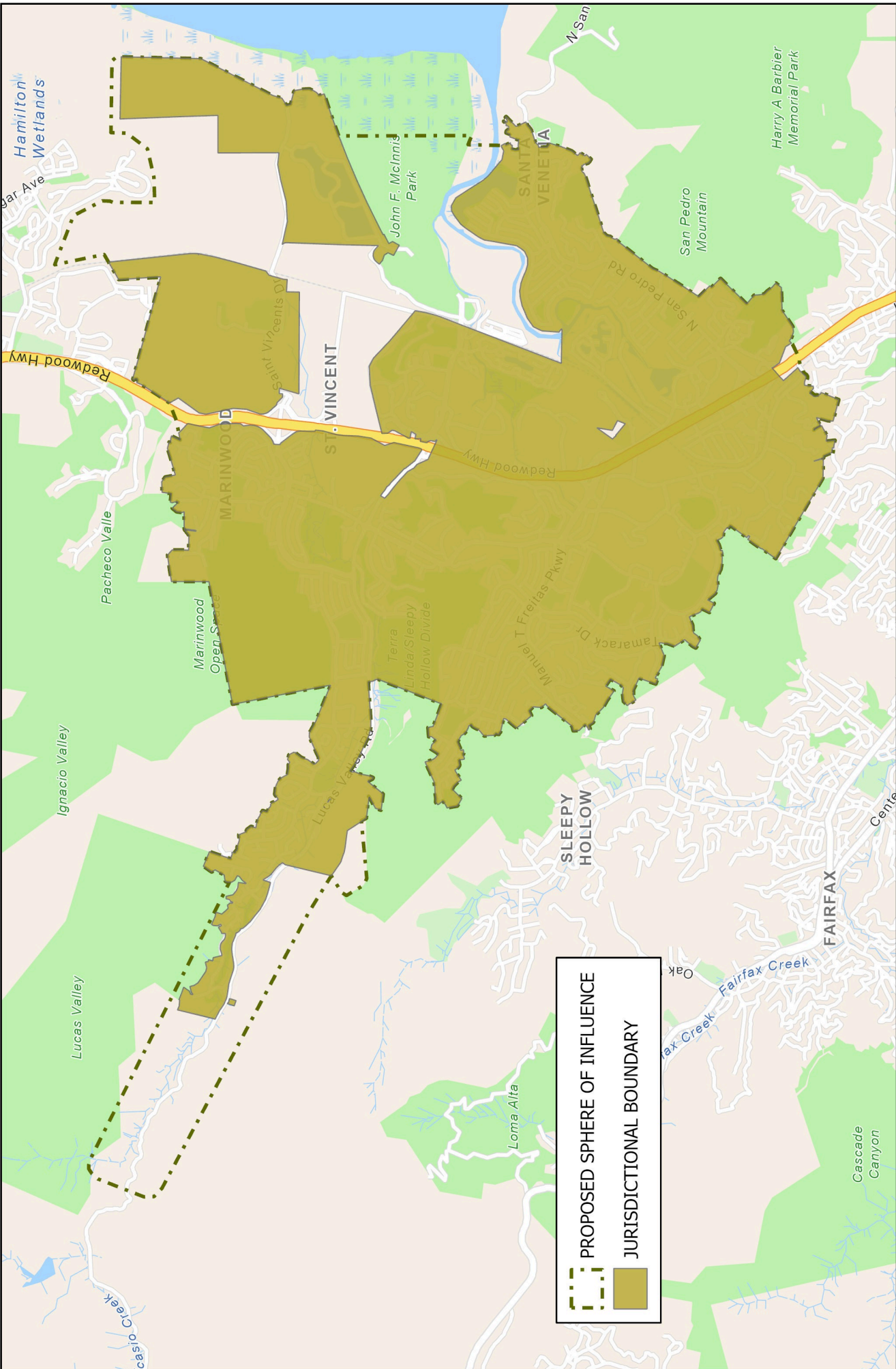
- a) Exhibit A - Determinations
- b) Exhibit B - Map

EXHIBIT A

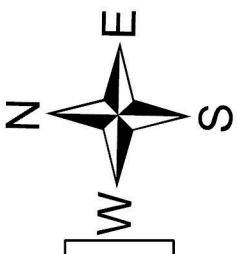
LAS GALLINAS VALLEY SANITARY DISTRICT SPHERE OF INFLUENCE DETERMINATIONS

GOVERNMENT CODE SECTION 56425

- 1) The present and planned land uses in the area, including agricultural and open-space lands.
 - Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of San Rafael, as well as the Marin Countywide Plan. Land uses include primarily low and medium-density residential, commercial, institutional, and other typically urban uses plus open space uses within or surrounded by the Districts' existing boundaries.
- 2) The present and probable need for public facilities and services in the area.
 - The territories within the District's boundaries and sphere of influence are at or nearing build-out with little land available for further development under current zoning restrictions. The present need for public services and facilities within the common sphere of influence is primarily for existing land uses and minor infill development. The probable demand for public services and facilities in the future is not expected to exceed population growth of .5% per year under the terms of adopted general plans.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
 - The treatment plant, trunk lines, and sewer mains of the Las Gallinas Valley Sanitary District are generally sufficient to provide service to the area within the sphere of influence under the assumption of implementation of adopted capital improvement plans.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the district.
 - The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the Las Gallinas Valley Sanitary District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.
- 5) For an update of a sphere of influence for a district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.
 - There are no disadvantaged unincorporated communities within the existing sphere of influence.



 PROPOSED SPHERE OF INFLUENCE
 JURISDICTIONAL BOUNDARY



LAS GALLINAS VALLEY SANITARY DISTRICT



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 6 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst
Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 25-07, Reorganization of 115, 119, 121 & 123 Elm Ave, Larkspur (024-062-47, 024-062-51, 024-062-53, 024-062-52) Detaching from Sanitary District No. 2 of Marin County and Annexing into Ross Valley Sanitary District (LAFCo File #1378) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319.

Background

The applications in agenda items 6-10 spawned over 3 years ago when Sanitary District No. 2 (SD2) approached LAFCo with a list of parcels that they were serving but did not seem to show up in the County system for payment of services and/or in the Marin Map GIS system. Staff reviewed the list and our application log to help SD2 with what was occurring. Some parcels were in the SD2, so the district needed to work with the County as to why they were not showing up on the payment list. A limited number of parcels had been annexed into the SD2 by LAFCo but for some reason in the past had not been added to Marin Map, so those parcels were corrected in the system. During the process, SD2 worked with Ross Valley Sanitary District (RVSD) to dye test parcels along its shared boundary. That testing resulted in the realization that several parcels are being served by the wrong district. Instead of having these parcels move laterals to connect to the “correct” district according to our maps it was decided the simpler and more cost-efficient process would be to change the boundary lines to make sure each parcel is in the correct boundary. Finally, in the tail end of the process before the application was submitted, Claire located some “holes” in the map that were not associated with other holes found by agencies and conferred with both districts as to who was serving the parcels. Once it was confirmed that those parcels were receiving services the parcels were included as apart of a group of applications on today’s agenda to deal with boundary corrections to show the true service provider for each parcel. In all cases these parcels have been receiving service for longer than current Marin LAFCo have worked for the agency.

Marin LAFCo has received an application from Sanitary District No. 2 (“applicant”) requesting approval to annex four parcels of approximately 1.967 acres being detached from SD2 and annexed into RVSD. The parcels are addressed as follows APN 24-062-47, 024-062-51, 024-062-53, 024-062-52. The proposal, as stated by the applicant, is to enter RVSD boundaries to correct the boundaries, and place the parcels into the district they are already receiving service from. The parcels are currently in the boundaries of the City of Larkspur and the Sphere of Influence of SD2. Staff have requested comments from RVSD and SD2, along with other interested agencies. All comments received were in support or neutral.

Administrative Office
Jason Fried, Executive Officer
1401 Los Gamos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Dennis Rodoni, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested annexation of APN: 024-062-47, 024-062-51, 024-062-53, and 024-062-52 and approve the attached Resolution No. 25-07 with conditions.

Alternate Option 2 – Continue consideration of the item at a future regular meeting, and provide directions to staff, as needed.

Alternate Option 3 – Deny the request.

Attachment

1. Resolution #25-07
2. Map and Legal
3. Application
4. Section 56668 Checklist

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 25-07

**RESOLUTION APPROVING THE REORGANIZATION OF 115, 119, 121, & 123 ELM AVE
DETACHING FROM SANITARY DISTRICT NO. 2 OF MARIN COUNTY AND ANNEXING INTO ROSS
VALLEY SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING, AND PROTEST
PROCEEDINGS**

“Reorganization of 115, 119, 121 & 123 Elm Ave, Larkspur (024-062-47, 024-062-51, 024-062-53, 024-062-52) detaching from Sanitary District No. 2 of Marin County and annexing into Ross Valley Sanitary District (LAFCo File #1378)”

WHEREAS Sanitary District No. 2 of Marin County has filed an agency petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to detach approximately 1.967 acres of incorporated land also known as 115, 119, 121 & 123 Elm Avenue, Larkspur, from Sanitary District No. 2 and annex into Ross Valley Sanitary District; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, with 100% written consent received by landowners, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the reorganization, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 1.967 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Reorganization of 115,119,121 & 123 Elm Ave, Larkspur (024-062-47, 024-062-51, 024-062-53, 024-062-52) detaching from Sanitary District No. 2 of Marin County and annexing into Ross Valley Sanitary District (LAFCo File #1378).

Section 3. The proposal is consistent with the adopted spheres of influence for Ross Valley Sanitary District and Sanitary District No. 2.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, protest proceedings, and complete reorganization proceedings.

Section 5. As Lead Agency under CEQA for the proposed reorganization of APN (024-062-47, 024-062-51, 024-062-53, 024-062-52) detaching from Sanitary District No. 2 and annexing into Ross Valley Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

ATTEST:

Jason Fried, Executive Officer

Barbara Coler, Chair

APPROVED AS TO FORM:

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-07

- a) Exhibit A – Legal Description
- b) Exhibit B – Map

EXHIBIT "A"
Reorganization
of the
Lands of Lynch Family Trust etal, Lands of Heidi D West Revoc. 2020 Trust,
Lands of Jean M Knudsen Trust & Lands of Hockenmaier,
Out of
Sanitary District No. 2
into
Sanitary District No. 1

Being a portion of Rancho Corte Madera Del Presidio described as follows:

All that real property situate in the City of Larkspur, County of Marin, State of California, being the Lands of Lynch Family Trust etal described in Doc. No. 2013-045840, together with Lands of Heidi D West Revoc. 2020 Trust described in Doc. No. 2020-045904, together with Lands of Jean M Knudsen Trust described in Doc. No. 2007-049885, together with Lands of Hockenmaier described in Doc. No. 2019-028930 County of Marin Records, described as follows:

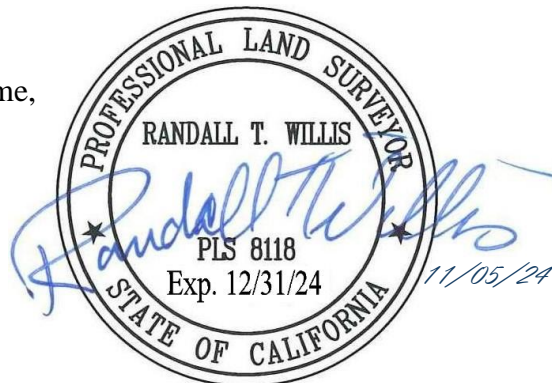
Beginning at the most northwesterly corner of said Lands of Lynch Family Trust etal, said point being in the southerly Right-of-Way of Elm Avenue; thence along said southerly right-of-way, ① North 87° 41' East, 32.2 feet, ② South 76° 21' East, 166.6 feet and ③ North 54° 48' East, 100.8 feet to the northerly corner of said Lands of Hockenmaier; thence leaving said southerly right-of-way along the easterly line of said Lands of Hockenmaier, ④ South 6°50' West, 156.9 feet to the southerly corner of said Lands of Hockenmaier; thence along the easterly and southerly lines of said Lands of Jean M Knudsen Trust, ⑤ South 6°50' West, 93.91 feet and ⑥ South 85°21'55" West, 160.06 feet to the most southeasterly corner of said Lands of Heidi D West Revoc. 2020 Trust; thence along said Lands of Heidi D West Revoc. 2020 Trust ⑦ South 85°21'55" West, 75.1 feet and ⑧ North 4° 39' East, 54.25 feet to the southerly corner of said Lands of Lynch Family Trust etal; thence along said Lands of Lynch Family Trust etal, ⑨ North 73° 23' West, 44 feet and ⑩ North 8° 03' East, 183 feet more or less to the Point of Beginning.

Lands of Lynch Family Trust etal, Containing 0.27 Acres, more or less; Lands of Heidi D West Revoc. 2020 Trust, Containing 0.34 Acres, more or less; Lands of Jean M Knudsen Trust, Containing 0.58 Acres, more or less; Lands of Hockenmaier, Containing 0.19 Acres, more or less;
Total computed acreage containing 1.38 Acres more or less.

Exhibit B Attached

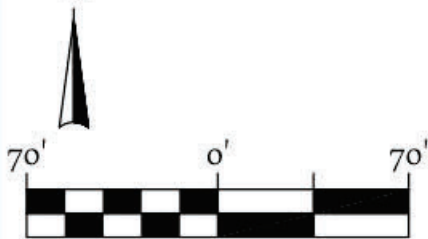
(End of Legal Description)

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.



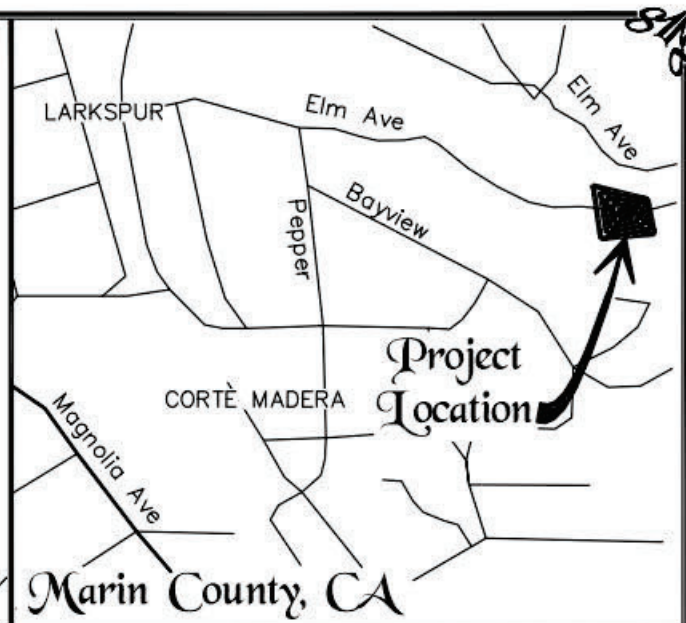
Legend

P.O.B. Point of Beginning



Scale: 1"=70'
11/05/2024

Portion of
Rancho Corte Madera
Del Presidio



Vicinity Map

NOT TO SCALE

APN 024-062-05

APN 024-062-36

APN 024-062-37

APN 024-062-38

APN 024-062-49

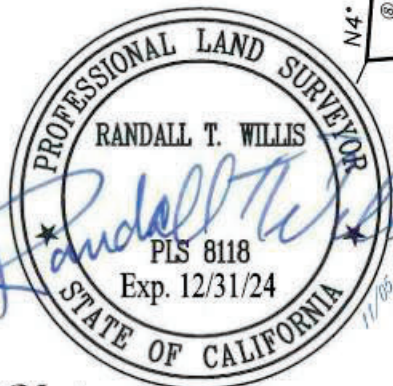
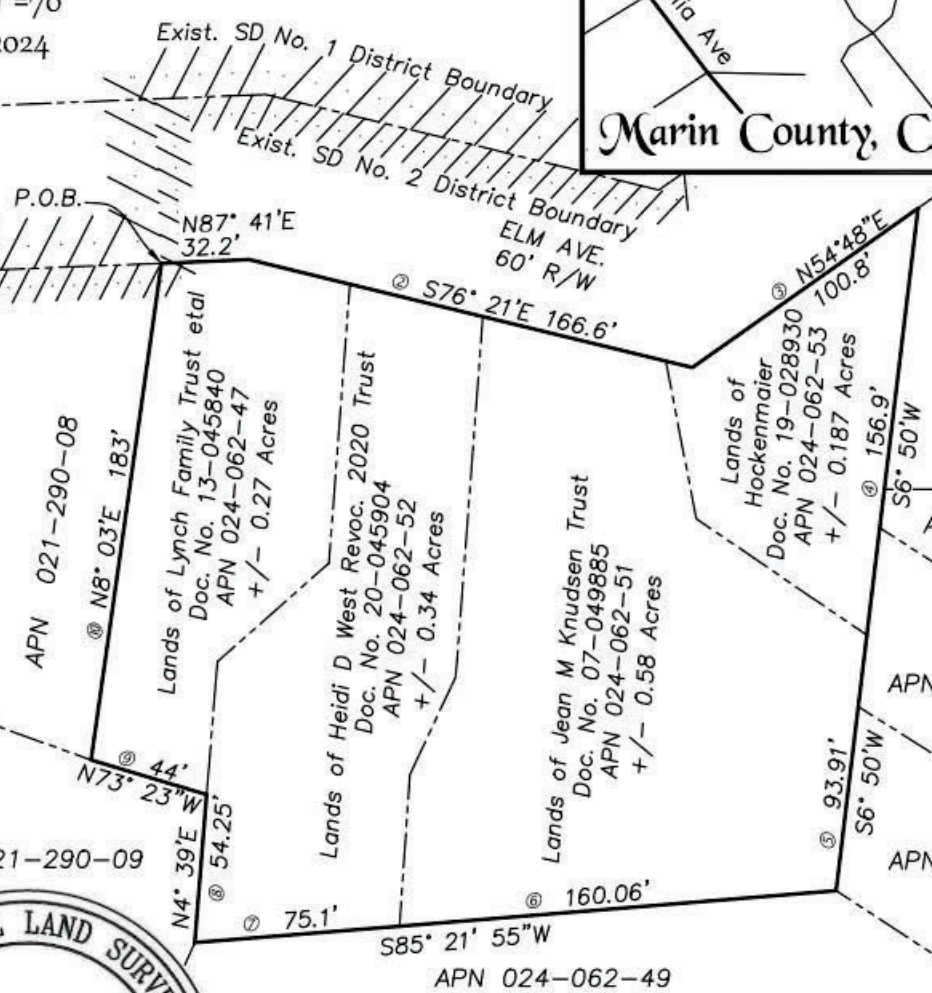


Exhibit 'B'
 Reorganization of the
 Lands of Lynch Family Trust etal, Lands
 of Heidi D West Revoc. 2020 Trust, Lands of Jean M
 Knudsen Trust & Lands of Hockenmaier
 Out of Sanitary District No. 2
 into Sanitary District No. 1
 Marin LAFCo FILE 1378

Notes

- 1) All Distances and Dimensions shown are in Feet or Decimal Thereof.
- 2) This sheet is for graphical purposes only. Any errors or omissions shall not affect the property descriptions.



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

MARIN LAFCO

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

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

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Reorganization of 4 prcels being transfered from SD2 to RVSD

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited (11 or fewer registered voters)
5. This proposal is or is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to place into the district that is providing them services aka correct boundaries

7. The proposal is requested to be made subject to the following terms and conditions:
following tax exchange agreement

8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land
 On behalf of the Board, City, District, or Agency

Print Name

Signature

Date



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

II. LANDOWNERS SIGNATURES
 (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Alice & Raymond Lynch
115 Elm ave, Larkspur Ca 94939

Contact Number: (415) 302-7860 Email: Lynchrfl@comcast.net

Agent Representative (optional)
 I/We hereby authorize Ross Valley Sanitary District to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel **must** sign. Original signatures are required.

Alice Lynch
 Property Owner Signature

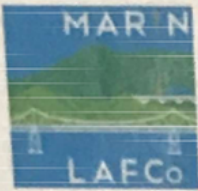
12/15/2022
 Date

Raymond Lynch
 Property Owner Signature

12/15/2022
 Date

 Property Owner Signature

 Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

II. LANDOWNERS SIGNATURES (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: HEIDI D. WEST
119 ELM AVENUE, CLARKSPUR, CA. 94939

Contact Number: (707) 696. 9120 Email: HDWEST242@GMAIL.COM

I/We hereby authorize Ross Valley Sanitary District Agent Representative (optional) to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel must sign. Original signatures are required.

Heidi D. West 1/2/2023
Property Owner Signature Date

Property Owner Signature Date

Property Owner Signature Date



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

II. LANDOWNERS SIGNATURES
(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Catherine Hockenmaier
123 Elm Ave
Larkspur, CA 94939

Contact Number: (415) 904 3760 Email: katiehockenmaier@gmail.com

Agent Representative (optional)
I/We hereby authorize Ross Valley Sanitary District to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel **must** sign. Original signatures are required.

Catherine Hockenmaier
Property Owner Signature

12/21/22
Date

[Signature]
Property Owner Signature

12/21/22
Date

Property Owner Signature

Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer’s Report, and Notice of Hearings. This includes name, title, email address, and phone number of key staff you’ve worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

Please Print Name

Email Address

Phone Number

Fernanda Stefanick <fstefanick@tcmmail.org> (415) 927-5792

R.J. Suokko <rsuokko@tcmmail.org> (415) 927-5118

Felicia Newhouse <fnewhouse@rvsd.org>

Cymantha Baroy <cbaroy@tcmmail.org>(415) 927-5057



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

III. APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:

Petition (Landowner)

Resolution of Application (City/Town or District)

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:

(BE SPECIFIC: For example, "annexation," "reorganization")

Reorganization of 4 parcels to correct the boundaries and place the parcels within the boundaries of RVSD

B. The reason for the proposed action(s) being requested:

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")

Reorganization to correct boundary discrepancies

4. State general location of proposal:

all 4 parcels are located along the border of SD2 and RVSD and south of Redwood Highschool



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

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

Yes Which city? _____

No If the proposal is adjacent to a city, provide city name: Larkspur

6. Is the subject territory located within an island of unincorporated territory?

Yes _____ No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes _____ No

If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:

(Attach additional if needed)

A. Assessor's Parcel Number(s)

024-062-47

024-062-51

024-062-53

024-062-52

Site Address(es)

115 Elm Ave, Larkspur, CA 94939

121 Elm Ave, Larkspur, CA 94939

123 Elm Ave, Larkspur, CA 94939

119 Elm Ave, Larkspur, CA 94939

B. Total number of parcels included in this application: 4

9. Total land area in acres: 1.967



LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

all parcels are single family developed

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.)

N/A

3. Indicate the current zoning (either city/town or county) title and densities permitted:

4. Has the area been rezoned? No _____ N/A Yes _____

What is the rezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)



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ENVIRONMENT

1. Is the site presently zoned, or designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- | | | | |
|--------------------|-----------|--|-----------|
| A. This site? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| B. Adjacent sites? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: _____
all withing flat areas of Larkspur and Corte Madera

5. Indicated Lead Agency for this project: SD2 and RVSD

6. Indicate Environmental Determination by Lead Agency: Marin LAFCo
with respect to (indicate project) _____
Dated: _____

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



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

Date

Print Name

Title



Marin Local Agency Formation Commission

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V. PLAN FOR PROVIDING SERVICES (For City/Town or District Only)

This section to be completed by a city/town or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services: _____

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

This section completed by:

Signature

Title

Print Name

Agency

Contact Email

Contact Number

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is not within SOI of jurisdiction being annexed into |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 7 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst
Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 25-08, Reorganization of 90 Edison Ave, Corte Madera (APN 025-011-33), 127 Pepper Ave, Larkspur (APN 021-231-21) Detaching from Sanitary District No. 2 of Marin County and Annexing to Ross Valley Sanitary District and Annexation of 100 Edison Ave, Corte Madera (APN 021-142-50) into Ross Valley Sanitary District (LAFCo File #1379) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Background

The applications in agenda items 6-10 spawned over 3 years ago when Sanitary District No. 22 (SD2) approached LAFCo with a list of parcels that they were serving but did not seem to show up in the County system for payment of services and/or in the Marin Map GIS system. Staff reviewed the list and our application log to help SD2 with what was occurring. Some parcels were in the SD2, so the district needed to work with the County as to why they were not showing up on the payment list. A limited number of parcels had been annexed into the SD2 by LAFCo but for some reason in the past had not been added to Marin Map, so those parcels were corrected in the system. Finally, during the process, SD2 worked with Ross Valley Sanitary District (RVSD) to dye test parcels along its shared boundary. That testing resulted in the realization that several parcels are connected to the wrong district the official boundaries say they should be connected to. Instead of having these parcels move laterals to connect to the district the maps say they are in the boundary for it was decided the simpler and more cost-efficient process would be to change the boundary lines to make sure each parcel is the correct boundary. This application is part of a group of applications on today's agenda to deal with boundary corrections to show the true service provider for each parcel. In all cases these parcels have been receiving service for longer than current Marin LAFCo have worked for the agency.

Marin LAFCo has received an application from Sanitary District No. 2 ("applicant") requesting approval to reorganize three parcels of approximately 2.94 acres being detached from Sanitary District No. 2 (SD2) and annexed into Ross Valley Sanitary District (RVSD). The parcels are addressed as follows 025-011-33, 021-231-2, and 021-142-50. The proposal, as stated by the applicant, is to enter Ross Valley boundaries to correct the boundaries, and place the parcels into the district they are already receiving service from. The parcels are currently in the boundaries of the Cities of Larkspur and Corte Madera. Both 100 Edison and 127 Pepper are not in a sanitary sphere of influence whereas 90 Edison is within the Sphere of Influence of Sanitary District No. 2. Staff have requested comments from RVSD and SD2, along with other interested agencies. All comments received were in support or neutral.

Administrative Office
Jason Fried, Executive Officer
1401 Los Gamos Drive, Suite 220
San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Dennis Rodoni, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested reorganization of APNs: APN 025-011-33, 021-231-2, and 021-142-50 and approve the attached Resolution No. 25-08 with conditions.

Alternate Option 2 – Continue consideration of the item at a future regular meeting, and provide directions to staff, as needed.

Alternate Option 3 – Deny the request.

Attachment

1. Resolution #25-08
2. Map and Legal
3. Application
4. Section 56668 Checklist

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 25-08

RESOLUTION APPROVING THE REORGANIZATION OF 90 EDISON AVENUE, CORTE MADERA AND 127 PEPPER AVENUE, LARKSPUR DETACHING FROM SANITARY DISTRICT NO. 2 OF MARIN COUNTY AND ANNEXING INTO ROSS VALLEY SANITARY AND ANNEXATION OF 100 EDISON AVENUE, CORTE MADERA INTO ROSS VALLEY SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Reorganization of 90 Edison Ave, Corte Madera (APN 025-011-33) and 127 Pepper Ave, Larkspur (APN 021-231-21) detaching from Sanitary District No. 2 of Marin County and annexing into Ross Valley Sanitary District and Annexation of 100 Edison Ave, Corte Madera (APN 021-142-50) into Ross Valley Sanitary District (LAFCo File #1379)”

WHEREAS Sanitary District No. 2 filed an agency petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to detach 90 Edison Avenue, Corte Madera and 127 Pepper Avenue, Larkspur from Sanitary District No. 2 of Marin County and along with 100 Edison avenue, Corte Madera annex approximately 2.94 acres of incorporated land to Ross Valley Sanitary District; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, with 100% written consent received by landowners, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the reorganization, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 2.94 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Reorganization of 90 Edison Ave, Corte Madera (APN 025-011-33) and 127 Pepper Ave, Larkspur (APN 021-231-21) detaching from Sanitary District No. 2 of Marin County and annexing into Ross Valley Sanitary District and Annexation of 100 Edison Ave, Corte Madera (APN 021-142-50) into Ross Valley Sanitary District (LAFCo File #1379)”

Section 3. The proposal is consistent with the adopted spheres of influence for Ross Valley Sanitary District and Sanitary District No. 2.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 5. As the Lead Agency under CEQA for the proposed reorganization of APN 025-011-33 and 021-231-21 detaching from Sanitary District No. 2 and annexing into Ross Valley Sanitary District and annexation of 021-142-50

to Ross Valley Sanitary District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-08

- a) Exhibit A – Legal Description
- b) Exhibit B – Map

EXHIBIT "A"
Reorganization
of the
Lands of Joseph & Hillary Culhane Trust etal
Out of
Sanitary District No. 2
into the
Sanitary District No. 1

Being a portion of Rancho Corte Madera Del Presidio described as follows:

All that real property situate in the City of Larkspur, County of Marin, State of California, being the Lands of Joseph & Hillary Culhane Trust etal described in Doc. No. 2011-015209, County of Marin Records, described as follows:

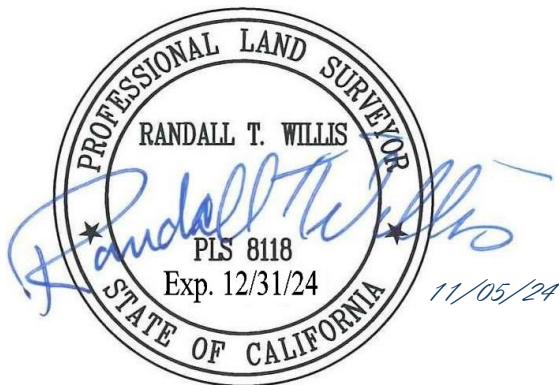
Beginning at the most Northerly corner of said Lands Culhane Trust etal, said point being in the southerly Right-of-Way of Elm Avenue and an angle point in District Boundaries of Sanitary District No. 1 and Sanitary District No. 2; thence along said southerly Right-of Way ① South 73° 41' East, 176.6 feet, to a tangent curve concave to the right having a radius of 48.5 feet; thence through said curve to the right having an included angle of ② 63° 28' and an arc length of 53.7 feet to a point in the westerly Right-of-Way of Pepper Avenue; thence along said westerly Right-of-Way ③ South 10°13' East, 79.9 feet; thence ④ South 83° 11' West, 155 feet; thence northerly along the westerly boundary of said Lands ⑤ Nouth 11° 46' West, 50 feet, ⑥ South 82° 17' West, 25 feet and ⑦ North 11° 46' West, 141.7 feet; more or less to the Point of Beginning.

Containing 0.59 Acres, more or less.

Exhibit B Attached

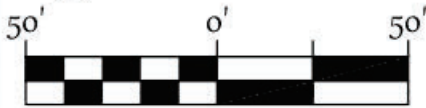
(End of Legal Description)

This real property description has been prepared by me,
or under my direction, in conformance with the
Professional Land Surveyors Act.



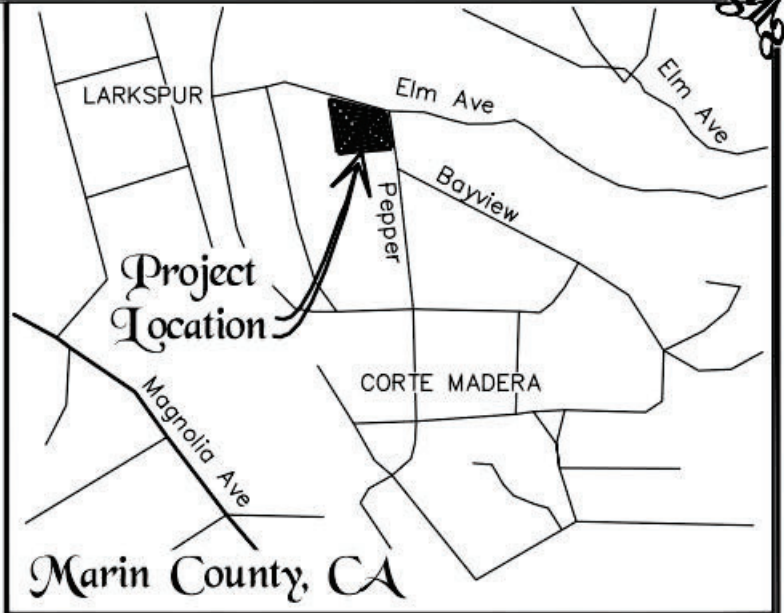
Legend

P.O.B. Point of Beginning



Scale: 1"=50'
11/05/24

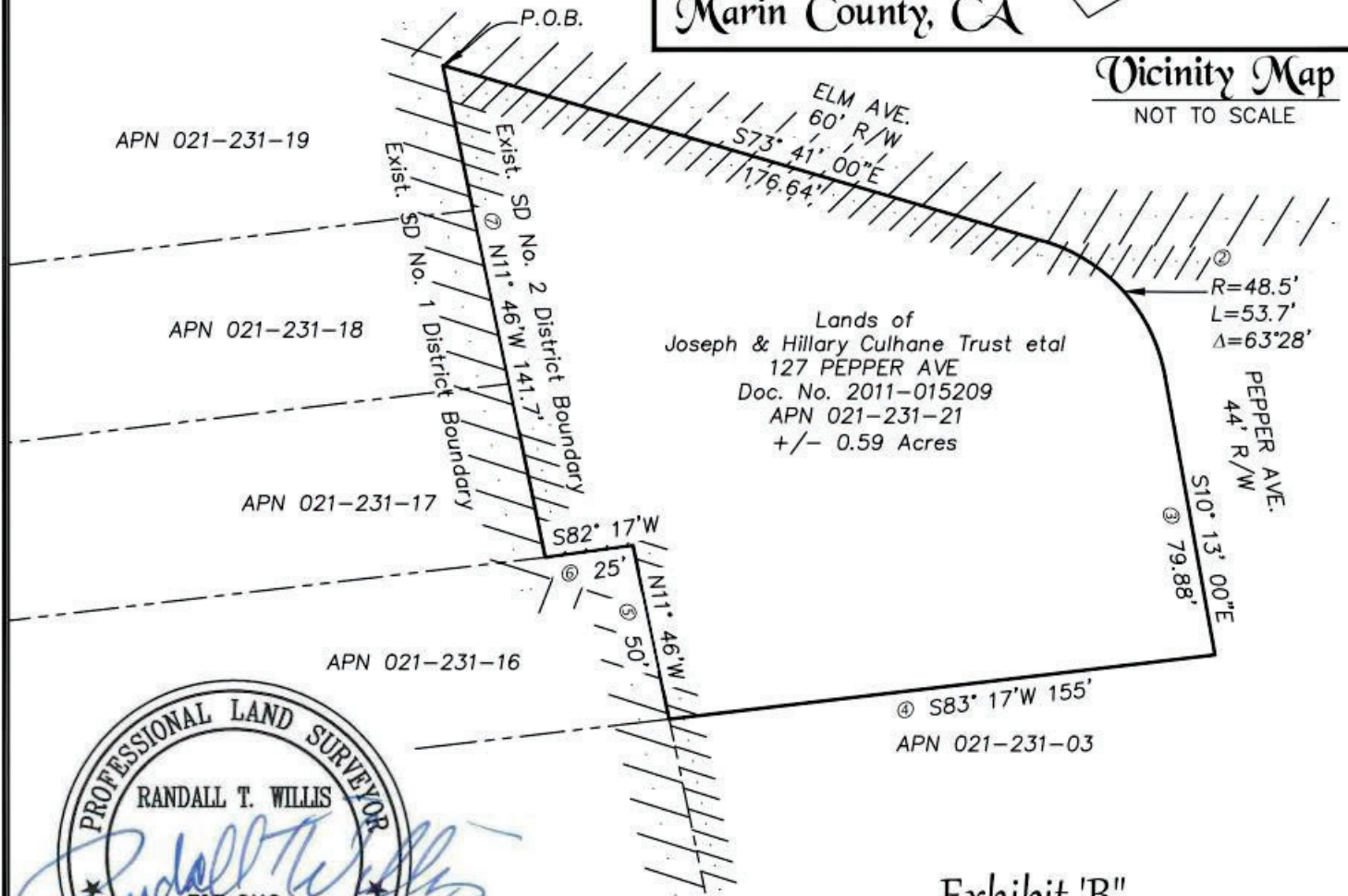
Portion of
Rancho Corte Madera
Del Presidio



Marin County, CA

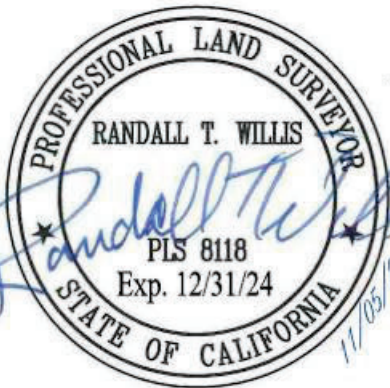
Vicinity Map

NOT TO SCALE



Lands of
Joseph & Hillary Culhane Trust et al
127 PEPPER AVE
Doc. No. 2011-015209
APN 021-231-21
+/- 0.59 Acres

R=48.5'
L=53.7'
Δ=63°28'
PEPPER AVE.
44' R/W



Notes

- 1) All Distances and Dimensions shown are in Feet or Decimal Thereof.
- 2) This sheet is for graphical purposes only. Any errors or omissions shall not affect the property descriptions.

Exhibit 'B'
Reorganization of the
Lands of Joseph & Hillary Culhane
Trust et al Out of
Sanitary District No. 2
into Sanitary District No. 1
Marin LAFCo FILE 1379

EXHIBIT "A"
Annexation
of the
Lands of Adam Jacob & Kathryn Bethell
into
Sanitary District No. 1

Being a portion of Rancho Corte Madera Del Presidio described as follows:

All that real property situate in the County of Marin, State of California, being the Lands of Adam Jacob & Kathryn Bethell described in Doc. No. 2020-052760, and Being Parcels B & C as shown and depicted on that certain Parcel Map entitled "Parcel Map of Division of Steadman Property", recorded in Book 7 of Parcel Maps at Page 47 on June 30, 1972, County of Marin records, described as follows:

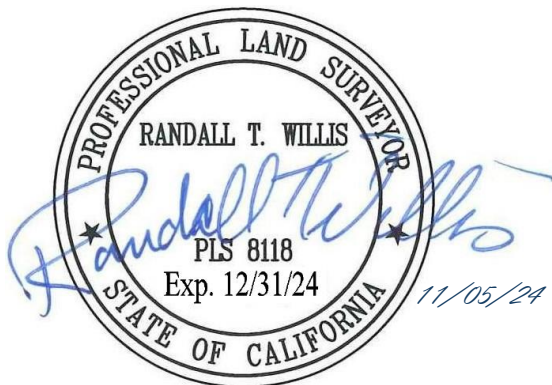
Beginning at the most Southerly corner of Parcel B as depicted on said Parcel Map, thence following said Lands depicted on said Parcel Map ① North 63° 22' West, 280.31 feet; thence ② North 26° 44' East, 315.88 feet; thence ③ South 53° 39' East, 82.69 feet; thence ④ South 41° 28' East, 150.00 feet; thence ⑤ North 48° 32' East, 80.00 feet; thence ⑥ South 41° 28' East, 109.00 feet; thence ⑦ South 48° 32' West, 191.28 feet; thence ⑧ South 26° 38' East, 102.07 feet more or less to the Point of Beginning.

Containing 2.0 Acres, more or less.

Exhibit B Attached

(End of Legal Description)

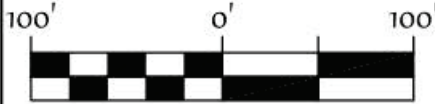
This real property description has been prepared by me,
or under my direction, in conformance with the
Professional Land Surveyors Act.



Legend

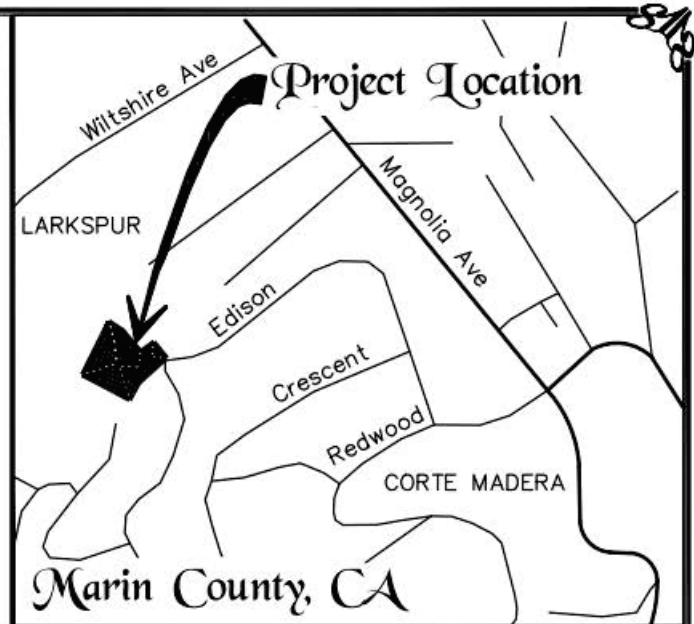
P.O.B. Point of Beginning

Note: No Evidence Exists of the Water Tank Site (Parcel C 7PM47) Being Accepted by a District and No APN Exists for Parcel C. Parcels B & C are One Continuous Lot.

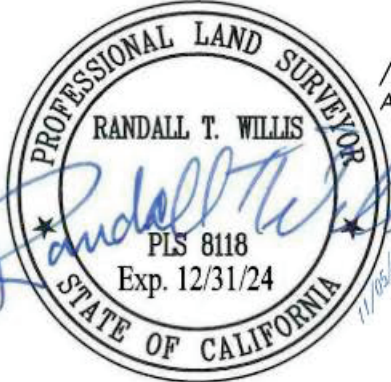
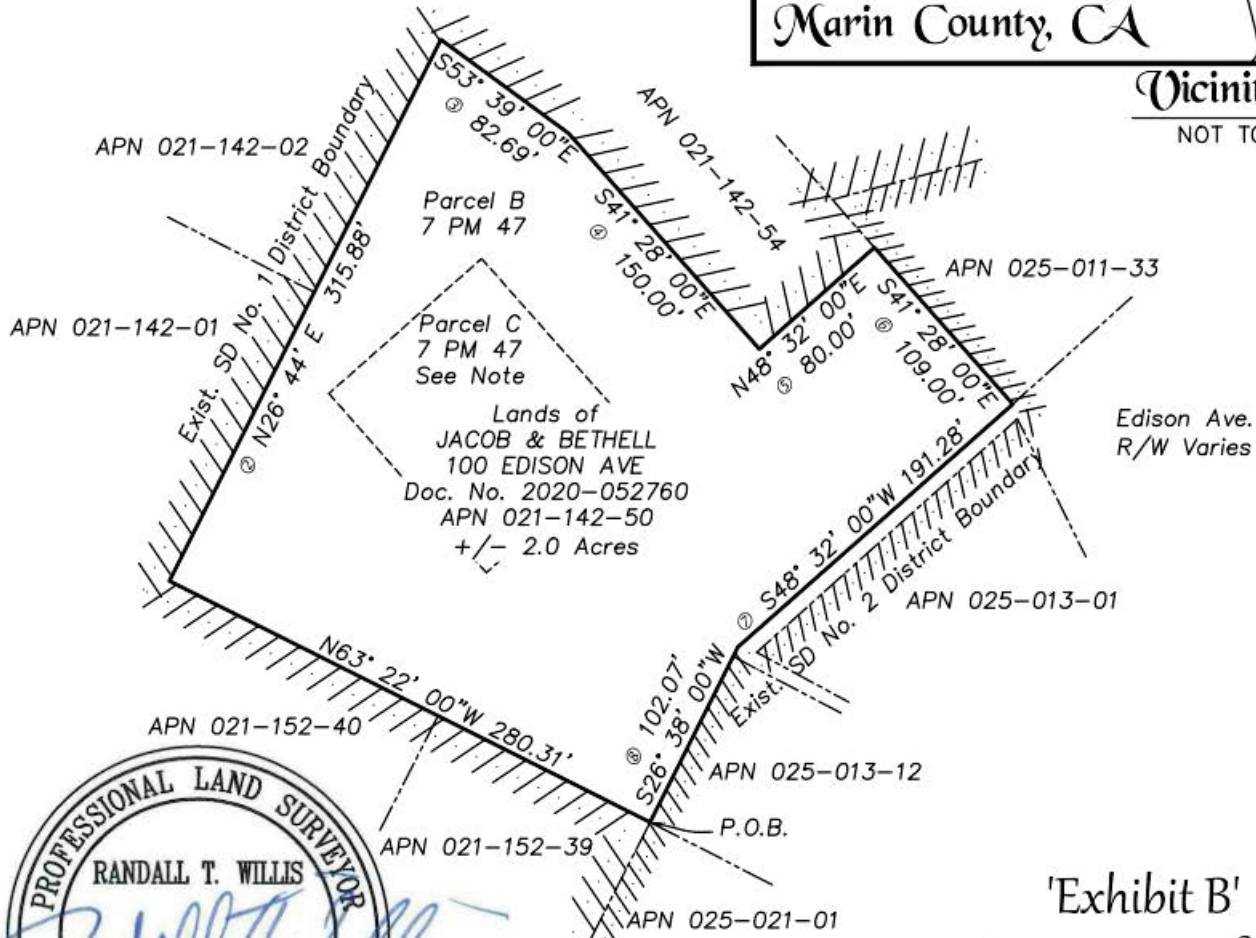


Scale: 1"=100'
11/05/2024

Portion of
Rancho Corte Madera
Del Presidio



Vicinity Map
NOT TO SCALE



'Exhibit B'
Annexation of the
Lands of Adam Jacob &
Kathryn Bethell into
Sanitary District No. 1
Marin LAFCo FILE 1379

Notes

- 1) All Distances and Dimensions shown are in Feet or Decimal Thereof.
- 2) This sheet is for graphical purposes only. Any errors or omissions shall not affect the property descriptions.

EXHIBIT "A"
Reorganization
of the
Lands of Sherry
Out of
Sanitary District No. 2
into
Sanitary District No. 1

Being a portion of Rancho Corte Madera Del Presidio described as follows:

All that real property situate in the County of Marin, State of California, being the Lands of Sherry described in Doc. No. 2017-046951, and Being shown and depicted on that certain Record of Survey filed in Book 2018 of Maps, at Page 11, February 2, 2018, County of Marin Records, described as follows:

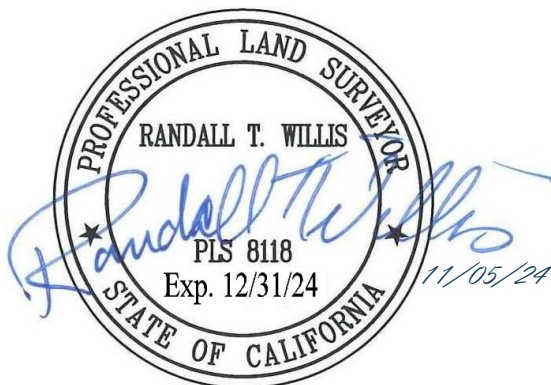
Beginning at the most Southerly corner of said Lands Sherry, said point being at an angle point in the westerly right-of-way of Edison Avenue and an angle point in District Boundary of Sanitary District No. 2; thence ① North 41° 39' 40" West, 125.00 feet; thence ② North 66° 16' 20" East, 73.52 feet; thence ③ South 69° 47' 50" East, 116.73 feet; thence ④ North 48° 36' 10" East, 13.69 feet; thence ⑤ South 33° 15' 20" East, 78.28 feet more or less to a point in the westerly right-of-way of Edison Avenue thence along said right-of-way on a non-tangent curve, concave to the right which center bears North 36° 19' 22" West, and having a radius of 77.79 feet; thence along said curve to the right through a curve ⑥ length of 115.31 feet and a central angle 84°55' 51"; thence ⑦ South 48° 36' 10" West, 56.69 feet; to the Point of Beginning.

Containing 0.35 Acres, more or less.

Exhibit B Attached

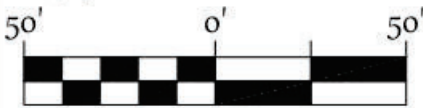
(End of Legal Description)

This real property description has been prepared by me,
or under my direction, in conformance with the
Professional Land Surveyors Act.



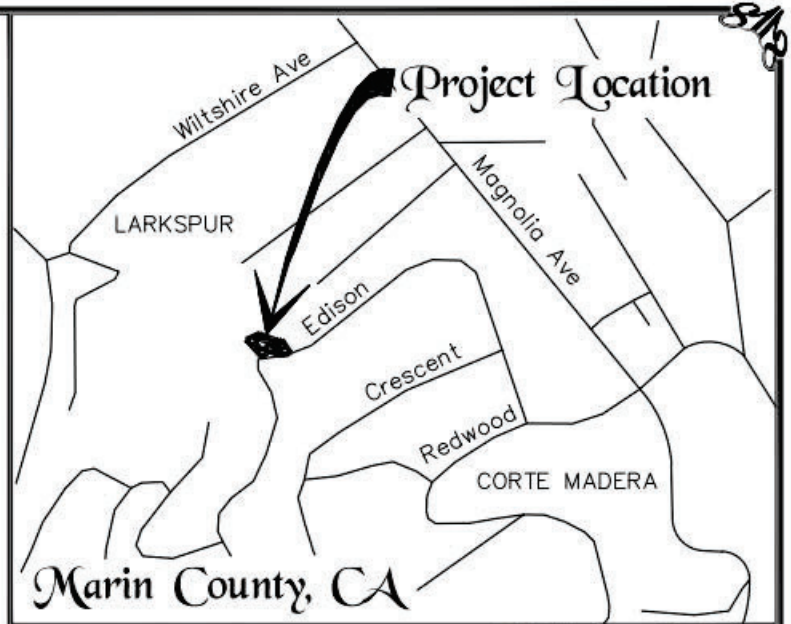
Legend

P.O.B. Point of Beginning



Scale: 1"=50'
11/05/24

Portion of
Rancho Corte Madera
Del Presidio



Vicinity Map
NOT TO SCALE

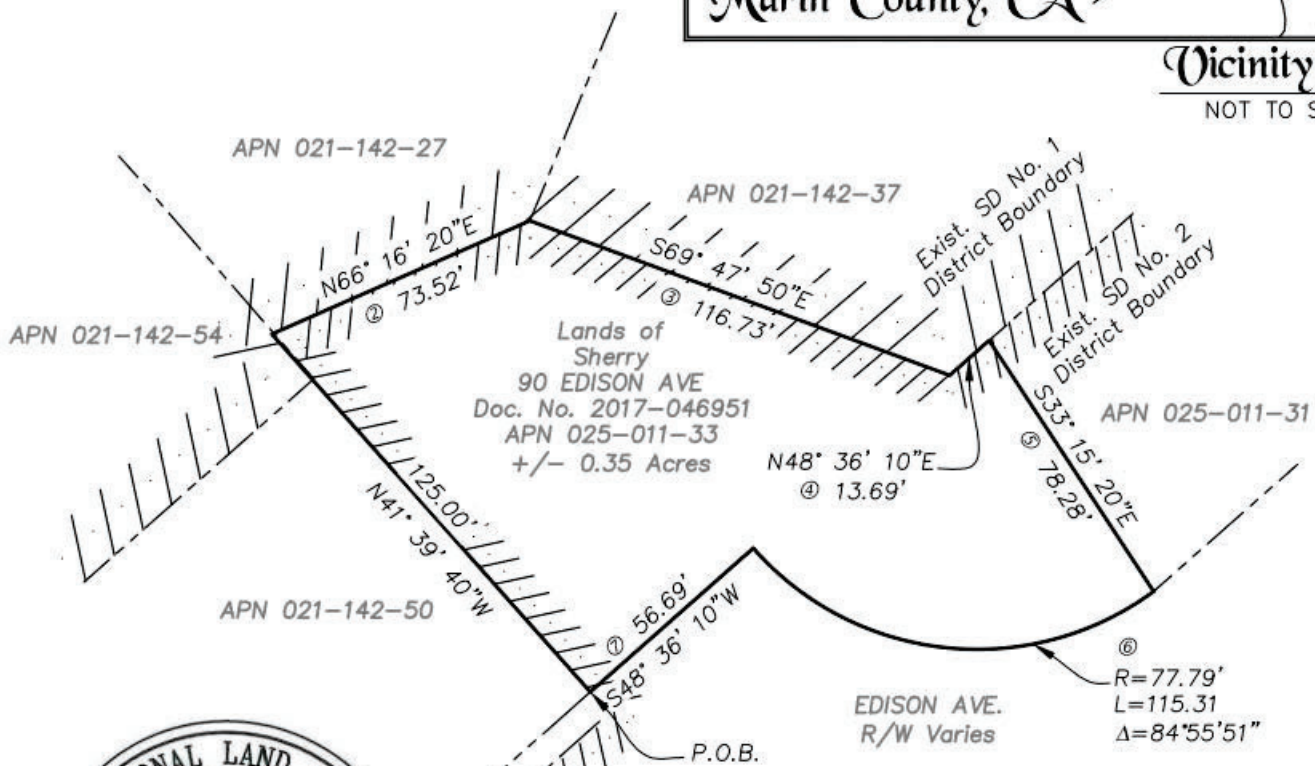
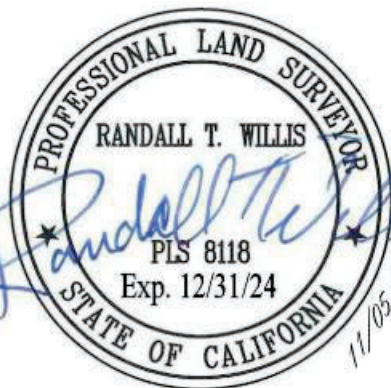


Exhibit 'B'
Reorganization
of the Lands of Sherry
Out of Sanitary District No. 2
into
Sanitary District No. 1
Marin LAFCo FILE 1379



Notes

- 1) All Distances and Dimensions shown are in Feet or Decimal Thereof.
- 2) This sheet is for graphical purposes only. Any errors or omissions shall not affect the property descriptions.



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

MARIN LAFCO

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

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

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Reorganization of 90 Edison and 127 Pepper from Sanitary District 2 into ross valley Sanitary District and one parcel 100 Edison Annexed into RVSD
3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 - Inhabited (12 or more registered voters)
 - Uninhabited (11 or fewer registered voters)
5. This proposal is or is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to place into the district that is providing them services aka correct boundaries
7. The proposal is requested to be made subject to the following terms and conditions: following tax exchange agreement
8. The persons signing this petition have signed as:
 - Registered voters
 - Owners of the land
 - On behalf of the Board, City, District, or Agency

Print Name

Signature

Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

II. LANDOWNERS SIGNATURES

(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Joseph & Hillary Culhane
127 Pepper Ave.
Larkspur, CA 94939

Contact Number: (415) 613-3579 Email: hculhane@comcast.net

Agent Representative (optional)
I/We hereby authorize Ross Valley Sanitary District to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel **must** sign. Original signatures are required.

| | |
|--------------------------|----------------|
| Property Owner Signature | Date |
| <u>[Signature]</u> | <u>1/24/23</u> |
| Property Owner Signature | Date |
| <u>[Signature]</u> | <u>1/27/23</u> |
| Property Owner Signature | Date |



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

II. LANDOWNERS SIGNATURES
 (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Zachary & Beth Sherry
90 Edison Ave
Corte Madera, CA 94925

Contact Number: (510) 812-1959 Email: zach.sherry@gmail.com

Agent Representative (optional)
 I/We hereby authorize Ross Valley Sanitary District to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel **must** sign. Original signatures are required.

| | |
|--------------------------|-------------------|
| | <u>12/12/2022</u> |
| Property Owner Signature | Date |
| | <u>12/12/2002</u> |
| Property Owner Signature | Date |
| | |
| Property Owner Signature | Date |



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

II. LANDOWNERS SIGNATURES
 (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Adam Jacob
100 Edison Ave
Corte Madera, CA, 94925

Contact Number: (206) 619-7151 Email: ADAMRSTALECOFFEE.ORG

Agent Representative (optional)
 I/We hereby authorize Ross Valley Sanitary District to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Ross Valley Sanitary District
2960 Kerner Blvd.,
San Rafael CA 94901

Contact Number: (415) 259-2949 Email: info@rvsd.org

All owners of each parcel **must** sign. Original signatures are required.

| | |
|--------------------------|-----------------|
| <u>Adam Jacob</u> | <u>12-26-22</u> |
| Property Owner Signature | Date |
| <u>Kevin B...</u> | <u>12-26-22</u> |
| Property Owner Signature | Date |
| _____ | _____ |
| Property Owner Signature | Date |



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

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer’s Report, and Notice of Hearings. This includes name, title, email address, and phone number of key staff you’ve worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

Please Print Name

Email Address

Phone Number

Fernanda Stefanick <fstefanick@tcmmail.org> (415) 927-5792

R.J. Suokko <rsuokko@tcmmail.org> (415) 927-5118

Felicia Newhouse <fnewhouse@rvsd.org>

Cymantha Baroy <cbaroy@tcmmail.org>(415) 927-5057



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

III. APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:

Petition (Landowner)

Resolution of Application (City/Town or District)

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:

(BE SPECIFIC: For example, "annexation," "reorganization")

Reorganization of 3 parcels to correct the boundaries and place the parcels within the boundaries of RVSD

B. The reason for the proposed action(s) being requested:

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")

Reorganization to correct boundary discrepancies

4. State general location of proposal:

all 3 parcels are located along the boarder of SD2 and RVSD and south of Redwood Highway



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

5. Is the proposal within a city's boundaries?
Yes Which city? Larkspur and Corte Madera
No If the proposal is adjacent to a city, provide city name: _____

6. Is the subject territory located within an island of unincorporated territory?
Yes No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes No
If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:
(Attach additional if needed)

| <u>Assessor's Parcel Number(s)</u> | <u>Site Address(es)</u> |
|------------------------------------|--|
| <u>021-142-50</u> | <u>100 Edison Avem Corte Madera CA 94925</u> |
| <u>025-011-33</u> | <u>90 Edison Ave, Corte Madera, CA 94925</u> |
| <u>021-231-21</u> | <u>127 Pepper Ave, Larkspur, CA 94939</u> |
| _____ | _____ |
| _____ | _____ |

B. Total number of parcels included in this application: 3

9. Total land area in acres: 2.94



LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

All parcels are single family developed

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.)
residential single-family

3. Indicate the current zoning (either city/town or county) title and densities permitted:

4. Has the area been rezoned? No _____ N/A X Yes _____

What is the rezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)
N/a



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

ENVIRONMENT

1. Is the site presently zoned, or designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- | | | | |
|--------------------|-----------|--|-----------|
| A. This site? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| B. Adjacent sites? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: _____
all within flat areas of Larkspur and Corte Madera

5. Indicated Lead Agency for this project: SD2 and RVSD

6. Indicate Environmental Determination by Lead Agency: _____
with respect to (indicate project) _____
Dated: _____

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



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

Date

Print Name

Title



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

V. PLAN FOR PROVIDING SERVICES (For City/Town or District Only)

This section to be completed by a city/town or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services: _____

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

This section completed by:

Signature

Title

Print Name

Agency

Contact Email

Contact Number

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is within SOI of jurisdiction being annexed into |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 8 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst
Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 25-09, Annexation of 5124 Paradise Dr, Corte Madera (APN 026-231-53), 5044 Paradise Dr (APN's 038-022-63, 038-022-67, 038-022-68, 038-022-69 & 038-022-70) and 4985 Ranch Rd, Tiburon (APN 038-052-02) into Sanitary District No. 2 of Marin County (File #1380) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Background

The applications in agenda items 6-10 spawned over 3 years ago when Sanitary District No. 2 (SD2) approached LAFCo with a list of parcels that they were serving but did not seem to show up in the County system for payment of services and/or in the Marin Map GIS system. Staff reviewed the list and our application log to help SD2 with what was occurring. Some parcels were in the SD2, so the district needed to work with the County as to why they were not showing up on the payment list. A limited number of parcels had been annexed into the SD2 by LAFCo but for some reason in the past had not been added to Marin Map, so those parcels were corrected in the system. During the process, SD2 worked with Ross Valley Sanitary District (RVSD) to dye test parcels along its shared boundary. That testing resulted in the realization that several parcels are being served by the wrong district. Instead of having these parcels move laterals to connect to the “correct” district according to our maps it was decided the simpler and more cost-efficient process would be to change the boundary lines to make sure each parcel is in the correct boundary. Finally, in the tail end of the process before the application was submitted, Claire located some “holes” in the map that were not associated with other holes found by agencies and conferred with both districts as to who was serving the parcels. Once it was confirmed that those parcels were receiving services the parcels were included as part of a group of applications on today’s agenda to deal with boundary corrections to show the true service provider for each parcel. In all cases these parcels have been receiving service for longer than current Marin LAFCo have worked for the agency.

Marin LAFCo has received an application from Sanitary District No. 2 (“applicant”) requesting approval to annex three parcels of approximately 3.09 acres being annexed into Sanitary District No. 2 (SD2). The parcels are addressed as follows APN 026-231-53, 038-022-69, 038-022-70, 038-022-63, 038-022-68, 038-022-67, 038-052-02. The proposal, as stated by the applicant, is to enter into Sanitary District No. 2 to reflect that the parcels that already receive services from SD2 are within their boundaries. The parcels are currently in the boundaries of the Cities of Corte Madera and unincorporated Tiburon. Both 5044 Paradise and 4985 Ranch Rd. are in

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, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

Sanitary District No. 2's sphere of influence whereas 5124 Paradise is outside the Sphere of Influence of Sanitary District No. 2. Staff have requested comments from RVSD and SD2, along with other interested agencies. All comments received were in support or neutral.

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested reorganization of APNs: APN 026-231-53, 038-022-69, 038-022-70, 038-022-63, 038-022-68, 038-022-67, 038-052-02 and approve the attached Resolution No. 25-09 with conditions.

Alternate Option 2 – Continue consideration of the item at a future regular meeting, and provide directions to staff, as needed.

Alternate Option 3 – Deny the request.

Attachment

1. Resolution #25-09
2. Map and Legal
3. Application
4. Section 56668 Checklist

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 25-09

RESOLUTION APPROVING AN ANNEXATION OF 5124 PARADISE DR., CORTE MADERA, 5044 PARADISE DR., CORTE MADERA, AND 4985 RANCH ROAD, TIBURON INTO SANITARY DISTRICT NO. 2 OF MARIN COUNTY WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Annexation of 5124 Paradise Dr, Corte Madera (APN 026-231-53), 5044 Paradise Dr, Corte Madera (APN’s 038-022-63, 038-022-67, 038-022-68 & 038-022-69 & 038-022-70) and 4985 Ranch Rd, Tiburon (APN 038-052-02) into Sanitary District No. 2 (File #1380)”

WHEREAS Sanitary District No. 2 has filed an agency petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to annex 5124 Paradise Drive, Corte Madera, 5044 Paradise Drive, Corte Madera, and 4985 Ranch Road, Tiburon, consisting of approximately 3.09 acres of incorporated and unincorporated land to Sanitary District No. 2; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, with 100% written consent received by landowners, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the annexation, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 3.09 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 5124 Paradise Dr, Corte Madera (APN 026-231-53), 5044 Paradise Dr, Corte Madera (APN’s 038-022-63, 038-022-67, 038-022-68 & 038-022-69 & 038-022-70) and 4985 Ranch Rd, Tiburon (APN 038-052-02) into Sanitary District No. 2 (File #1380)”

Section 3. The proposal is consistent with the adopted spheres of influence for Sanitary District No. 2.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, protest proceedings, and complete reorganization proceedings.

Section 5. As Lead Agency under CEQA for the proposed annexation of APN’s 026-231-53, 038-022-63, 038-022-67, 038-022-68, 038-022-69, 038-022-70 and 038-052-02 to Sanitary District No. 2, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-09

- a) Exhibit A – Legal Description
- b) Exhibit B – Map



Geographic Description

Annexation of APN 038-052-02
Into Sanitary District No 2
LAFCO File #: 1380
Page 1 of 3

All that certain real property, situate in the County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being the lands of Jane M. Mangus and Jon L. Mangus, as described in that Individual Quitclaim Deed recorded under Document Number 86-0073458, Official Records of Marin County, described as follows:

Beginning at an angle point on the existing boundary of Sanitary District No 2, said point being the common northerly corner of said lands of Mangus and the lands of Feng Xu as described in that Grant Deed recorded under Document Number 2017-0041889, Official Records of Marin County;

Course 1 – Thence leaving said right of way, and along the existing boundary of Sanitary District No 2, South 46°01'00" West 105.00 feet;

Course 2 – Thence continuing along said existing district boundary, North 47°27'00" West 118.63 feet;

Course 3 – Thence leaving said existing district boundary North 45°26'00" East 97.42 feet to the southwesterly right of way of Ranch Road;

Course 4 – Thence along said right of way South 51°56'00" East 109.46 feet;

Course 5 – Thence continuing along said right of way, South 42°01'00" East 11.00 feet to the Point of Beginning and containing 0.28 acres of land more or less;

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described. This description of land is intended for annexation of the lands described under Document Number 2006-0041790, into the Marin Sanitary District No. 2, only. Research of existing district boundaries was performed in preparation of this description; however, no maps or legal descriptions describing existing district boundaries were recovered. Therefore, this description relies upon existing parcel descriptions, a listing of assessor's parcels serviced by the district, and the MarinMap Map Viewer graphical information system as the best available evidence to determine existing district boundaries. No gaps between existing district boundaries and the southeasterly and southwesterly lines of the lands described herein are intended.



Geographic Description

Annexation of APN 038-052-02
Into Sanitary District No 2
LAFCO File #: 1380
Page 2 of 3

Prepared by:
BKF ENGINEERS

A handwritten signature in cursive script that reads 'Daniel Langley'.

Daniel P. Langley, PLS. No. 9380

Dated: 08/20/2024



LOCATED IN RANCHO CORTE
MADERA DEL PRESIDIO



VICINITY MAP

NOT TO SCALE

COURSE 5
S42°01'00"E 11.00'

POINT OF BEGINNING

PARADISE DRIVE (60' RW)

4980 PARADISE DRIVE
APN 038-052-01
(NOT TO BE INCLUDED IN
SANITARY DISTRICT 2)

RANCH ROAD (40' RW)

SANITARY DISTRICT NO. 2

LANDS OF MANGUS
DN 86-0073458
4985 RANCH ROAD
APN 038-052-02
0.28± ACRES

N45°26'00"E 97.42'
COURSE 3

S51°56'00"E 109.46'
COURSE 4

N47°27'00"W 118.63'
COURSE 2

S46°01'00"W 105.00'
COURSE 1

4950 PARADISE DRIVE
APN 038-052-06

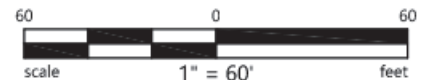
LANDS OF XU
DN 2017-0041899
4905 RANCH ROAD
APN 038-052-07

TOWN OF TIBURON
UNINCORPORATED
MARIN COUNTY

UNINCORPORATED
MARIN COUNTY
CITY OF TIBURON

4930 PARADISE DRIVE
APN 038-052-08

SANITARY DISTRICT NO. 2



LEGEND

- EXISTING BOUNDARY OF SANITARY DISTRICT NO 2
- PROPOSED BOUNDARY OF SANITARY DISTRICT NO 2
- LIMITS OF TOWN OF TIBURON

DISCLAIMER:

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4040 CIVIC CENTER DR.
SUITE 530
SAN RAFAEL, CA 94903
(415) 930-7960
www.bkf.com

ANNEXATION OF
APN 038-052-02 INTO
SANITARY DISTRICT NO 2
LAFCO FILE #: _____
MARIN MAPPING #: _____

JOB # 20230192-01
DATE AUG. 2024
CHECKED. JPS
SHEET 3 OF 3



Geographic Description

Annexation of APN 038-022-63, 038-022-67, 038-022-68, 038-022-69 & 038-022-70
Into Sanitary District No 2
LAFCO File #:1380
Page 1 of 3

All that certain real property, situate in the County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being the lands of Malcolm Keating Coffey and Ann Weisberger Coffey, Trustees of the Malcolm Keating Coffey and Ann Weisberger Coffey Family Trust dated 3/16/90, recorded under Document Number 97-0068094, Official Records of Marin County; the lands of Malcolm Keating Coffey and Ann Weisberger Coffey, Trustees of the Malcom Keating Coffey and Ann Weisberger Coffey Family Trusts dated 3/16/90 as described by Grant Deed for lot line adjustment recorded June 30, 1998, in the Official Records of Marin County under Document Number 1998-0045348; the lands of Ann Coffey as described by Quit Claim Deed recorded May 18, 2011, in the Official Records of Marin County under Document Number 2011-0025880, and being more particularly described as follows:

Beginning at a point on the centerline of Paradise Drive, said point being the intersection of the courses labeled South 56°34' East 53.659 feet and South 45°00' West 136.671 feet in Parcel "B" as shown on that certain map titled "Parcel Map of Lot Line Adjustment" recorded in Book 18 of Parcel Maps, page 84, Marin County Records;

Course 1 - Thence northeasterly and along the lines of said Parcel "B", North 45°00' East 136.67 feet;

Course 2 – Thence continuing along the lines of Parcel B, South 60°45'00" East 10.39 feet;

Course 3 – Thence continuing along the lines of Parcel B, North 45°00' East 360.71' to the northeastern-most corner of said Parcel "B";

Course 4 – Thence leaving said Parcel "B", and along the northernmost line of Lot 2 as shown on that certain map titled "Record of Survey, Lot Line Adjustment" recorded in Book 22 of Surveys at page 28, Marin County Records, South 00°00'00" East 111.64 feet to the corner common to Lot 1 and Lot 2 as shown on said record of survey;

Course 5 – Thence North 90°00'00" East 47.55 feet to the northernmost corner of said Lot 1;

Course 6 – Thence leaving said Lot 1, and along the northernmost line of the Lands of Coffey as described by Grant Deed for lot line adjustment recorded June 30, 1998 under Document Number 1998-0045348, Marin County Records, North 90°00'00" East 28.28 feet;

Course 7 – Thence continuing along the lines of Coffey per Document Number 1998-0045348, South 45°00'00" West 476.33 feet to a point on the southerly right of way of Paradise Drive;

Course 8 – Thence along said right of way line North 56°34'00" West 89.33 feet;

Course 9 – Thence leaving said right of way, North 40°17'00" East 30.22 feet to the centerline of Paradise Drive as shown on said 22 Surveys 28;



Geographic Description

Annexation of APN 038-022-63, 038-022-67, 038-022-68 & 038-022-69 & 038-022-70

Into Sanitary District No 2

LAFCO File #: 1380

Page 2 of 3

Course 10 – Thence along said centerline North 33°00'00" West 53.66 feet to the Point of Beginning.

Containing 1.43 acres of land more or less;

Being Assessor's Parcel Numbers 038-022-63, 038-022-67, 038-022-68 & 038-022-69 & 038-022-70

For assessment purposes only. This description of land is not a legal property description as defined in the

Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

This description of land is intended for annexation of the lands described under Document Number 97-0068094 and Document Number 1998-0045348, into the Marin Sanitary District No. 2, only. Research of existing district boundaries was performed in preparation of this description; however, no maps or legal descriptions describing existing district boundaries were recovered. Therefore, this description relies upon existing parcel descriptions, a listing of assessor's parcels serviced by the district, and the MarinMap Map Viewer graphical information system as the best available evidence to determine existing district boundaries.

Prepared by:

BKF ENGINEERS

A handwritten signature in cursive script that reads 'Daniel Langley'.

Daniel P. Langley, PLS. No. 9380

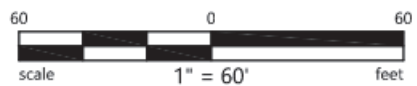
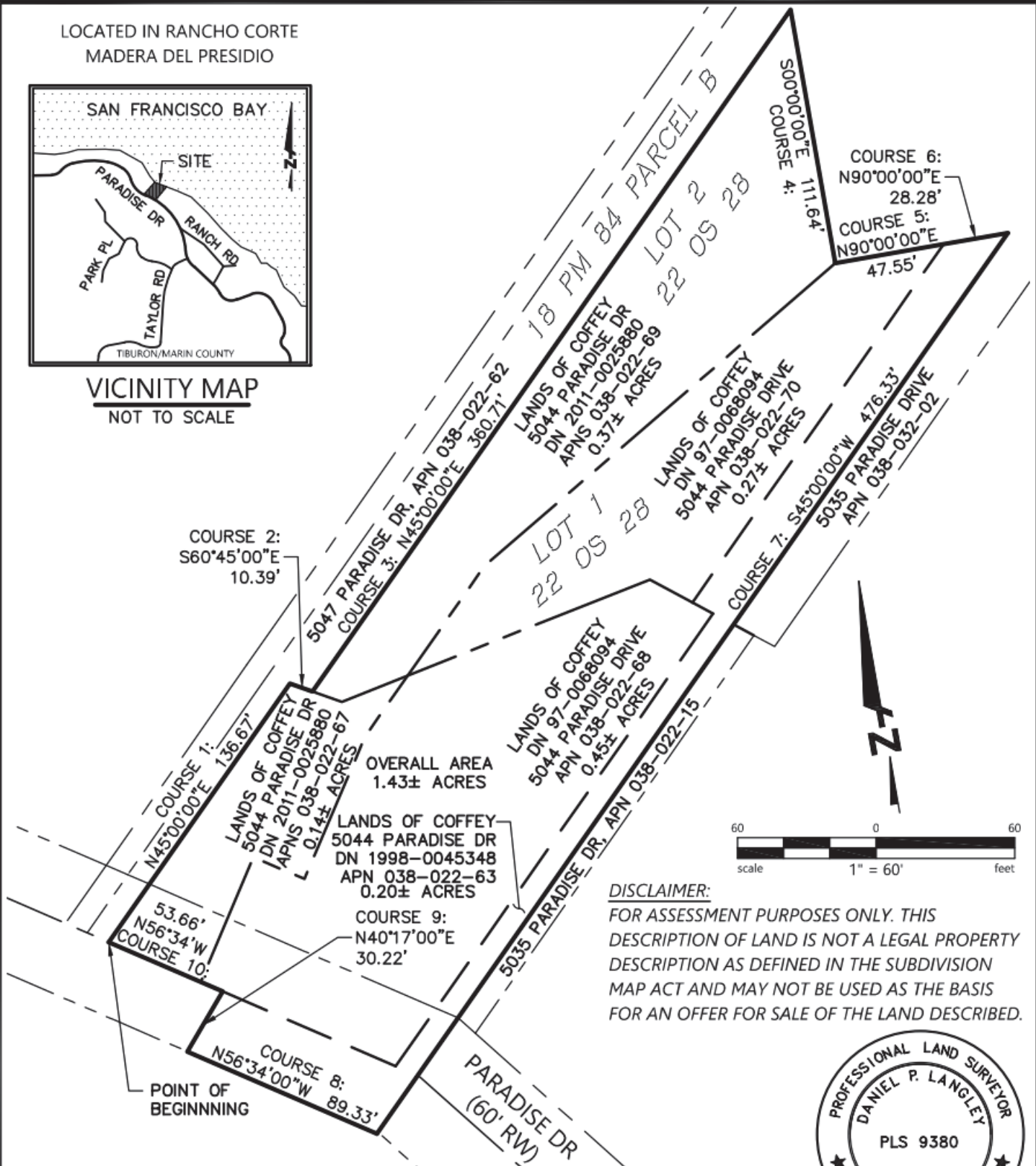
Dated: 8/22/2024



LOCATED IN RANCHO CORTE
MADERA DEL PRESIDIO



VICINITY MAP
NOT TO SCALE



DISCLAIMER:
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LEGEND

- PROPOSED BOUNDARY OF SANITARY DISTRICT NO 2
- LIMITS OF TOWN OF TIBURON



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ANNEXATION OF
 APN 038-022-63, 038-022-67,
 038-022-68, 038-022-69 &
 038-022-70 INTO SANITARY
 DISTRICT NO 2
 LAFCO FILE #: _____
 MARIN MAPPING #: _____

JOB # 20230192-01
 DATE AUG 2024
 CHECKED. JPS
 SHEET 3 OF 3



Geographic Description

Annexation of APN 026-231-53

Into Sanitary District No 2

LAFCO File #: 1380

Page 1 of 3

All that certain real property, situate in the County of Marin, Town of Corte Madera, State of California, being the lands of Huntly S. Gordon, II and Brooke Francis Gordon as described by Grant Deed recorded August 27, 2010, under Document Number 2010-0041612 of Official Records, County of Marin; described as follows:

Beginning at a point on the existing boundary of Sanitary District No 2, on the former center line of Paradise Drive distant South 80°44'00" East 54.29 feet from the angle point common to the courses North 45°44'00" East 150 feet and South 80°44'00" East 204.90 feet, as said center line is described in Book 53 of Deeds at page 249, Marin County Records;

Course 1 – Thence from said Point of Beginning and along said existing district boundary North 00°00'00" East 418.63 feet to a point on the northerly boundary of Lot 20 of Section 24, Township 1 North, Range 6 West, Mount Diablo Base and Meridian;

Course 2 – Thence leaving said existing district boundary, and along said northerly line of Lot 20, North 90° 00'00" East 140 feet to an angle point in the existing boundary of Sanitary District No 2;

Course 3 – Thence along said existing district boundary, South 00°00'00" East 441.47 feet to said former centerline of Paradise Drive as described in Book 53 of Deeds at page 249;

Course 4 – Thence along said former centerline of Paradise Drive, North 80°44'00" West 141.85 feet to the Point of Beginning and containing 1.38 acres of land more or less;

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.


This description of land is intended for annexation of the lands described under Document Number 2010-0041612 into the Marin Sanitary District No. 2, only. Research of existing district boundaries was performed in preparation of this description; however, no maps or legal descriptions describing existing district boundaries were recovered. Therefore, this description relies upon existing parcel descriptions, a listing of assessor's parcels serviced by the district, and the MarinMap Map Viewer graphical information system as the best available evidence to determine existing district boundaries.



Geographic Description

Annexation of APN 026-231-53
Into Sanitary District No 2
LAFCO File #: 1380
Page 2 of 3

Prepared by:
BKF ENGINEERS


Daniel P. Langley, PLS. No. 9380

Dated: 08/20/2024

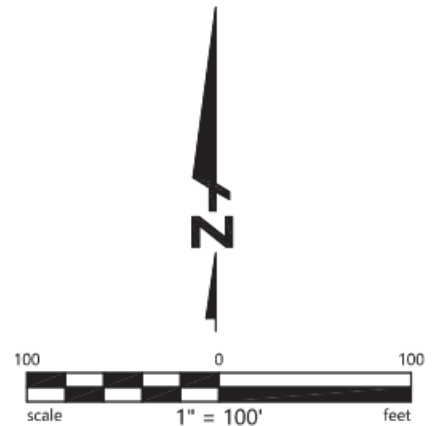
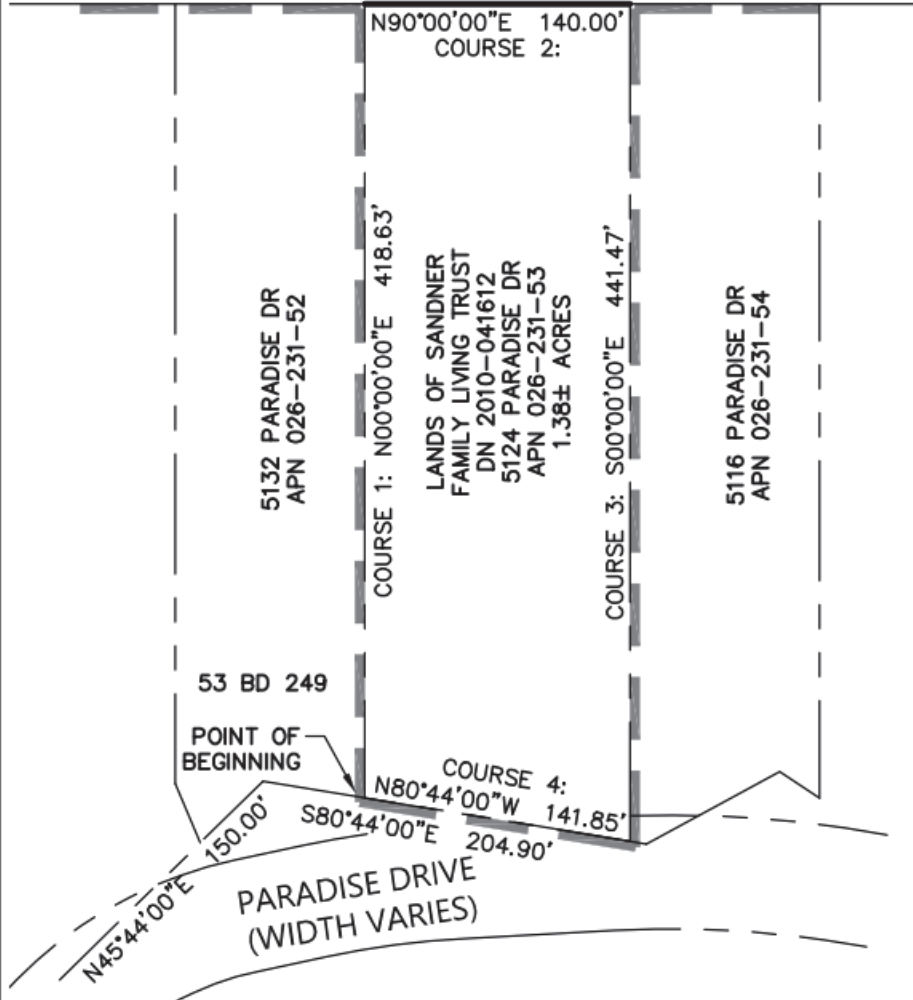


LOCATED IN RANCHO CORTE
MADERA DEL PRESIDIO



VICINITY MAP
NOT TO SCALE

SAN FRANCISCO BAY



LEGEND

- EXISTING BOUNDARY OF SANITARY DISTRICT NO 2
- PROPOSED BOUNDARY OF SANITARY DISTRICT NO 2

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ANNEXATION OF
APN 026-231-53 INTO
SANITARY DISTRICT NO 2
LAFCO FILE #: _____
MARIN MAPPING #: _____

JOB # 20230192-01
DATE AUG 2024
CHECKED. JPS
SHEET 3 OF 3



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

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

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

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Annexation of three parcels into Corte Madera Sanitary District

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited (11 or fewer registered voters)
5. This proposal is or is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to place into the district that is providing them services aka correct boundaries

7. The proposal is requested to be made subject to the following terms and conditions:
following tax exchange agreement

8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land
 On behalf of the Board, City, District, or Agency

Print Name

Signature

Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

II. LANDOWNERS SIGNATURES (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Malcolm & Ann Coffey
5044 PARADISE DR.
Tiburon, CA 94920

Contact Number: (415) 987 6143 Email: MACCOFFEY@COMCAST.NET

Agent Representative (optional)
I/We hereby authorize Fernanda Stefanick to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Fernanda Stefanick - Sanitary District #2
240 Tamal Vista Blvd, Suite 110
Corte Madera, CA 94925

Contact Number: (628) 253-1158 Email: fstefanick@tcmmail.org

All owners of each parcel **must** sign. Original signatures are required.

M. Coffey
Property Owner Signature 12/15/22
Date

Ann Coffey
Property Owner Signature 12/15/22
Date

Property Owner Signature _____
Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

II. LANDOWNERS SIGNATURES

(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Jon Mangus is deceased

Name and Address of Applicant: ~~Jane & Jon Magnus~~, *Janie Mangus*
4985 Ranch Road
Tiburon, CA 94920

Contact Number: *(415) 215-4263* Email: *jmangus3@comcast.net*

Agent Representative (optional)
I/We hereby authorize Fernanda Stefanick to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Fernanda Stefanick - Sanitary District #2
240 Tamal Vista Blvd, Suite 110
Corte Madera, CA 94925

Contact Number: (628) 253-1158 Email: fstefanick@tcmmail.org

All owners of each parcel **must** sign. Original signatures are required.

Janie Mangus
Property Owner Signature _____ Date 10/14/22

Property Owner Signature _____ Date _____

Property Owner Signature _____ Date _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer’s Report, and Notice of Hearings. This includes name, title, email address, and phone number of key staff you’ve worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

Please Print Name

Email Address

Phone Number

Fernanda Stefanick <fstefanick@tcmmail.org> (415) 927-5792

R.J. Suokko <rsuokko@tcmmail.org> (415) 927-5118

Felicia Newhouse <fnewhouse@rvsd.org>

Cymantha Baroy <cbaroy@tcmmail.org>(415) 927-5057



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

III. APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:

Petition (Landowner)

Resolution of Application (City/Town or District)

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:

(BE SPECIFIC: For example, "annexation," "reorganization")

Reorganization of 3 properties to correct the boundaries and place the parcels within the boundaries of RVSD

B. The reason for the proposed action(s) being requested:

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")

Reorganization to correct boundary discrepancies

4. State general location of proposal:

all 3 properties are located along the boarder of SD2



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

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

Yes Which city? 5124 within Corte Madera boundaries

No If the proposal is adjacent to a city, provide city name: 5044 and 4985 Paradise and Ranch are unincorp.

6. Is the subject territory located within an island of unincorporated territory?

Yes No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes _____ No

If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:

(Attach additional if needed)

A. Assessor's Parcel Number(s)

026-231-53

038-052-02

038-022-68, 038-022-67

038-022-70, 038-022-63,

038-022-69

Site Address(es)

5124 Paradise Dr. Corte Madera, CA 94925

4985 Ranch Rd., Tiburon, CA 94920

5044 Paradise Dr., Tiburon, CA 94920

B. Total number of parcels included in this application: 7

9. Total land area in acres: 3.09



LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

Residential, One single family dwelling - Land Use:11

5044 - Residential, One single family dwelling - Land Use:11

4985 - Residential, One single family dwelling - Land Use:11

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.)

5124 - Corte Madera Urban Service Area

5044 - Unincorporated Tiburon

4985 - Unincorporated Tiburon

3. Indicate the current zoning (either city/town or county) title and densities permitted:

4. Has the area been rezoned? No _____ N/A Yes _____

What is the rezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)

N/a



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

ENVIRONMENT

1. Is the site presently zoned, or designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- | | | | |
|--------------------|-----------|--|-----------|
| A. This site? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| B. Adjacent sites? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: _____
allong paradise drive coast

5. Indicated Lead Agency for this project: SD2

6. Indicate Environmental Determination by Lead Agency: Marin LAFCo
with respect to (indicate project) _____
Dated: _____

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



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

Date

Print Name

Title



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

V. PLAN FOR PROVIDING SERVICES (For City/Town or District Only)

This section to be completed by a city/town or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services: _____

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

This section completed by:

Signature

Title

Print Name

Agency

Contact Email

Contact Number

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is within SOI of jurisdiction being annexed into where 5124 is not |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13th, 2025

Item No.9 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst
Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 25-10, Reorganization of 7 Sunrise, Larkspur (APN 021-154-08) Detaching from Ross Valley Sanitary District and Annexing into Sanitary District No. 2 of Marin County (LAFCo File #1381) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Background

The applications in agenda items 6-10 spawned over 3 years ago when Sanitary District No. 2 (SD2) approached LAFCo with a list of parcels that they were serving but did not seem to show up in the County system for payment of services and/or in the Marin Map GIS system. Staff reviewed the list and our application log to help SD2 with what was occurring. Some parcels were in the SD2, so the district needed to work with the County as to why they were not showing up on the payment list. A limited number of parcels had been annexed into the SD2 by LAFCo but for some reason in the past had not been added to Marin Map, so those parcels were corrected in the system. During the process, SD2 worked with Ross Valley Sanitary District (RVSD) to dye test parcels along its shared boundary. That testing resulted in the realization that several parcels are being served by the wrong district. Instead of having these parcels move laterals to connect to the “correct” district according to our maps it was decided the simpler and more cost-efficient process would be to change the boundary lines to make sure each parcel is in the correct boundary. Finally, in the tail end of the process before the application was submitted, Claire located some “holes” in the map that were not associated with other holes found by agencies and conferred with both districts as to who was serving the parcels. Once it was confirmed that those parcels were receiving services the parcels were included as apart of a group of applications on today’s agenda to deal with boundary corrections to show the true service provider for each parcel. In all cases these parcels have been receiving service for longer than current Marin LAFCo have worked for the agency.

Marin LAFCo has received an application from Sanitary District No. 2 (“applicant”) requesting approval to reorganize one parcel of approximately .26 acres being detached from Ross Valley and annexed into Sanitary District No. 2. The parcel is addressed as follows 021-154-08. The proposal, as stated by the applicant, is to enter Sanitary District No. 2 boundaries to correct the boundaries and place the parcel into the district they are already receiving service from. The parcel is currently in the boundaries of the City of Larkspur. The parcel is not in a sanitary sphere of influence. Staff have requested comments from RVSD and SD2, along with other interested agencies. All comments received were in support or neutral.

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, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested reorganization of APN: 021-154-08 and approve the attached Resolution No. 25-10 with conditions.

Alternate Option 2 – Continue consideration of the item at a future regular meeting, and provide directions to staff, as needed.

Alternate Option 3 – Deny the request.

Attachment

1. Resolution #25-10
2. Map and Legal
3. Application
4. Section 56668 Checklist

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 25-10

RESOLUTION APPROVING A REORGANIZATION DETACHING 7 SUNRISE, LARKSPUR FROM ROSS VALLEY SANITARY DISTRICT AND ANNEXATION TO SANITARY DISTRICT NO. 2 OF MARIN COUNTY WITH WAIVER OF NOTICE, HEARING, AND PROTEST PROCEEDINGS

“Reorganization of 7 Sunrise, Larkspur (APN 021-154-08) detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2 (LAFCo File #1381)”

WHEREAS Sanitary District No. 2, filed an agency petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to detach 7 Sunrise, Larkspur, which is approximately .26 acres of incorporated land from Ross Valley Sanitary District and annex into Sanitary District No. 2; and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, with 100% written consent received by landowners, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the reorganization, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes .26 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Reorganization of 7 Sunrise, Larkspur (APN 021-154-08) detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2 of Marin County (LAFCo File #1381)”

Section 3. The proposal is consistent with the adopted spheres of influence for Sanitary District No. 2.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, protest proceedings, and complete reorganization proceedings.

Section 5. As the Lead Agency under CEQA for the proposed annexation of APN 021-154-08 to Sanitary District No. 2, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-10

- a) Exhibit A – Legal Description
- b) Exhibit B – Map



Geographic Description

Annexation of APN 021-154-08
Into Sanitary District No 2
LAFCO File #: 1381
Page 1 of 3

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being the lands of Julia Earl as described in the Grant Deed recorded under Document Number 2006-0041790, Official Records of Marin County, described as follows:

Beginning at an angle point on the existing boundary of Sanitary District No 2, and also being the northernmost corner of Lot 108 as shown on that certain map titled Amended Map of Corte Madera Woods recorded March 16, 1912 in Book 4 of Maps at page 16, Marin County Records;

Course 1 – Thence along the existing boundary of Sanitary District No 2, South 44°19'00" West 101.73 feet to the southerly line of the Lands of Julia Earl as described in the Grant Deed recorded under Document Number 2006-0041790, Official Records of Marin County;

Course 2 – Thence leaving said existing district boundary, and along the southerly lines of said Lands of Earl, North 56°50'00" West 33.67 feet;

Course 3 – Thence along said southerly line, South 73°46'00" West 50.15 feet;

Course 4 – Thence along said line southerly line, South 85°14'50" West 62.56 feet to southerly right of way of Sunrise Lane;

Course 5 – Thence along said southerly line, North 14°52'00" West 20.00 feet to the centerline of Sunrise Lane;

Course 6 – Thence following the centerline of Sunrise Lane along a curve concave northerly, having a radial bearing of North 14°52'00" West, a radius of 60.00 feet and a central angle of 39°48'00" for an arc length of 41.68 feet;

Course 7 – Thence along said centerline, North 35°20'00" East 54.79 feet;

Course 8 – Thence leaving said centerline and along the northerly line of said lands of Earl, South 84°45'00" East 150.27 feet to the Point of Beginning and containing 0.26 acres of land more or less;

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.


This description of land is intended for annexation of the lands described under Document Number 2006-0041790, into the Marin Sanitary District No. 2, only. Research of existing district boundaries was performed in preparation of this description; however, no maps or legal descriptions describing existing district boundaries were recovered. Therefore, this description relies upon existing parcel descriptions, a listing of assessor's parcels serviced by the district, and the MarinMap Map Viewer graphical information system as the best available evidence to determine existing district boundaries. No gaps between existing district boundaries and the easterly line of the lands described herein are intended.



Geographic Description

Annexation of APN 021-154-08
Into Sanitary District No 2
LAFCO File #: 1381
Page 2 of 3

Prepared by:
BKF ENGINEERS



Daniel P. Langley, PLS. No. 9480

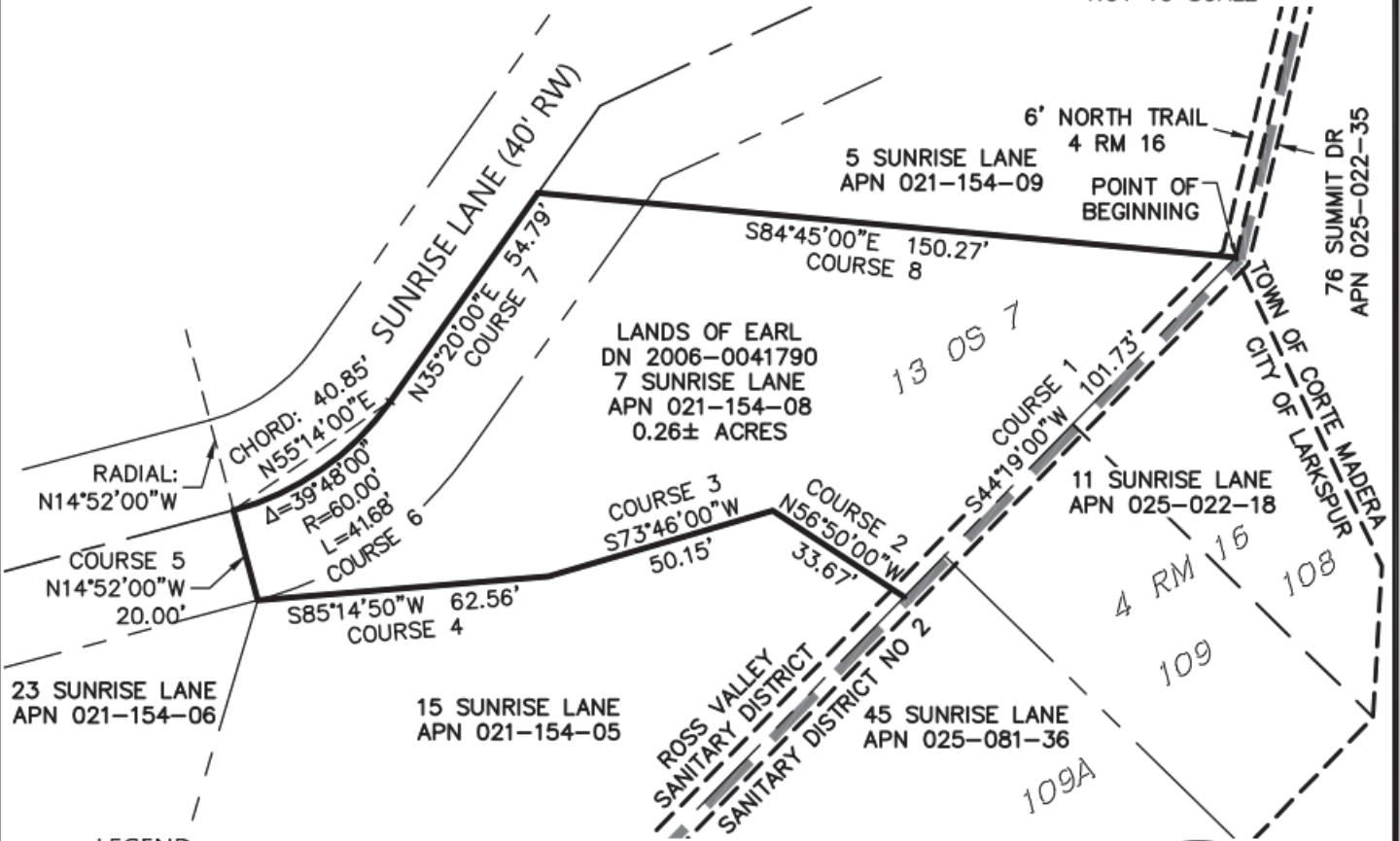
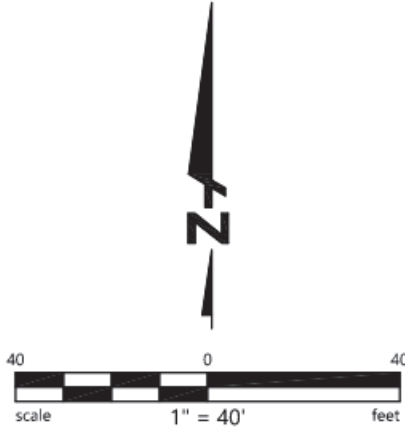
Dated: 08/20/2024



LOCATED IN RANCHO CORTE
MADERA DEL PRESIDIO



VICINITY MAP
NOT TO SCALE



LEGEND

- — — — — EXISTING BOUNDARY OF SANITARY DISTRICT NO 2
- PROPOSED BOUNDARY OF SANITARY DISTRICT NO 2
- - - - - LIMITS OF CITY OF LARKSPUR & TOWN OF CORTE MADERA

DISCLAIMER:
 FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



BKF ENGINEERS
 4040 CIVIC CENTER DR.
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 www.bkf.com

ANNEXATION OF
 APN 025-154-08 INTO
 SANITARY DISTRICT NO 2
 LAFCO FILE #: _____
 MARIN MAPPING #: _____

JOB # 20230192-01
 DATE AUG. 2024
 CHECKED. JPS
 SHEET 3 OF 3



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

I. PETITION FOR PROCEEDING PURSUANT TO THE CORTESI-KNOX-HERTZBERG ACT LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

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

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortesi-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Reorganization of 1 parcel being detached from RVSD and into SD2

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited (11 or fewer registered voters)
5. This proposal is or is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to place into the district that is providing them services aka correct boundaries

7. The proposal is requested to be made subject to the following terms and conditions:
following tax exchange agreement

8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land
 On behalf of the Board, City, District, or Agency

Print Name

Signature

Date



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

II. LANDOWNERS SIGNATURES
(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Julia Earl
7 Sunrise Lane
Larkspur, CA 94939

Contact Number: (415) 927-4413 Email: juliaearl@att.net

Agent Representative (optional)
I/We hereby authorize Fernanda Stefanick to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Fernanda Stefanick - Sanitary District #2
240 Tamal Vista Blvd, Suite 110
Corte Madera, CA 94925

Contact Number: (628) 253-1158 Email: fstefanick@tcmmail.org

All owners of each parcel **must** sign. Original signatures are required.

Julia Earl 10/20/22
Property Owner Signature Date

Property Owner Signature Date

Property Owner Signature Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

II. LANDOWNERS SIGNATURES (§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: _____

Contact Number: (____) _____ Email: _____

Agent Representative (optional)

I/We hereby authorize _____ to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: _____

Contact Number: (____) _____ Email: _____

All owners of each parcel **must** sign. Original signatures are required.

Property Owner Signature Date

Property Owner Signature Date

Property Owner Signature Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer’s Report, and Notice of Hearings. This includes name, title, email address, and phone number of key staff you’ve worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

Please Print Name

Email Address

Phone Number

Fernanda Stefanick <fstefanick@tcmmail.org> (415) 927-5792

R.J. Suokko <rsuokko@tcmmail.org> (415) 927-5118

Felicia Newhouse <fnewhouse@rvsd.org>

Cymantha Baroy <cbaroy@tcmmail.org>(415) 927-5057



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

III. APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:
 Petition (Landowner)
 Resolution of Application (City/Town or District)

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:
(BE SPECIFIC: For example, "annexation," "reorganization")
Reorganization of 31 properties to correct the boundaries and place the parcels within the boundaries of SD2

- B. The reason for the proposed action(s) being requested:
(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")
Reorganization to correct boundary discrepancies

4. State general location of proposal:
located along the boarder of SD2



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

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

Yes Which city? _____

No If the proposal is adjacent to a city, provide city name: Larkspur

6. Is the subject territory located within an island of unincorporated territory?

Yes No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes No

If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:

(Attach additional if needed)

A. Assessor's Parcel Number(s)

021-154-08

Site Address(es)

7 Sunrise Ln, Larkspur CA 94939

B. Total number of parcels included in this application: 1

9. Total land area in acres: .26



LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

Land use- single family

Zone- Lower Ross Valley

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.)

Residential, One single family dwelling - Land Use:11

3. Indicate the current zoning (either city/town or county) title and densities permitted:

R-1

4. Has the area been rezoned? No _____ N/A X Yes _____

What is the rezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

ENVIRONMENT

1. Is the site presently zoned, or designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- | | | | |
|--------------------|-----------|--|-----------|
| A. This site? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| B. Adjacent sites? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: _____
Existing developed hillside

5. Indicated Lead Agency for this project: SD2

6. Indicate Environmental Determination by Lead Agency: Marin LAFCo
with respect to (indicate project) _____

Dated: _____

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



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

Date

Print Name

Title



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

V. PLAN FOR PROVIDING SERVICES (For City/Town or District Only)

This section to be completed by a city/town or district representative for all **applications initiated by resolution or as required by Executive Officer.**

1. Enumerate and describe services to be extended to the affected territory:

Police: _____

Fire: _____

Sewer: _____

Water: _____

Other: _____

2. Advise whether any of the affected agencies serving or expected to serve this site are current operating at or near capacity: _____

3. Describe the level and range of services: _____

4. Indicate when services can/will be extended to the affected territory:

5. Note any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions required within the affected territory: _____



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

6. Describe financial arrangements for construction and operation of services extended to the affected territory. Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

This section completed by:

Signature

Title

Print Name

Agency

Contact Email

Contact Number

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is within SOI of jurisdiction being annexed into |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13th, 2025

Item No.10 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst
Jason Fried, Executive Officer

SUBJECT: Approval of Resolution 25-11, Reorganization of 11 parcels APN's: 021-214-13, 022-120-38, 022-203-11, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 Detaching from the Ross Valley Sanitary District and Annexing into Sanitary District No. 2 of Marin County (LAFCo File #1382) with Waiver of Notice, Hearing, and Protest Proceedings and Finding it Exempt from CEQA pursuant to State CEQA Guidelines Section 15319

Background

The applications in agenda items 6-10 spawned over 3 years ago when Sanitary District No. 2 (SD2) approached LAFCo with a list of parcels that they were serving but did not seem to show up in the County system for payment of services and/or in the Marin Map GIS system. Staff reviewed the list and our application log to help SD2 with what was occurring. Some parcels were in the SD2, so the district needed to work with the County as to why they were not showing up on the payment list. A limited number of parcels had been annexed into the SD2 by LAFCo but for some reason in the past had not been added to Marin Map, so those parcels were corrected in the system. During the process, SD2 worked with Ross Valley Sanitary District (RVSD) to dye test parcels along its shared boundary. That testing resulted in the realization that several parcels are being served by the wrong district. Instead of having these parcels move laterals to connect to the "correct" district according to our maps it was decided the simpler and more cost-efficient process would be to change the boundary lines to make sure each parcel is in the correct boundary. Finally, in the tail end of the process before the application was submitted, Claire located some "holes" in the map that were not associated with other holes found by agencies and conferred with both districts as to who was serving the parcels. Once it was confirmed that those parcels were receiving services the parcels were included as apart of a group of applications on today's agenda to deal with boundary corrections to show the true service provider for each parcel. In all cases these parcels have been receiving service for longer than current Marin LAFCo have worked for the agency.

Marin LAFCo has received an application from Sanitary District No. 2 ("applicant") requesting approval to reorganize several parcel in and around Redwood High School of approximately 70.66 acres being annexed or reorganized into/between RVSD and Sanitary District No. 2. The parcels are addressed as follows 021-214-13, 022-120-38, 022-203-11, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01. The proposal, as stated by the applicant, is to annex Redwood High School to SD2 for the provision or services and the reorganization of surrounding parcels to reflect correct district boundaries and prevent a map with wholes. The parcels are now in the correct sanitary spheres of influence. Staff have

Administrative Office
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1401 Los Gamos Drive, Suite 220
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Dennis Rodoni, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

requested comments from RVSD and SD2, along with other interested agencies. All comments received were in support or neutral.

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

Staff Recommendation for Action

Staff Recommendation 1 – Approve the requested reorganization of APN’s: 021-214-13, 022-120-38, 022-203-11, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 and approve the attached Resolution No. 25- 11 with conditions.

Alternate Option 2 – Continue consideration of the item at a future regular meeting, and provide directions to staff, as needed.

Alternate Option 3 – Deny the request.

Attachment

1. Resolution #25-11
2. Map and Legal
3. Application
4. Section 56668 Checklist

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 25-11

RESOLUTION APPROVING A REORGANIZATION OF 11 PARCELS IN LARKSPUR AND CORTE MADERA AND DETACHING FROM SANITARY DISTRICT NO. 2 OF MARIN COUNTY AND ANNEXING INTO ROSS VALLEY SANITARY DISTRICT WITH WAIVER OF NOTICE, HEARING, AND PROTEST PROCEEDINGS

“Reorganization of 11 parcels APN’s: 021-214-13, 022-120-38, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 in Larkspur and 022-203-11 in Corte Madera and detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2 (LAFCo File #1382)”

WHEREAS Sanitary District No. 2 has filed an agency petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to reorganize 11 parcels APN’s 021-214-13, 022-120-38, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 in Larkspur and 022-203-11 in Corte Madera, which are approximately 70.66 acres of incorporated land detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for a reorganization of territory that is uninhabited, with 100% written consent received by landowners, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal for the reorganization, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. The territory includes 70.66 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Reorganization of APN’s 021-214-13, 022-120-38, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 in Larkspur and 022-203-11 in Corte Madera and detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2 (LAFCo File #1382)”

Section 3. The proposal is consistent with the adopted spheres of influence for Ross Valley Sanitary District and Sanitary District No. 2.

Section 4. The Executive Officer is hereby authorized to waive notice and hearing, protest proceedings, and complete reorganization proceedings.

Section 5. As Lead Agency under CEQA for the proposed reorganization of APN’s 021-214-13, 022-120-38, 022-203-11, 024-031-07, 024-031-13, 024-011-58, 022-120-42, 024-011-48, 022-120-39, 022-120-08, 022-203-01 detaching from Ross Valley Sanitary District and annexing into Sanitary District No. 2 finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on February 13, 2025, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Barbara Coler, Chair

ATTEST:

APPROVED AS TO FORM:

Jason Fried, Executive Officer

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 25-11

- a) Exhibit A – Legal Description
- b) Exhibit B – Map



Exhibit A
Legal Description for Reconfiguration
of Corte Madera Sanitary District No. 2
and Ross Valley Sanitary District

LAFCO File #: 1382

Marin County Mapping #: _____

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PARCEL ONE

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being a reorganization into Corte Madera Sanitary District No. 2, more particularly described as follows:

Beginning at a point on the existing boundary of the Ross Valley Sanitary District, and more particularly being the southwest corner of Lot 215 as shown on that certain map entitled "Map of Greenbrae Marina Sub. No. Three" recorded in Book 14 of Maps, at page 29, Marin County Records;

Course 1 – Thence from said **Point of Beginning**, and along said existing district boundary, South 76°18'50" East 402.21 feet to the southernmost corner of Lot 219 common with the northerly line of Doherty Drive as shown on said 14 Maps 29;

Course 2 – Thence continuing along said district boundary, South 76°18'50" East 168.51 feet;

Course 3 – Thence North 70°17'45" East 61.57 feet;

Course 4- Thence North 6°24'45" West 58.00 feet;

Course 5 – Thence North 18°56'30" East 183.36 feet to the northerly line of Doherty Drive as shown on said 14 Maps 29;

Course 6 – Thence northeasterly and along said northerly line of Doherty Drive, along a curve to the right with a radius that bears South 32°43'29" East 200.00 feet, through a delta angle of 27°58'40", an arc length of 97.66 feet;

Course 7 – Thence along a curve to the right with a radius of 775.00 feet, through a delta angle of 22°54'58" 309.97 feet;

Course 8 – Thence along a curve to the right with a radius of 340.00 feet, through a delta angle of 14°31'18", an arc length of 86.17 feet to the southernmost corner common to Lot 234 as shown on said 14 Maps 29, and the Lot 1 as shown on that certain map entitled "Map of Greenbrae Marina Sub. No. One" recorded in Book 11 of Maps at page 74, Marin County Records;



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Course 9 – Thence continuing along the southerly lines of Lot 1, Lot 2 and Lot 4 as shown on said 11 Maps 74, and along a curve to the right with a radius of 340.00 feet, through a delta angle of $13^{\circ}50'38''$, an arc length of 82.15 feet ($13^{\circ}50'42''$, 82.16' per 11 Maps 74);

Course 10 – Thence along a curve to the left with a radius of 360.00 feet, through a delta angle of $26^{\circ}12'46''$, an arc length of 164.70 feet;

Course 11 – Thence along a curve to the left with a radius of 20.00 feet, through a delta angle of $110^{\circ}19'23''$, and arc length of 38.51 feet to the common easterly line of said Lot 4, and the westerly line of Riviera Circle, as shown on said 11 Maps 74;

Course 12 – Thence leaving said westerly line North $86^{\circ}28'40''$ East 90.82 feet to the easterly line of said Riviera Circle;

Course 13 – Thence southerly and along said easterly line of Riviera Circle, along a curve to the left with a radius that bears North $86^{\circ}28'40''$ East 345.00 feet, through a delta angle of $13^{\circ}15'50''$, and arc length of 79.87 feet to the northerly line of the lands formerly of the Tamalpais Union High School District of Marin County, California, A union High School District of the State of California described by that certain Grant Deed recorded in Book 895 of the Official Records of Marin County at page 655;

Course 14 – Thence leaving the existing boundary of the Ross Valley Sanitary District, and continuing along the easterly line of said Riviera Circle, continuing along a curve to the left with a radius of 345.00 feet, through a delta angle of $10^{\circ}45'11''$, an arc length of 64.75 feet;

Course 15 – Thence South $27^{\circ}32'20''$ East 210.16 feet;

Course 16 – Thence along a curve to the left with a radius of 45.00 feet, through a delta angle of $91^{\circ}57'12''$, an arc length of 72.22 feet to the intersection of said easterly line of Riviera Circle and the northerly line of Lucky Drive as shown on said 11 Maps 74, and also being a point on the existing boundary of Ross Valley Sanitary District;

Course 17 – Thence along a curve to the left with a radius of 170.00 feet, through a delta angle of $4^{\circ}33'50''$, an arc length of 13.54 feet;

Course 18 – Thence North $55^{\circ}56'40''$ East 19.63 feet to the southwest corner of Lot 5 as shown on said 11 Maps 74;



LAFCO File #: 1382

Marin County Mapping #: _____

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Course 19 – Thence continuing along said northerly line of Doherty Drive North $55^{\circ}56'40''$ East 70.23 feet to the southernmost corner of Lot 14 as shown on that certain map entitled "Map of Fifer Industrial Park" recorded in Book 10 of Maps at page 52, Marin County Records;

Course 20 – Thence leaving said northerly line of Doherty Drive, and along the existing boundary the Marin County Sanitary District No. 2, South $31^{\circ}17'50''$ East 60.07 feet to the southerly line of said Doherty Drive;

Course 21 – Thence along said southerly line, North $55^{\circ}56'40''$ East 33.69 feet to the intersection of the southerly line of Lucky Drive with the easterly line of Deimel Way as shown on said 10 Maps 52;

Course 22 – Thence along said easterly line of said Deimel Way, South $6^{\circ}59'20''$ East 13.08 feet;

Course 23 – Thence South $54^{\circ}59'20''$ East 33.48 feet;

Course 24 – Thence South $29^{\circ}18'20''$ 51.98 feet;

Course 25 – Thence South $9^{\circ}21'20''$ East 49.43 feet;

Course 26 – Thence South $6^{\circ}24'40''$ West 49.08 feet;

Course 27 – Thence South $24^{\circ}33'00''$ West 68.29 feet;

Course 28 – Thence South $6^{\circ}59'20''$ East 243.65 feet;

Course 29 – Thence leaving said easterly line of Deimel Way, and continuing along the boundary of the Marin County Sanitary District No. 2, and being along the northwesterly line of Assessor's Parcel 024-011-61 and the northerly projection thereof, South $37^{\circ}33'13''$ East 625.08 (calculated by scaling) to northerly line of a 60.00 foot right-of-way which is parallel with and northerly of the former 100.00 foot wide Northwestern Pacific Railroad right-of-way as shown on that certain map entitled "Map of Subdivision No. 9 Madera Gardens" recorded in Book 4 of Maps at page 43, Marin County Records;

Course 30 – Thence leaving the boundary of the Marin County Sanitary District No. 2, and along the existing boundary of the Ross Valley Sanitary District, South $84^{\circ}01'40''$ West 1419.15 feet to southeast corner of Lot 92 as shown on that certain map entitled "Map of Heather Gardens Unit Two" recorded in Book 5 of Maps at page 93, Marin County Records;



Course 31 – Thence along the existing boundary of the Ross Valley Sanitary District, North $05^{\circ}41'20''$ West 40.60 feet (North 7° West per 5 Maps 93) to an angle point in the easterly line of said Lot 92;

Course 32 – Thence North $0^{\circ}11'20''$ West 59.71 feet (North $1^{\circ}30'$ West 59.704 feet, calculated per 5 Maps 93) to the corner common to Lot 93 as shown on said 5 Maps 93, and Lot 30 as shown on that certain map entitled "Map of Heather Gardens" recorded in Book 5 of Maps at page 88, Marin County Records;

Course 33 – Thence continuing along said existing boundary of the Ross Valley Sanitary District, North $0^{\circ}11'20''$ West 191.10 feet (North $1^{\circ}30'$ West 191.096 feet, calculated per 5 Maps 88) to the corner common to Lot 27 as shown on said 5 Maps 88, and Lot 94 as shown on said 5 Maps 93;

Course 34 – Thence continuing along said existing boundary of the Ross Valley Sanitary District, North $42^{\circ}03'40''$ East 396 feet (North $40^{\circ}45'$ East per 5 Maps 93) to the easternmost corner of Lot 100 as shown on said 5 Maps 93;

Course 35 – Thence North $16^{\circ}12'20''$ West 137.90 feet (South $17^{\circ}31'$ East per 5 Maps 93) to the northeast corner of Lot 101 as shown on said Lot 101;

Course 36 – Thence North $82^{\circ}51'20''$ West 191.50 feet (South $84^{\circ}10'$ East per 5 Maps 93) to an angle point in the northerly line of Lot 103 as shown on said 5 Maps 93;

Course 37 – Thence South $83^{\circ}15'40''$ West 116.53 feet (North $81^{\circ}57'$ East per 5 Maps 93) to an angle point in the easterly line of Lot 105 as shown on said 5 Maps 93;

Course 38 – Thence North $1^{\circ}18'40''$ East 26.74 feet (North 26.736 feet per 5 Maps 93) to the northernmost corner of said Lot 105;

Course 39 – Thence South $84^{\circ}01'40''$ West 290.05 feet (North $82^{\circ}43'$ East 290.053 feet) to the northwest corner of Lot 109 as shown on said 5 Maps 93;

Course 40 – Thence along the westerly line of said Lot 109 South $5^{\circ}58'20''$ East 30.36 feet to the southerly line of the Lands of Tamalpais Union High School as described by that certain Deed recorded in Book 923 of the Official Records of Marin County at page 339;

Course 41 – Thence continuing along the existing boundary of the Ross Valley Sanitary District, South $83^{\circ}15'40''$ West 290.54 feet to the northeast corner of Lot 46 as shown on that certain map entitled "Map of Meadowood Unit 3" recorded in Book 15 of Maps at page 35, Marin County Records;



Course 42 – Thence continuing along the existing boundary of the Ross Valley Sanitary District, South 83°15'40" West 87.14 feet (South 84°33'03" West per 15 Maps 35) to an angle point in the northerly line of said Lot 46;

Course 43 – Thence along the northerly lines of Lot 46 and Lot 47 as shown on said 15 Maps 35, South 85°18'40" West to the easterly line of the Lands of City of Larkspur as described by that certain Grant Deed recorded in the Official Records of Marin County under Document Number 2009-009836;

Course 44 – Thence continuing along the existing boundary of the Ross Valley Sanitary District, and along said easterly line of the Lands of City of Larkspur, North 0°56'20" West 400.00 feet;

Course 45 – Thence North 6°00'24" East 308.70 feet to the southerly line of Doherty Drive as described by that certain 60.00 foot wide Easement for Roadway and Utility Purposes recorded in Book 422 of the Official Records of Marin County at page 218;

Course 46 – Thence continuing along the existing boundary of the Ross Valley Sanitary District, and along said southerly line of Doherty Drive, South 86°36'20" East 783.03 feet (S 87°55' East per 422 O.R. 218) to the easterly line of said Lands of Tamalpais Union High School, 923 O.R. 339;

Course 47 – Thence continuing along the the existing boundary of the Ross Valley Sanitary District, and along the easterly line of said 923 O.R. 339, North 1°18'40" East 183.79 feet (South per 923 O.R. 339) to the **Point of Beginning on the herein described Parcel One.**

Parcel One:

Being Assessor's Parcel 022-120-08, 024-011-58, 022-120-39, 022-120-42, 024-011-48, 024-011-59, and portions of Deimel Way, Lucky Drive, and Doherty Drive.

Parcel One:

Containing 63.61 acres of land more or less.



PARCEL TWO

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being a reorganization of a portion of the Ross Valley Sanitary District into the Corte Madera Sanitary District No. 2, more particularly described as follows:

Beginning at the intersection of Course 1 and Course 2 as described in Parcel One above;

Course 48 – Thence from said **Point of Beginning** and continuing along said district boundary, South 76°18'50" East 168.51 feet;

Course 49 – Thence North 70°17'45" East 61.57 feet;

Course 50- Thence North 6°24'45" West 58.00 feet;

Course 51 – Thence North 18°56'30" East 183.36 feet to the northerly line of Doherty Drive as shown on said 14 Maps 29;

Course 52 – Thence leaving said existing district boundary, southwesterly and along said northerly line of Doherty Drive, along a curve to the left with a radius that bears South 32°43'29" East 200.00 feet, through a delta angle of 21°16'20", an arc length of 74.25 feet;

Course 53 – Thence South 36°00'00" West 91.50 feet;

Course 54 – Thence along a curve to the right with a radius of 200.00 feet, through a delta angle of 41°00'00" degrees, an arc length of 143.12 feet;

Course 55 – Thence South 77°00'00" West 33.35 feet;

Course 56 – Thence along a curve to the right, with a radius that bears North 9°11'14" West, 345.00 feet, through a delta angle of 3°00'40" (3°00'41" per 14 Maps 29), an arc length of 18.13 feet, to the **Point of Beginning of the Herein Described Parcel Two.**

Parcel Two
Being Assessor's Parcel 022-120-38.

Parcel Two
Containing 0.44 acres of land more or less.



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Marin County Mapping #: _____
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PARCEL THREE

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being a reorganization into the Ross Valley Sanitary District, more particularly described as follows:

Beginning at the intersection of Course 13 and Course 14 as described in Parcel One above;

Course 57 – Thence from said Point of Beginning, and leaving the existing boundary of the Ross Valley Sanitary District, and continuing along the easterly line of said Riviera Circle, continuing along a curve to the left with a radius of 345.00 feet, through a delta angle of 10°45'11", an arc length of 64.75 feet;

Course 58 – Thence South 27°32'20" East 210.16 feet;

Course 59 – Thence along a curve to the left with a radius of 45.00 feet, through a delta angle of 91°57'12", an arc length of 72.22 feet;

Course 60 – Thence along a curve to the left with a radius of 170.00 feet, through a delta angle of 4°33'50", an arc length of 13.54 feet to the intersection of said easterly line of Riviera Circle and the northerly line of Lucky Drive as shown on said 11 Maps 74, and also being a point on the existing boundary of Ross Valley Sanitary District;

Course 61 – Thence leaving said northerly line of Lucky Drive, and along the existing boundary of the Ross Valley Sanitary District, and being common with the easterly line of said lands of Tamalpias Union High School District, North 27°33'45" West 261.58 feet (South 28°51'00" East per 895 O.R. 655) to the northeast corner of said Tamalpias Union High School District;

Course 62 – Thence along the northerly line of said Tamalpias Union High School District, North 70°57'45" West 78.37 feet (South 72°15'00" East per 895 O.R. 655) to the **Point of Beginning of the Herein Described Parcel Three.**

Parcel Three
Containing 0.39 acres, more or less.

Parcel Three
Being Assessor's Parcel 022-203-01



PARCEL FOUR

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being a reorganization of a portion of the Ross Valley Sanitary District into the Corte Madera Sanitary District No. 2, more particularly described as follows:

Beginning at a point on the existing boundary between the Ross Valley Sanitary District and the Marin County Sanitary District No. 2, and said point also being the southwest corner of Lot 14 as shown on that certain map entitled "Map of Fifer industrial Park" recorded in Book 10 of Maps at page 3, Marin County Records;

Course 63 – Thence from said **Point of Beginning**, and along the westerly line of said Lot 14, and also being said existing boundary between the Ross Valley Sanitary District and the Marin County Sanitary District No. 2, North 11°48'20" West 283.58 feet to the southerly line of the lands subdivided as shown that certain map entitled "Map of Greenbrae Marina Sub. No. One" recorded in Book 11 of Maps at page 74, Marin County Records;

Course 64 – Thence leaving said existing district boundary, and along the southerly line of said 11 Maps 74, South 55°03'40" West 70.68 feet to the corner of Lot 5 as shown on said 11 Maps 74;

Course 65 – Thence along the easterly line of said Lot 5, South 11°48'20" East 282.40 feet to the northerly line of Lucky Drive as shown on said 11 Maps 74, and also being the existing boundary of the Ross Valley Sanitary District;

Course 66 – Thence along the existing boundary of the Ross Valley Sanitary District, and also being the northerly line of said Lucky Drive, North 55°56'40" East 70.23 feet to the **Point of Beginning of the Herein Described Parcel Four.**

Parcel Four
Containing 0.42 acres, more or less.

Parcel Four
Being Assessor's Parcel 022-203-11



PARCEL FIVE

All that certain real property, situate in the City of Larkspur, County of Marin, State of California, and a portion of Rancho Corte Madera Del Presidio, being a reorganization of a portion of the Ross Valley Sanitary District into the Corte Madera Sanitary District No. 2, more particularly described as follows:

Beginning at the intersection of Course 29 and Course 30 as described in Parcel One above;

Course 67 – Thence from said **Point of Beginning**, and along the existing boundary of the Ross Valley Sanitary District, South 84°01'40" West 1419.15 feet to the southeast corner of Lot 92 as shown on that certain map entitled "Map of Heather Gardens Unit Two" recorded in Book 5 of Maps at page 93, Marin County Records;

Course 68 – Thence leaving the existing boundary of the Ross Valley Sanitary District, and along the southerly projection of the easterly line of said Lot 92, South 05°41'20" East 60.00 feet (North 7° West per 5 Maps 93) to the northerly line of said Northwestern Pacific Railroad right-of-way;

Course 69 – Thence along the northerly line of said Northwestern Pacific Railroad right-of-way South 84°01'40" West 435.97 feet (North 82°43' East per 5 Maps 93) to the westerly line of the Lands of Porter as described by that certain Grant Deed recorded in the Official Records of Marin County under Document Number 1983-15567, and as shown on that certain Record of Survey recorded in Book 18 of Surveys at page 55, Marin County Records;

Course 70 – Thence along the westerly line of said Lands of Porter, South 68°56'20" East 101.29 feet (South 70°17'36" East per 18 Surveys 55);

Course 71 – Thence South 58°56'20" East 89.60 feet (South 60°17'36" East) to the southerly line of said Northwestern Pacific Railroad right-of-way, and also being the existing boundary between the Ross Valley Sanitary District and the Marin County Sanitary District No. 2;

Course 72 – Thence along the existing boundary between the Ross Valley Sanitary District and the Marin County Sanitary District No. 2, North 84°01'40" West 1581.37 feet (North 82°40'24 East per 9 Maps 35) to the northeast corner of Lot 22 as shown on that certain map entitled "Map of Subdivision No. 9 Madera Gardens" recorded in Book 9 of Maps at page 35, Marin County Records;

Course 73 – Thence continuing along said existing district boundaries, North 29°05'33" East 195.48 feet to the **Point of Beginning of the Herein Described Parcel Five.**



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Marin County Mapping #: _____
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Parcel Five
Containing 5.80 acres, more or less.

Parcel Five
Being Assessor's Parcel 024-031-07, 024-031-13 and 021-214-13

A portion of Corte Madera Del Presidio Rancho.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale offer for sale, lease or finance. This description of land is intended for annexation of a portion of the Lands the Ross Valley Sanitary District into the Marin Sanitary District No. 2, annexation of un-annexed lands into the Ross Valley Sanitary District, and annexation of un-annexed lands into the Marin Sanitary District No. 2 only.

Prepared by:
BKF ENGINEERS


Daniel P. Langley, PLS. No. 9380

Dated: January 22, 2025



RECONFIGURATION OF CORTE MADERA
SANITARY DISTRICT NO. 2 AND ROSS
VALLEY SANITARY DISTRICT

ABBREVIATIONS

RVSD ROSS VALLEY SANITARY DISTRICT
SD2 CORTE MADERA SANITARY DISTRICT NO 2
PROJECT IS SITUATED WITHIN RANCHO CORTE MADERA DEL PRESIDIO

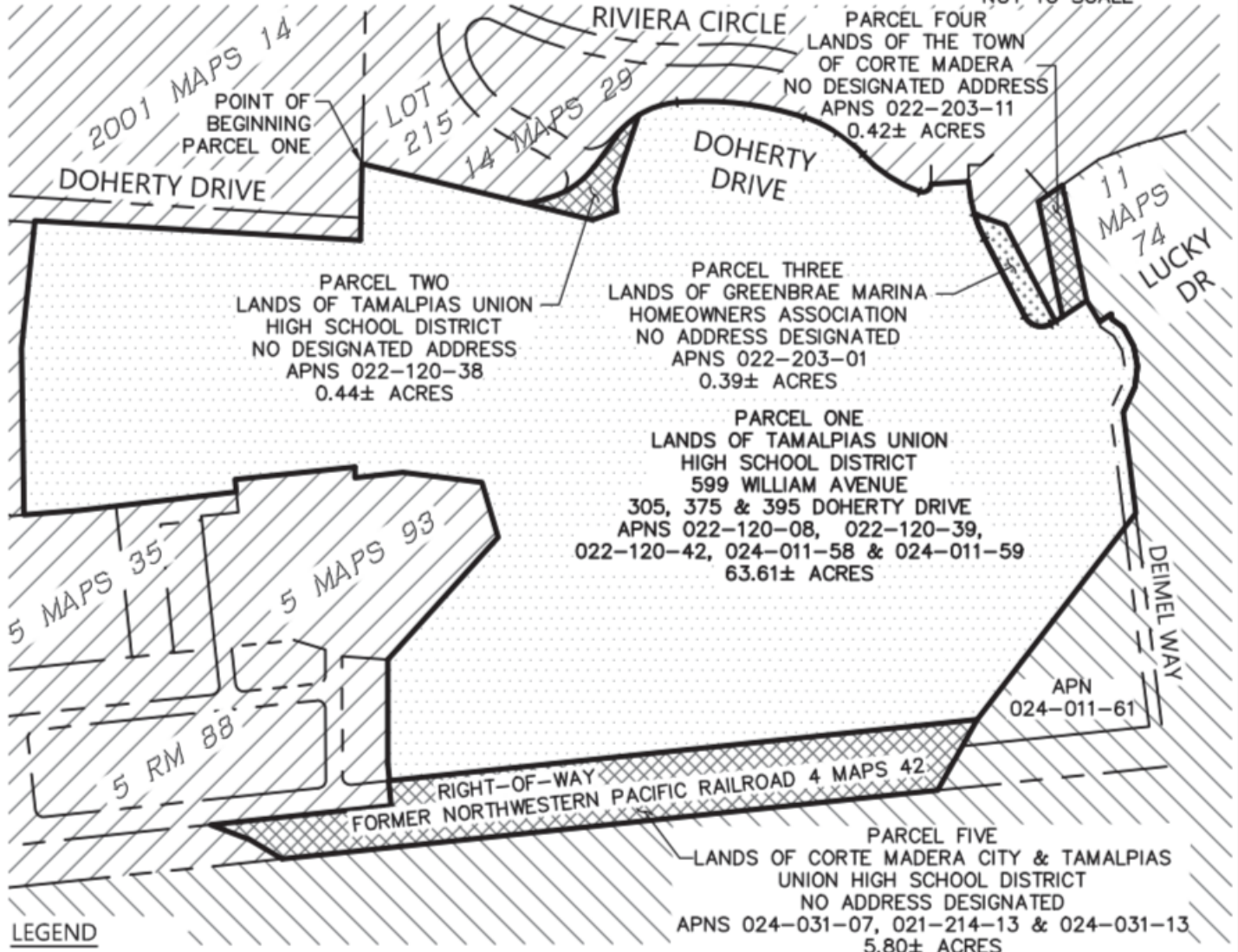
DISCLAIMER:

FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



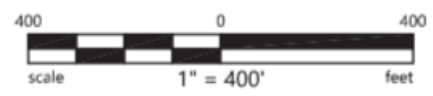
VICINITY MAP

NOT TO SCALE



LEGEND

- EXISTING RVSD
- EXISTING SD2
- RVSD INTO SD2 (6.66± ACRES)
- TO BE RECONFIGURED INTO SD2 (63.61± ACRES)
- TO BE RECONFIGURED INTO RVSD (0.39± ACRES)



Plot Jan 22, 2025 at 5:06pm



BKF ENGINEERS
4040 CIVIC CENTER DR.
SUITE 530
SAN RAFAEL, CA 94903
(415) 930-7960
www.bkf.com

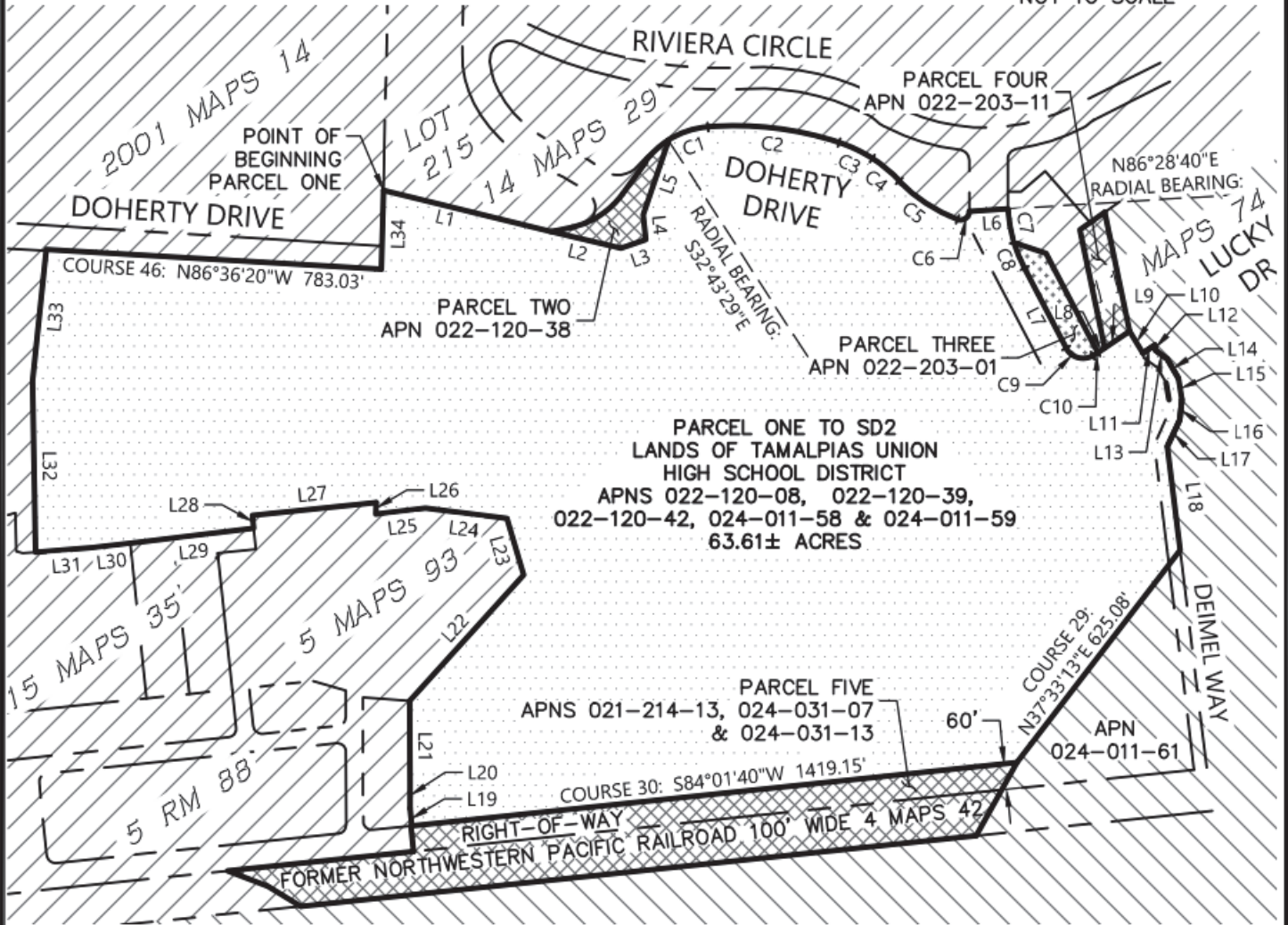
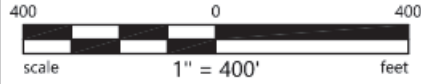
EXHIBIT B
GRAPHICAL EXHIBIT
KEY MAP
LAFCO FILE #: 1382
MARIN MAPPING #:

JOB # 20230192-01
DATE JAN 2025
CHECKED DL
SHEET 1 OF 7

DISCLAIMER:
 FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



VICINITY MAP
 NOT TO SCALE



**PARCEL ONE TO SD2
 LANDS OF TAMALPIAS UNION
 HIGH SCHOOL DISTRICT**
 APNS 022-120-08, 022-120-39,
 022-120-42, 024-011-58 & 024-011-59
 63.61± ACRES

PARCEL FIVE
 APNS 021-214-13, 024-031-07
 & 024-031-13

LEGEND

- EXISTING RVSD
- EXISTING SD2
- RVSD INTO SD2
- TO BE RECONFIGURED INTO SD2
- TO BE RECONFIGURED INTO RVSD

ABBREVIATIONS

- RVSD ROSS VALLEY SANITARY DISTRICT
- SD2 CORTE MADERA SANITARY DISTRICT NO 2



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EXHIBIT B
 GRAPHICAL EXHIBIT
 PARCEL ONE DETAIL
 LAFCO FILE #: 1382
 MARIN MAPPING #:

JOB # 20230192-01
 DATE JAN 2025
 CHECKED. DL
 SHEET 2 OF 7

| LINE TABLE | | | |
|------------|--------|-------------|---------|
| LINE | COURSE | DIRECTION | LENGTH |
| L1 | 1 | S76°18'50"E | 402.21' |
| L2 | 2 | S76°18'50"E | 168.51' |
| L3 | 3 | N70°17'45"E | 61.57' |
| L4 | 4 | N06°24'45"W | 58.00' |
| L5 | 5 | N18°56'30"E | 183.36' |
| L6 | 12 | N86°28'40"E | 90.82' |
| L7 | 15 | S27°32'20"E | 210.16' |
| L8 | 18 | N55°56'40"E | 19.63' |
| L9 | 19 | N55°56'40"E | 70.23' |
| L10 | 20 | S31°17'50"E | 60.07' |
| L11 | 21 | N55°56'40"E | 33.69' |
| L12 | 22 | S06°59'20"E | 13.08' |
| L13 | 23 | S54°59'20"E | 33.48' |
| L14 | 24 | S29°18'20"E | 51.98' |
| L15 | 25 | S09°51'20"E | 49.43' |
| L16 | 26 | S06°24'40"W | 49.08' |
| L17 | 27 | S24°33'00"W | 68.29' |

| LINE TABLE | | | |
|------------|--------|-------------|---------|
| LINE | COURSE | DIRECTION | LENGTH |
| L18 | 28 | S06°59'20"E | 243.65' |
| L19 | 31 | N05°41'20"W | 40.60' |
| L20 | 32 | N00°11'20"W | 59.71' |
| L21 | 33 | N00°11'20"W | 191.10' |
| L22 | 34 | N42°03'40"E | 396.00' |
| L23 | 35 | N16°12'20"W | 137.90' |
| L24 | 36 | N82°51'20"W | 191.50' |
| L25 | 37 | S83°15'40"W | 116.53' |
| L26 | 38 | N01°18'40"E | 26.74' |
| L27 | 39 | S84°01'40"W | 290.05' |
| L28 | 40 | S05°58'20"E | 30.36' |
| L29 | 41 | S83°15'40"W | 290.54' |
| L30 | 42 | S83°15'40"W | 87.14' |
| L31 | 43 | S85°18'40"W | 135.00' |
| L32 | 44 | N00°56'20"W | 400.00' |
| L33 | 45 | N06°00'24"E | 308.70' |
| L34 | 47 | N01°18'40"E | 183.79' |

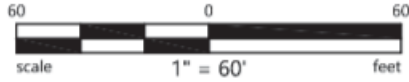
| CURVE TABLE | | | | |
|-------------|--------|------------|---------|---------|
| CURVE | COURSE | DELTA | RADIUS | LENGTH |
| C1 | 6 | 27°58'40" | 200.00' | 97.66' |
| C2 | 7 | 22°54'58" | 775.00' | 309.97' |
| C3 | 8 | 14°31'18" | 340.00' | 86.17' |
| C4 | 9 | 13°50'38" | 340.00' | 82.15' |
| C5 | 10 | 26°12'46" | 360.00' | 164.70' |
| C6 | 11 | 110°19'23" | 20.00' | 38.51' |
| C7 | 13 | 13°15'50" | 345.00' | 79.87' |
| C8 | 14 | 10°45'11" | 345.00' | 64.75' |
| C9 | 16 | 91°57'12" | 45.00' | 72.22' |
| C10 | 17 | 4°33'50" | 170.00' | 13.54' |



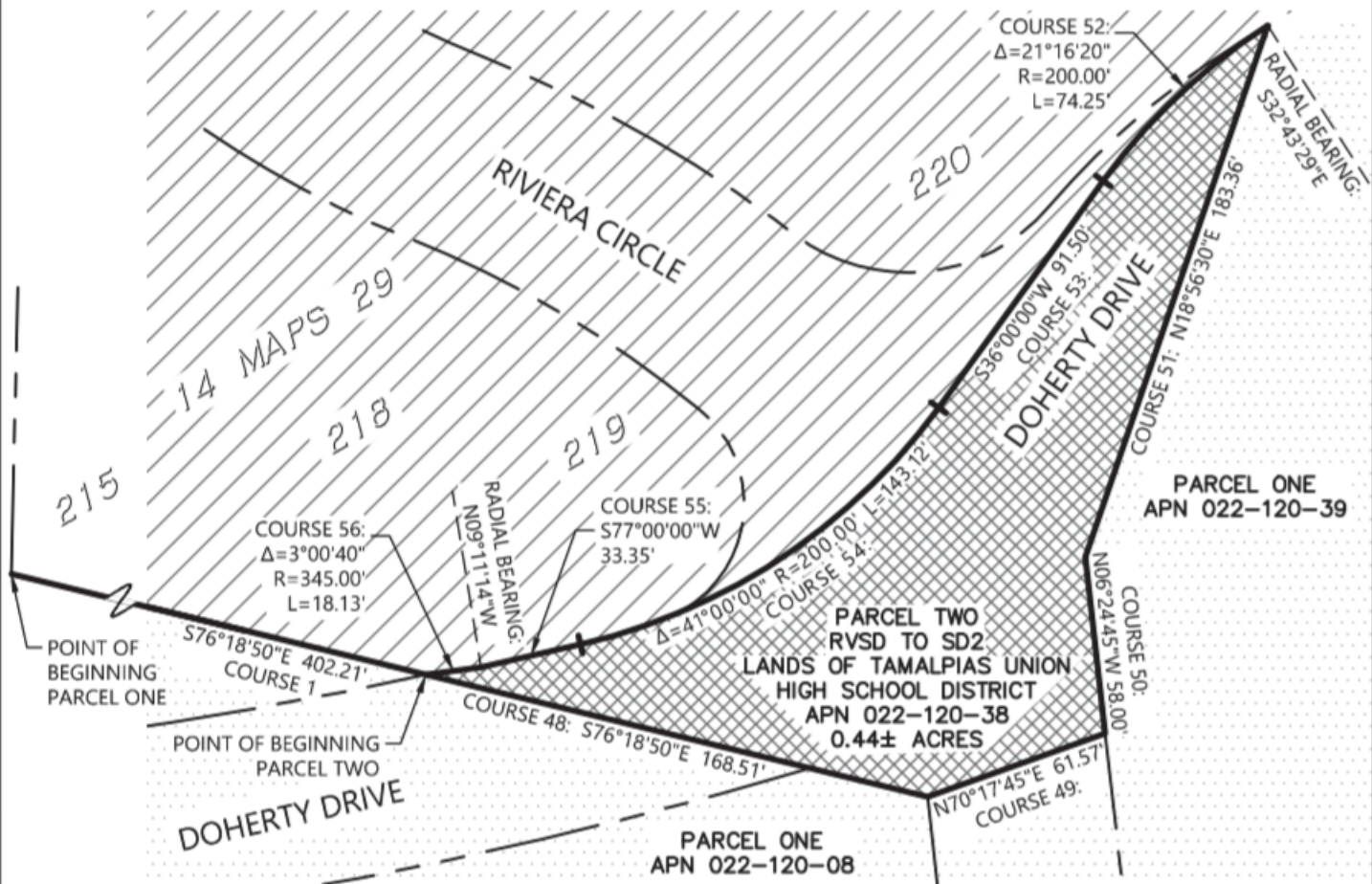
BKF ENGINEERS
 4040 CIVIC CENTER DR.
 SUITE 530
 SAN RAFAEL, CA 94903
 (415) 930-7960
 www.bkf.com

EXHIBIT B
 GRAPHICAL EXHIBIT
 PARCEL ONE LINE TABLES
 LAFCO FILE #: 1382
 MARIN MAPPING #:

JOB # 20230192-01
 DATE JAN 2025
 CHECKED. DL
 SHEET 3 OF 7



VICINITY MAP
NOT TO SCALE



LEGEND

-  EXISTING RVSD
-  RVSD INTO SD2
-  TO BE RECONFIGURED INTO SD2

ABBREVIATIONS

- RVSD ROSS VALLEY SANITARY DISTRICT
- SD2 CORTE MADERA SANITARY DISTRICT NO 2

DISCLAIMER:

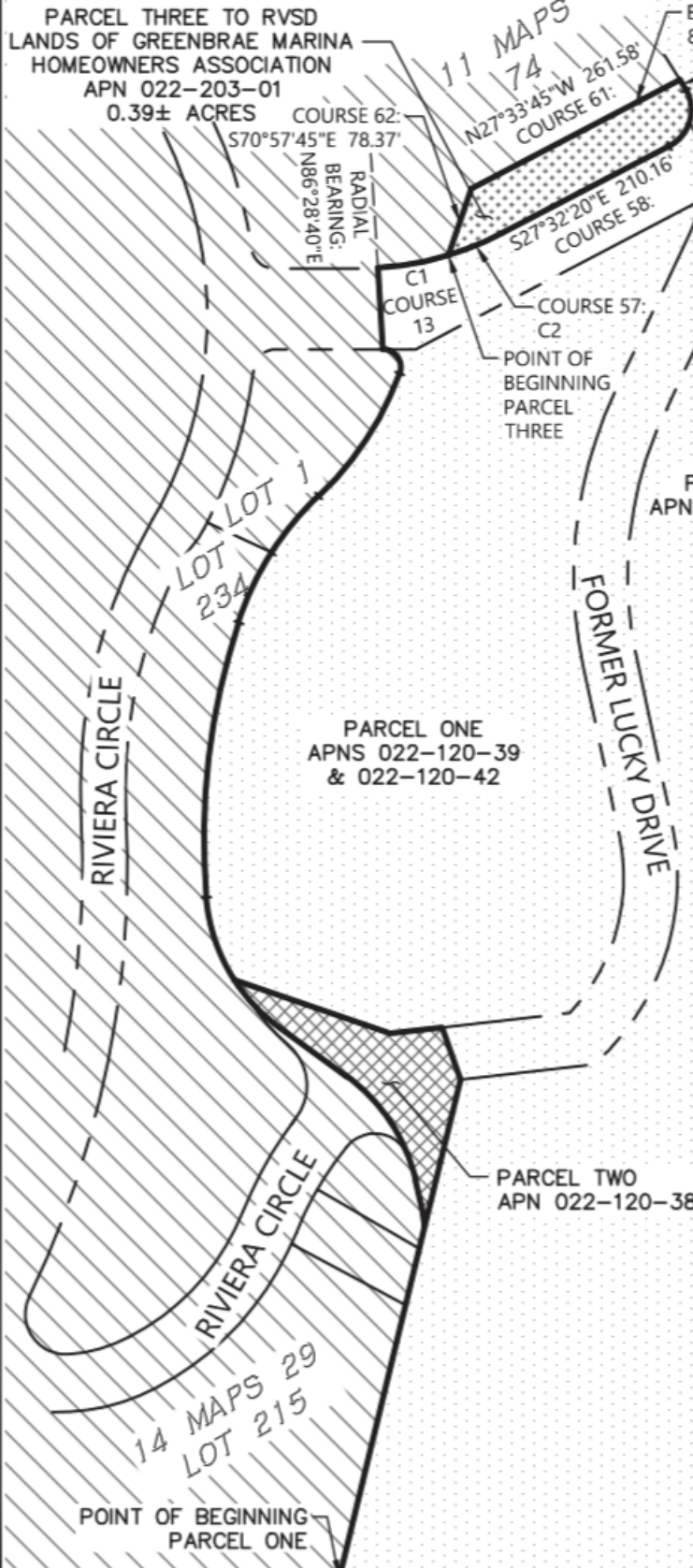
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.



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EXHIBIT B
GRAPHICAL EXHIBIT
PARCEL TWO DETAIL
LAFCO FILE #: 1382
MARIN MAPPING #:

JOB # 20230192-01
DATE JAN 2025
CHECKED DL
SHEET 4 OF 7



VICINITY MAP
NOT TO SCALE



| CURVE TABLE | | | |
|-------------|-----------|---------|--------|
| CURVE | DELTA | RADIUS | LENGTH |
| C1 | 13°15'50" | 345.00' | 79.87' |
| C2 | 10°45'11" | 345.00' | 64.75' |
| C3 | 91°57'12" | 45.00' | 72.22' |
| C4 | 4°33'50" | 170.00' | 13.54' |

DISCLAIMER:
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

- LEGEND**
- EXISTING RVSD
 - RVSD INTO SD2
 - TO BE RECONFIGURED INTO SD2
 - TO BE RECONFIGURED INTO RVSD

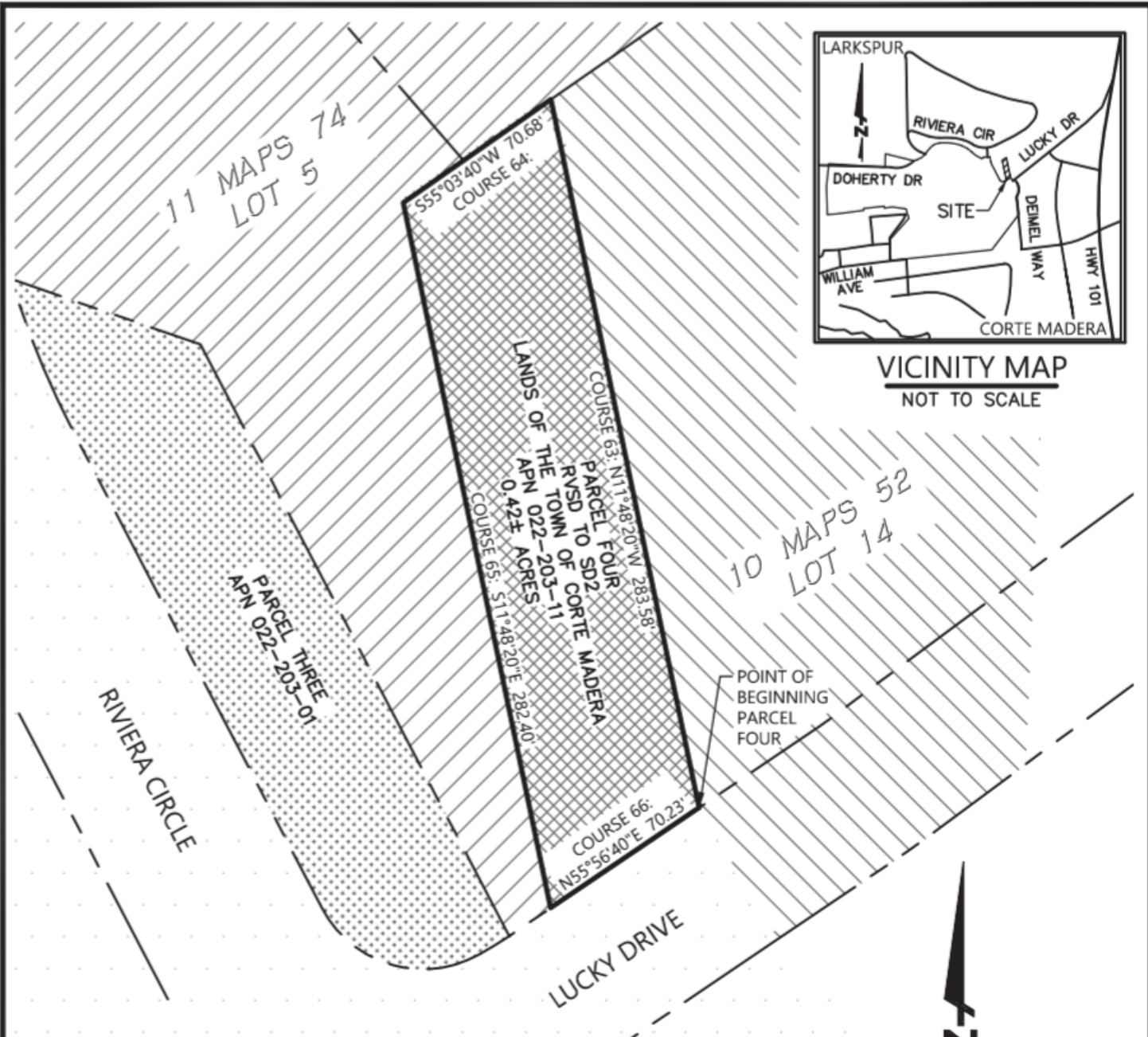
ABBREVIATIONS
RVSD ROSS VALLEY SANITARY DISTRICT
SD2 CORTE MADERA SANITARY DISTRICT NO 2

Plot Jan 10, 2025 at 4:55pm

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SAN RAFAEL, CA 94903
(415) 930-7960
www.bkf.com

EXHIBIT B
GRAPHICAL EXHIBIT
PARCEL THREE DETAIL
LAFCO FILE #: 1382
MARIN MAPPING #:

JOB # 230192
DATE JAN-2025
CHECKED. DL
SHEET 5 OF 7



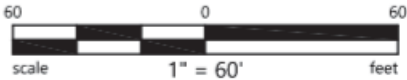
VICINITY MAP
NOT TO SCALE

DISCLAIMER:
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ABBREVIATIONS

RVSD ROSS VALLEY SANITARY DISTRICT
SD2 CORTE MADERA SANITARY DISTRICT NO 2

PARCEL ONE
APN 024-011-58



LEGEND

- EXISTING RVSD
- EXISTING SD2
- RVSD INTO SD2
- TO BE RECONFIGURED INTO SD2
- TO BE RECONFIGURED INTO RVSD

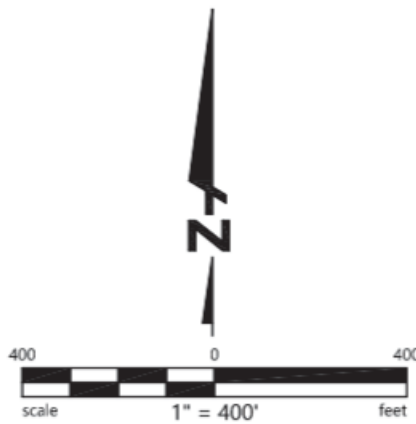


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EXHIBIT B
GRAPHICAL EXHIBIT
PARCEL FOUR DETAIL
LAFCO FILE #: 1382
MARIN MAPPING #: _____

JOB # 20230192
DATE JAN-2025
CHECKED. DL
SHEET 6 OF 7

| PARCEL LINE TABLE | | |
|-------------------|-------------|---------|
| LINE | DIRECTION | LENGTH |
| L1 | S05°41'20"E | 60.00' |
| L2 | N84°01'40"E | 435.97' |
| L3 | N68°56'20"W | 101.29' |
| L4 | N58°56'20"W | 89.60' |
| L5 | N29°05'33"E | 195.48' |



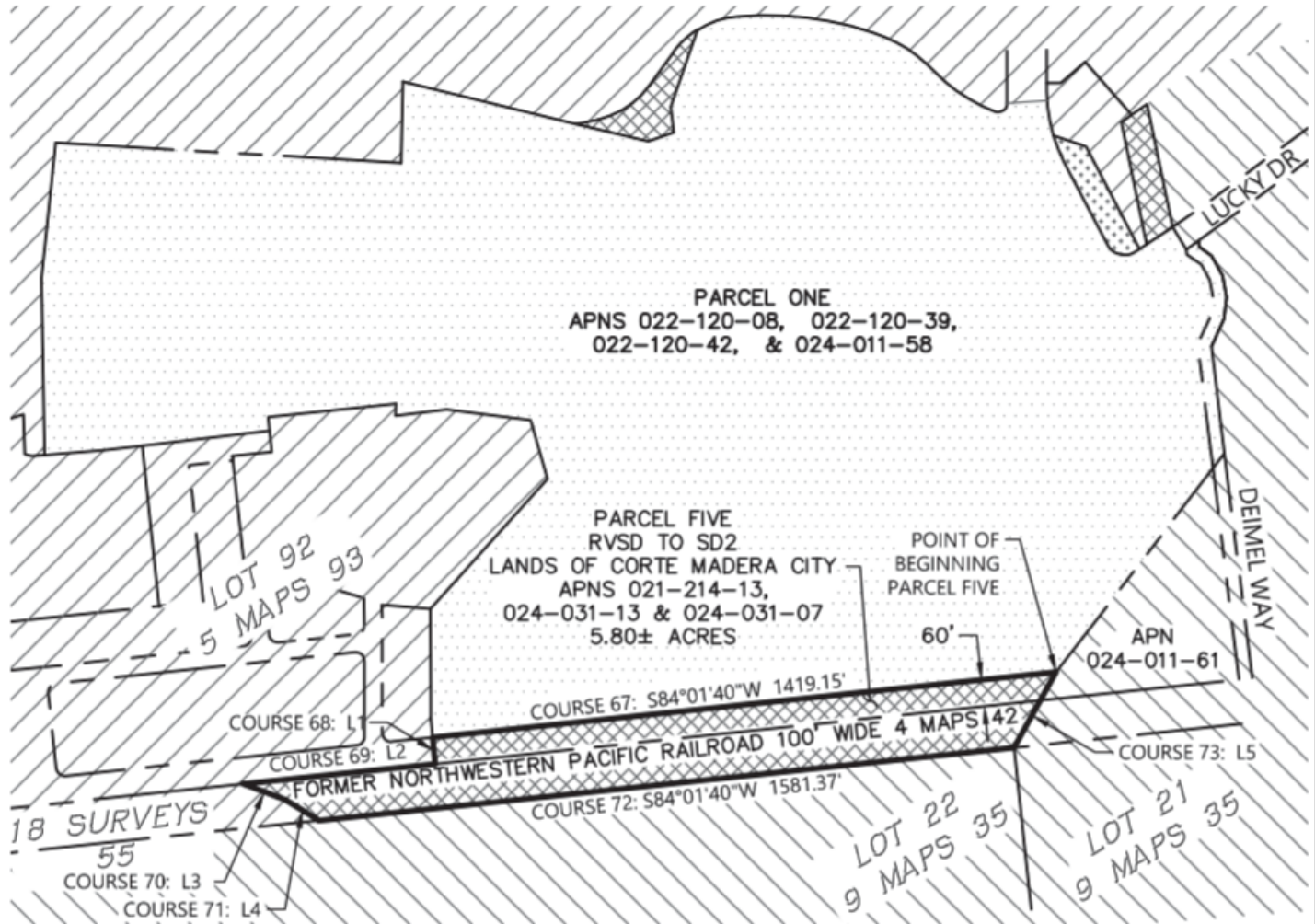
VICINITY MAP
NOT TO SCALE

LEGEND

- EXISTING RVSD
- EXISTING SD2
- RVSD INTO SD2
- TO BE RECONFIGURED INTO SD2
- TO BE RECONFIGURED INTO RVSD

ABBREVIATIONS

- RVSD ROSS VALLEY SANITARY DISTRICT
- SD2 CORTE MADERA SANITARY DISTRICT NO 2



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EXHIBIT B
GRAPHICAL EXHIBIT
PARCEL FIVE DETAIL
LAFCO FILE #: 1382
MARIN MAPPING #:

JOB # 20230192-01
DATE JAN 2025
CHECKED. DL
SHEET 7 OF 7

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is within SOI of jurisdiction being annexed into |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



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

MARIN LAFCO

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

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

1. This proposal is made pursuant to Part 3, Division 3, and Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000).
2. The specific change(s) of organization proposed (i.e. Annexation, Detachment, Reorganization, etc.) is/are Reorganization of 11 prcls being transfered between RVSD and SD2

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits "A" and "B" attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 Inhabited (12 or more registered voters)
 Uninhabited (11 or fewer registered voters)
5. This proposal is or is not consistent with the sphere(s) of influence of the affected city and/or district(s).
6. The reason(s) for the proposed Reorganization (ie. Annexation, Detachment, Reorganization, etc.) is/are to place into the district that is providing them services aka correct boundaries

7. The proposal is requested to be made subject to the following terms and conditions:
following tax exchange agreement

8. The persons signing this petition have signed as:
 Registered voters
 Owners of the land
 On behalf of the Board, City, District, or Agency

Print Name

Signature

Date



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

II. LANDOWNERS SIGNATURES
(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: Lewis T. Anderson
15 Corte del Bayo
Larkspur CA 94939
Contact Number: (415) 377-9517 Email: lewisuz@comcast.net

Agent Representative (optional)
I/We hereby authorize _____ to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: _____

Contact Number: (____) _____ Email: _____

All owners of each parcel **must** sign. Original signatures are required.

[Signature] _____ 1/2/05 _____
Property Owner Signature Date

Property Owner Signature Date

Property Owner Signature Date



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

II. LANDOWNERS SIGNATURES
(§56700, et seq.)

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: R.J. Suokko Corte Madera Director of Public Works

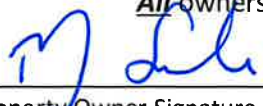
Contact Number: (415) 927-5118 Email: rsuokko@tcmmail.org

Agent Representative (optional)
I/We hereby authorize Fernanda Stefanik to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Fernanda Stefanick

Contact Number: (415) 927-5792 Email: fstefanick@tcmmail.org

All owners of each parcel **must** sign. Original signatures are required.


Property Owner Signature

6/27/24
Date

Property Owner Signature

Date

Property Owner Signature

Date



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

II. LANDOWNERS SIGNATURES
(§56700, et seq.)

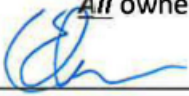

We the undersigned landowners hereby request proceedings be initiated pursuant to Government Code §56000, et seq. for the change(s) of organization described on the attached Proposal Application.

Name and Address of Applicant: TAMALPAIS UNION HIGH SCH DIST
APNs: 022-120-08;024-011-58;022-120-39;022-120-42;024-011-59;024-011-48
022-120-38 305 & 395 Doherty Dr and 599 William Ave
Contact Number: (415) 945-1060 Email: O'Connor, David <doconnor@tamdistrict.org>

I/We hereby authorize Agent Representative (optional)
Fernanda Stefanick to act as my/our agent to process all phases of the LAFCo action relating to the parcels listed below.

Name and Address of Agent: Fernanda Stefanick- Sanitary District No.2
300 Tamalpais Drive
Corte Madera, CA 94925
Contact Number: (628) 253-11-58 Email: fstefanick@tcmmail.org

All owners of each parcel must sign. Original signatures are required.

 6/24/24
Property Owner Signature Date
 6/24/24
Property Owner Signature Date

Property Owner Signature Date



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

Additional Notification Approval (Optional)

I/We hereby authorize, that in addition to the application representative, the persons listed below are granted permission to receive copies of application notices, and reports.

Property Owner Signature

Please provide the names, email addresses, and phone numbers of any persons who are to be furnished copies of the Agenda, Executive Officer’s Report, and Notice of Hearings. This includes name, title, email address, and phone number of key staff you’ve worked with/talked to. This allows LAFCo to send information directly to the key person in each agency who is relevant to the application:

Please Print Name

Email Address

Phone Number

Fernanda Stefanick <fstefanick@tcmmail.org> (415) 927-5792

R.J. Suokko <rsuokko@tcmmail.org> (415) 927-5118

Felicia Newhouse <fnewhouse@rvsd.org>

Cymantha Baroy <cbaroy@tcmmail.org>(415) 927-5057



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

MARIN LAFCO

III. APPLICATION QUESTIONNAIRE

In accordance with requirements set forth in the California Government Code, the Commission must review specific factors in its consideration of this proposal. In order to facilitate the Commission's review, please respond to the following questions:

GENERAL INFORMATION

1. Please check the method by which this application was initiated:

Petition (Landowner)

Resolution of Application (City/Town or District)

2. Does the application possess 100% written consent of each property owner in the subject territory? Yes No

3. A. This application is being submitted for the following boundary change:

(BE SPECIFIC: For example, "annexation," "reorganization")

Reorganization of 11 parcels to correct the boundaries and place the parcels within the boundaries of SD2

B. The reason for the proposed action(s) being requested:

(BE SPECIFIC: For example, "Annexation to sewer district for construction of three homes")

Reorganization to correct boundary discrepancies

4. State general location of proposal:

located along the borders of SD2 and RVSD



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

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

Yes Which city? _____

No If the proposal is adjacent to a city, provide city name: Larkspur

6. Is the subject territory located within an island of unincorporated territory?

Yes _____ No If applicable, indicate city _____

7. Would this proposal create an island of unincorporated territory? Yes _____ No

If yes, please justify proposed boundary change: _____

8. Provide the following information regarding the area proposed for annexation:

(Attach additional if needed)

A. Assessor's Parcel Number(s)

Site Address(es)

See Below

B. Total number of parcels included in this application: 11

9. Total land area in acres: .70.66

- 021-214-13
- 022-120-38
- 022-203-11
- 024-031-07
- 024-031-13
- 024-011-58
- 022-120-42
- 024-011-48
- 022-120-39
- 022-120-08
- 022-203-01



LAND USE AND DEVELOPMENT POTENTIAL

1. Describe any special land use concerns:

school, roadway and marshland (N/A)

2. Indicate current land use: (such as: number of dwellings, permits currently held, etc.)

N/A

3. Indicate the current zoning (either city/town or county) title and densities permitted:

N/A all parcels are either a roadway or masrmland

4. Has the area been prezoned? No _____ N/A Yes _____

What is the prezoning classification, title and densities permitted?

5. Describe the specific development potential of the property: (Number of units allowed in zoning)



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

ENVIRONMENT

1. Is the site presently zoned, or designated for, or engaged in agricultural use?

Yes _____ No _____

If yes, explain: _____

2. Will the proposal result in a reduction of public or private open space?

Yes _____ No _____

If yes, explain: _____

3. Will service extension accomplished by this proposal induce growth in:

- | | | | |
|--------------------|-----------|--|-----------|
| A. This site? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| B. Adjacent sites? | Yes _____ | No <input checked="" type="checkbox"/> _____ | N/A _____ |
| C. Unincorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |
| D. Incorporated? | Yes _____ | No <input checked="" type="checkbox"/> _____ | |

4. State general description of site topography: _____
Existing developed hillside

5. Indicated Lead Agency for this project: SD2

6. Indicate Environmental Determination by Lead Agency: Marin LAFCo

with respect to (indicate project) _____

Dated: _____

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



IV. INDEMNIFICATION AGREEMENT

As part of this Application, Applicant and its successors and assigns, shall indemnify, defend and hold harmless, LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns from and against any and all claims, demands, liability, judgments, damages (including consequential damages), awards, interests, attorneys’ fees, costs and expenses of whatsoever kind or nature, at any time arising out of, or in any way connected with any legal challenges to or appeals associated with LAFCo’s review and/or approval of the Application (collectively, “Indemnification Costs”). Applicant’s obligation to indemnify, defend and hold harmless LAFCo, its officials, officers, employees, agents, representatives, contractors and assigns under this Agreement shall apply regardless of fault, to any acts or omissions, or negligent conduct, whether active or passive, on the part of the Applicant, LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns. Applicant’s obligation to defend LAFCo, its officials, officers, employees, agents, representatives, contractor or assigns under this Agreement shall be at Applicant’s sole expense and using counsel selected or approved by LAFCo in LAFCo’s sole discretion.

In the event of a lawsuit, Applicant will be notified by LAFCo within three (3) business days of being served. An invoice will be submitted to the Applicant by LAFCo for an amount between \$10,000 and \$25,000 to cover a portion of the Indemnification Costs (“Reserve”), which shall depend upon the estimated cost to resolve the matter and shall be determined in LAFCo’s sole discretion. Applicant shall pay the Reserve to LAFCo within seven (7) calendar days of LAFCo’s request. The Reserve shall be applied against LAFCo’s final bill for the Indemnification Costs, with any unused portion to be returned to Applicant. LAFCo shall bill Applicant month for the Indemnification Costs, which shall be paid to LAFCo no later than 15 calendar days after receipt of LAFCo’s bill. LAFCo may stop defending the matter, if at any time LAFCo has not received timely payment of the Reserve and/or the Indemnification Costs. This will not relieve Applicant of any of its obligations pursuant to this Agreement.

As the Applicant I hereby attest with signature,

Applicant Signature

Date

Print Name

Title

| | Section 56668 | Response |
|---|--|---|
| a | Population and population density; land area and land use; *** assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. | will have no significant impact |
| b | The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services. | will have no significant impact |
| c | The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. | will have no significant impact |
| d | The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377. | conforms with local policy and 56377 |
| e | The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. | This parcel is not in an ag designated area |
| f | The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. | all boundaries conform properly |
| g | A regional transportation plan adopted pursuant to Section 65080 | This has no impact on regional transportation plan because of the small scale of item |
| h | The proposal's consistency with city or county general and specific plans. | Is consistent with all plans |
| i | The sphere of influence of any local agency which may be applicable to the proposal being reviewed. | Is within SOI of jurisdiction being annexed into |
| j | The comments of any affected local agency or other public agency. | All comments reviewed and no objections were presented |
| k | The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. | Agency is already serving the parcels |
| l | Timely availability of water supplies adequate for projected needs as specified in Section 65352.5. | our previous MMWD MSR states there is enough water. |

| | | |
|----|--|---|
| m | The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7. | this project ensures RHNA goals are met |
| n | Any information or comments from the landowner or ***landowners, voters, or residents of the affected territory. | They have signed consent form |
| o | Any information relating to existing land use designations. | No changes to land use needed |
| p | The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. | This application will have no impact on EJ |
| q | Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal. | Not relevant to this proposal. |
| | Section 56668.3 parts a and b | |
| a | If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: | see comments below |
| a1 | In the case of a district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. | Is in the interest of landowner and inhabitants |
| a2 | In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. | n/a |
| a3 | Any factors which may be considered by the commission as provided in Section 56668. | see comments above |
| a4 | Any resolution raising objections to the action that may be filed by an affected agency. | no resolution received |
| a5 | Any other matters which the commission deems material. | staff addressed any issues in staff report |
| b | The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning any of the other factors considered by the commission | no resolution received |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13th, 2024

Item No. 11 (Public Hearing)

TO: Local Agency Formation Commission

FROM: Claire Devereux, Clerk/Jr. Policy Analyst

SUBJECT: Continuation of the Annexation of State of California Firing Range in Unincorporated Marin County (018-152-12) into Ross Valley Sanitary District. (LAFCo File #1388) with Waiver of Notice, Hearing, and Protest Proceedings.

Background

Marin LAFCo has received an application from the California Department of General Services (“applicant”) requesting approval to annex the affected undeveloped, unincorporated property called the State of California Firing Range. The County of Marin Assessor’s Office identifies the property as APN 018-152-12.

The map submitted initially only covers part of the parcel to be annexed. The staff has requested a new map and legal to reflect the annexation of the entire parcel as we should not be dividing the parcel in a way where a section of a parcel is in the district and the rest remains outside of the district. As stated by the applicant, the proposal is to connect to the Ross Valley Sanitary District to develop 250 units.

Staff recommends that this item be continued at the next meeting as the map and legal needs to be updated to include the whole parcel instead of the initial submission of a portion.

Staff has reviewed the submitted petition for accuracy and considered all factors pursuant to §56668 and §56668.3 of Cortese-Knox-Hertzberg.

For your reference, please click on the following link to view the Environmental Impact Report (EIR) and related documents: <https://ceqanet.opr.ca.gov/Project/2022030718>.

Staff Recommendation for Action

Staff Recommendation 1 – Continue considering the item to the April 10th regular meeting, and provide direction to staff, as needed.

Alternate Option 2 – Deny the request

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Barbara Coler, Chair
Town of Fairfax
Steve Burdo, Regular
Town of San Anselmo
Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Valley Sanitary District
Craig Murray, Regular
Las Gallinas Valley Sanitary District
Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member
Roger Smith, Alternate
Public Member



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 12 (Business)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer
Jeren Batchelder-Seibel, Deputy Executive Officer

SUBJECT: CALAFCO Update

Background

At the December commission meeting staff mentioned that a lot had been occurring with CALAFCO and presented letters from 3 different LAFCos stating that one (San Bernardino) would not be renewing membership in July 2025 and two others (Orange and San Diego) were seriously considering not renewing membership. On December 23, 2024, seventeen Executive Officers representing 21 different LAFCos cosigned a letter stating concerns and items that we wanted to see CALAFCO address. Since all the items in the letter match the concerns of your Executive Officer he was one of the letter's signatories.

CALAFCO had a hybrid board meeting on January 10, 2025, scheduled from 10 am to 4 pm. Both of us attended that meeting virtually. When the agenda came out it had 17 items on it with 6 of them being consent items with item 17 being a closed session for a staff review. At the start of the meeting, the chair announced that after item 7 was completed they would move the closed session up before going back to the rest of the agenda. Item 7 was to review and discuss the presented letters from the 3 LAFCos and the December 23, 2024, letter from the EOs. After a lengthy discussion on Item 7 one Board member made a motion to form an advisory committee to help address the items in the letter from the EOs. Unfortunately, that motion failed and instead, they decided at about noon to go into closed session and return to this issue after closed session. They remained in closed session until about 4 pm when they returned to open session. Since many had flights, some board members and others in attendance had already left for the airport, and joined by phone. Many staff who flew to the meeting to attend in person had already left and many staff who had been attending virtually had left the meeting due to the long closed session. Upon returning at about 4 pm, they then rushed through just the items that were time sensitive including returning to Item 7. Instead of forming a committee, they decided to let the 4 regional Executive Officer representatives and CALAFCO Board Chair review the December 23, 2024 letter and come back to the board with recommendations. Several members of the board wanted this to occur at its scheduled Board workshop on March 20-21. One of the Executive Officers who was still in the room reminded the Board that several LAFCo are getting into budget seasons and making decisions about membership for next year which might occur for some before the workshop. The CALAFCO Board then made the decision to find a time to meet in early February to review what the regional EO and board chair think can be addressed immediately. They are scheduled to meet on February 7th. Given this meeting will occur after the packet is completed staff will give a verbal update at the Commission meeting on what occurred. In addition to this, the board also passed a motion for a dues increase and appointed members to the legislative committee.

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Southern Marin Fire Protection District

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Public Member

Roger Smith, Alternate
Public Member

In addition on January 21, 2025, the Executive Director for CALAFCO announced that they were resigning their position with CALAFCO effective Friday, January 31, 2025. On January 24th the executive committee for CALAFCO announced that they had appointed Jose Hernandez, EO Sacramento LAFCo, to oversee the transition and act as interim Executive Director until a search and hire can be done for a new ED. Also on January 24th the working group released a draft update to CALAFCO Policy and Bylaws manuals to address some of the items from the December 23 EO Letter. The group then invited EO to comment on the changes in a timeframe to allow those comments to be reviewed and presented to the full CALAFCO board for review at the Feb 7 meeting.

Outside of the December 23 letter from the 17 EOs, your staff wanted to point out three areas of concern with CALAFCO to help with the discussion at the meeting.

Transparency and members' involvement in major changes to CALAFCO – Staff for some time has had issues with transparency of CALAFCO actions. Before most of you were on the Commission CALAFCO did a major overhaul of its membership dues structure. There was a group of LAFCos that were in the room debating and making the decisions on what the new structure would look like. When the new structure was released several LAFCos who were not in the room raised issues and concerns. Marin LAFCo was one of them. What was basically told to me was the decision had been made and no changes would be made based on the comments of those not in the room. Marin LAFCo discussed this matter and decided while the Commission was not completely happy with the changes we would go along with it. One LAFCo, Kern County, decided that the changes were simply just too much and would decide to stop the membership and have since stayed out of CALAFCO. Fast forward to 2024 when the CALAFCO board, based on a committee recommendation that was not vetted by any LAFCos not in the room, decided to eliminate the Legislative Committee. After major objections from more than half of the member agencies, the Board reversed course and reinstated the Legislative Committee. These are both examples of CALAFCO working in secret without working with member agencies. On a smaller item front, at the January meeting the Board approved the appointments to the Legislative Committee. Jeren has been sitting in on the committee meetings as an observer for the last couple of years and would make a good fit to serve on the committee but instead of CALAFCO asking for who wants to serve on the committee the Board simply appointed who they wanted.

Plain and simply these types of actions need to stop and membership needs the ability to know what is going on, comment on it in a way where those comments are taken seriously, and be allowed to be formally part of committees like the Legislative Committee.

Budget and Dues – Over the past few years it seems like we are paying more in dues but getting less in services. As one example it used to be that CALAFCO held half to full-day seminars on various issues called CALAFCO U. In the past I would say they would do 3-5 of these in a year but in 2024 only did one which was done in March and I am not aware of any others since then. In recent years those CALAFCO U were either virtual or hybrid and recordings were posted on the website to view. However, CALAFCO changed its website and you can no longer see any of the older ones.

At the January CALAFCO board meeting, they approved a 3% increase in dues but have no budget to back it up. Your staff suggested that they do not do an increase given all that is going on and perhaps CALAFCO needs to prove it needs the money before recommending an increase. One Board member mentioned after my comment that several years ago CALAFCO was in serious financial strain and did not want to see that happen again. Another said they may need the money to

make the changes being requested by many. Since this item was done at the very end of the meeting which was really rushed, the discussion was very limited and the Board passed the dues increase. Marin staff does agree with both Board member's comments but will note to you that in the CALAFCO board packet under a different item that looks at the current year's financials in staff opinion has two key items that are being overlooked by the CALAFCO Board. First is the financial report mentions "On December 31, 2024, Total Assets stood at \$634,001.23, which represents an increase of \$132,487 (or 26.4%) since the same period of the prior fiscal year." Second staff for CALAFCO notes at the very end of its staff memo for that financial report "Overall, the association remains in sound financial shape, with Net Assets continuing their trend upward into new all-time highs." To staff these two items mean CALAFCO could likely create a budget that allows CALAFCO to maintain being fiscally healthy while having the ability to work to fix issues within the organization without an increase for one year.

Regional Make-up – About 15 years ago CALAFCO reorganized itself because at the time the current Southern Region members had a concern that the very large counties in southern California had a very hard time getting seats on the CALAFCO board because elections up to that time were statewide and they simply got outvoted for seats by those in other parts of the state. At the time your Executive Officer was the EO for San Francisco LAFCo and agreed that a regional approach made sense. CALAFCO split the state into 4 regions; Central (19 Counties), Coastal (15), Northern (18), and Southern (6). Each region gets equal representation on the Board. At the time there was more of a balance between regions on the cost each region paid. In 2019, CALAFCO redid its dues structure which took effect with the FY 20-21 budget cycle. They did not touch the regional makeup.

| Region | FY 19/20 | FY 20/21 | FY 25/26 as approved | FY 25/26 w/o SB | FY 25/26 w/o SB and 1 other |
|----------|----------|----------|----------------------|-----------------|-----------------------------|
| Central | 29.55% | 31.49% | 29.03% | 30.15% | 31.36% |
| Coastal | 36.59% | 37.76% | 39.08% | 40.59% | 42.22% |
| Northern | 10.82% | 11.75% | 12.03% | 12.50% | 13.00% |
| Southern | 23.04% | 19.00% | 19.85% | 16.76% | 13.41% |

As the chart shows the Coastal region has always paid the most of any other region. Some key notes to make in the chart: as mentioned above, FY 19/20 was the last year under the old dues structure and FY 20/21 is the first year under the current structure. The difference in percentages from FY 20/21 to FY 25/26 is largely due to the fact Kern LAFCo decided to end its membership so the Central region became less of a percent and the other regions increased. The FY25/26 dues structure approved at the January CALAFCO Board meeting included San Bernardino which has already informed CALAFCO that it will not be renewing. For this reason, Marin LAFCo staff ran the current dues numbers from each LAFCo without San Bernardino in it and you can see the Southern Region paying less of the dues with the other 3 regions increasing as a percent of the dues structure. Staff also added to the chart what happens if just one of the two other LAFCo from the Southern that have sent letters to CALAFCO follow San Bernardino in not renewing membership. The imbalance between regions becomes even greater. Staff does want to note that it understands that to have a statewide group that the Northern Region is not going to be paying the same as the other regions due to its more rural nature and the reality that many of those LAFCo do not have full-time staff but instead rely on sharing part of a staff person with their local County or use consultants to cover LAFCo staffing needs.

Staff acknowledges the dues money and number of LAFCoS in a region are not the only factors that should be considered when looking to see if the current regions make sense but do think they are two important factors on if changes need to be reviewed on how to better balance the make-up of the CALAFCo board so we try to get to as equitable of an arrangement as possible. It does seem that the current system will become out of balance and could only become worse depending on if more LAFCo choose to leave CALAFCo and from what region they are a part of.

Positives of CALAFCo - While staff has been pointing out issues that we feel should be addressed to make CALAFCo a stronger organization we want to underline we also see the importance that CALAFCo can have for Marin LAFCo. The annual conference and staff workshop are places where Marin LAFCo commissions and staff can collaborate and learn from other LAFCos on how they handle issues. CALAFCo U has been a place to get additional understanding and collaboration but as previously mentioned they have recently fallen off in occurrence. The CALAFCo legislative committee gives us the ability to more effectively follow what is occurring at the state legislature. CALAFCo can also assist us in knowing what is occurring in the Courts and be possible to assist when a case would impact multiple LAFCos. They help provide data from the census on DUCs around the state that we can use to help us in determining locations of them in Marin County. In addition, there are many smaller things CALAFCo helps coordinate such as list services and membership directly with current commissioner/staff information along with contacts for each LAFCo

Staff Perspective – Your staff does see value in what CALAFCo has represented for its first 50 years. The recent events mentioned above have caused some concern about whether CALAFCo has changed its direction and is the best fit for Marin LAFCo. Other LAFCos have noticed this and when you consider 2 of the LAFCos who have already written letters to CALAFCo also have Commissioners who serve on the CALAFCo Board of Directors it does make one question just how functional is CALAFCo right now.

One of the problems may become a domino effect where should more LAFCos start to leave the organization others will follow suit. In discussions that your staff is having with other LAFCo some express their mutual concern that it is simply becoming less useful to them. Outside of the 3 LAFCo that have already informed CALAFCo of their thoughts it is staff understanding that at least half a dozen other LAFCos are bringing this matter to their Commission for discussion. At what point would Marin LAFCo decide CALAFCo no longer carries the same importance for us?

For staff, the big question at this point is does Marin LAFCo stay in CALAFCo and work to try and fix the issues or do we leave CALAFCo with return in the future should the issues get fixed. Staff is not sure how to answer that question at this time. Prior to the January 10th CALAFCo board meeting, I would say we were one foot in the door with one foot out the door but leaning towards staying. After the meeting, the lean became much more out. Now what has occurred since the January meeting has put us back more in the middle and likely what occurs at the Feb. 7th meeting will impact this more.

In addition, of those thinking about leaving, some have indicated forming some sort of group to help assist with issues such as collaborating on issues going on at the State Capitol. Your staff would recommend that if we do decide to leave we join this group. In order to be effective in these efforts it would likely cost some money. Staff would suggest that whether we stay in CALAFCo or join another group we maintain the amount in our budget for CALAFCo dues. If we stay with

CALAFCO then the money can go to CALAFCO but if in the end the Commission decides to leave CALAFCO we have money to work on our needs at the state level.

Next Steps – While San Bernardino has already said they are not renewing and San Diego and Orange County are strongly considering leaving, several other LAFcos after the January CALAFCO meeting have indicated they will also be discussing at upcoming meetings on if they will stay or leave. No formal decision needs to be made today on if we wish to stay or go unless the Commission has strong feelings on this matter after staff gives a verbal update, but a discussion and possible letter should occur.

After the Commission has discussed this issue it should decide if sending a letter is something it would like to have staff write and send to CALAFCO. Here is a list of questions that could be addressed in the letter:

1. Does the Commission want to see CALAFCO review its regional makeup?
2. Should we request to see a budget before agreeing to a dues increase? In addition how strongly do we want to be on this? For example, do we want to tell CALAFCO we may not rejoin CALAFCO if a dues increase is implemented without the budget and CALAFCO financial needs 100% justifying the request?
3. Desire to see CALAFCO be more transparent in its actions?
4. Address the concerns in the Dec. 23 EO letter?
5. Tipping point of not enough LAFcos to make CALAFCO meet our needs?
6. Any other items?

Staff Recommendation for Action

1. **Staff Recommendation** – Instruct staff to write a letter to CALAFCO on its current thoughts based on the discussion and decisions that represent the Commission’s viewpoint.
2. **Alternate Option 1** – Continue the discussion on this matter to the next Commission meeting in April
3. **Alternate Option 2** – Do nothing, remain in CALAFCO as is.

Attachment:

1. December 23, 2024 letter from 17 LAFCo EO.

December 23, 2024

CALAFCO Board of Directors

Subject: Concerns with the Direction of CALAFCO

Dear Members of the Board:

As you are aware, recent actions by the CALAFCO Board of Directors and the Executive Director have significantly undermined the decades of trust amongst CALAFCO and its membership. These actions have prompted multiple LAFcos to consider terminating their CALAFCO memberships if substantive changes to CALAFCO are not made (see letters attached from San Diego, Orange, and San Bernardino LAFcos). Although they have yet to do so in writing, several signatories to this letter are also considering recommending that their commissions terminate their CALAFCO memberships.

We are concerned that CALAFCO leadership has lost focus on its core mission. CALAFCO does not exist to serve the interests of the Board or individual board members. It does not exist to serve the interests of associate members or other outside entities. It certainly does not exist to serve the interests of the Executive Director or Legal Counsel. Until recently, CALAFCO's focus has always been on furthering the interests of the membership. The membership is the Association – the association of LAFcos. CALAFCO's focus on the interests of the membership must be restored in order to rebuild lost trust and to ensure the Association's survival.

The dissolution of the CALAFCO Legislative Committee and the secretive way it was undertaken clearly demonstrates this disregard of the opinions and desires of the membership. As stated in the September 27, 2024 letter to the CALAFCO Board from the Executive Officers of the majority of LAFcos (attached), the dissolution process lacked any meaningful outreach to the membership, and it was championed by a Board committee that intentionally withheld its recommendations from the membership and the Legislative Committee itself. It appears that Board members were misled as to the repercussions of their votes in July on this matter. Though the Board corrected this mistake during its September 30th special meeting when it reinstated the Legislative Committee, the damage to our trust was already done. The lack of outreach and transparency associated with the abolition of the Legislative Committee is not a one-off; rather, it exemplifies how CALAFCO currently operates. Discussion is limited to a small group; decisions are announced rather than formulated in a collaborative and iterative process; and members learn about actions only after they happen. This is not acceptable.

The deemphasis of LAFco practitioners in the CALAFCO decision-making process is both striking and troubling. The Executive Director is not a LAFco practitioner, and she is not qualified to advise the Board on matters related to the implementation of LAFco work without input from actual practitioners (who have consistently volunteered their time and expertise to support the Executive Director). The Executive Director's distancing of the CALAFCO Executive Officer (who serves as the membership's primary contact with CALAFCO) from the process is but one example. The dissolution of the Legislative Committee is another example of a systematic and deliberate attempt to deemphasize the role that LAFco practitioners play. The fact that the Executive Director has full

discretion to appoint regional executive officers and members of the Legislative Committee further undermines the membership's ability to appoint and empower LAFCo practitioners it feels will best represent its interests, as opposed to the interests of the Executive Director or individual board members.

Of further concern is CALAFCO's failure to adequately communicate with and build relationships with the membership. Little attempt has been made in recent years to introduce CALAFCO to our commissions or to personalize and "put a face" to CALAFCO. In addition, there are many examples of CALAFCO staff not responding to inquiries from Executive Officers, commissioners, and even CALAFCO Board members in a timely manner, if at all. This is unacceptable, and it further demonstrates a blatant disregard for the concerns of the membership.

In order to begin to rebuild the trust that has been lost, and hopefully to keep the Association intact, we insist that the Board implement the following items, *at a minimum*. Most of our requests can be addressed through changes to the by-laws or through adopted policies.

Membership Representation at CALAFCO

- *Selection of the CALAFCO Deputy Executive Officers:* Currently, the Executive Director chooses who serves as each region's Deputy Executive Officer (DEO). This arrangement may not necessarily best serve the interests of the membership. Regional DEOs should be chosen by the membership of each region. The LAFCos of each region should nominate candidates for their regional DEO and then vote.
- *Selection of the CALAFCO Executive Officer:* Currently, the Executive Director chooses who serves as the CALAFCO Executive Officer. This arrangement may not necessarily best serve the interests of the membership. The Executive Officer, who is one of the four regional DEOs, should be selected by and among the four regional DEOs.
- *Role of the CALAFCO Executive Officer:* The position of the CALAFCO Executive Officer should be clarified so that the Executive Officer plays an integral role in the operation of CALAFCO, as was previously the practice. The Executive Director should be required to consult with the Executive Officer on all items/issues of importance to the membership. The Executive Officer should play an active role in the development of meeting agendas, and should be invited to and included in all meetings of the Board, the Executive Committee, the Legislative Committee, any standing committee, any ad hoc committees, and others as needed. In the Executive Officer's absence, the other regional DEOs should be consulted. No action on items/issues important to the membership should be taken without such consultation.
- *Advisory Committee:* An Advisory Committee composed of the Executive Officer and the three regional DEOs should be established. The Executive Director must convene the Committee on an agreed upon schedule, to discuss items/issues of importance to the membership. Consideration should also be given to the formation of an advisory committee made up of LAFCo Executive Officers from the four regions.

Legislative Committee

- *Selection of the members of Legislative Committee:* Currently, the Executive Director selects the LAFCo staff members who serve on the Legislative Committee. This arrangement fails to advance the interests of the membership. The members of the newly established Advisory Committee (the Executive Officer and three regional DEOs) should appoint LAFCo staff members to the Legislative Committee, or at the very least, approve appointments made by the Executive Director.
- *Remove Associate Members from the Legislative Committee:* Currently, three associate members (e.g., private consultants that do not staff LAFCos) sit on a committee that advises the Legislative Committee, and they are privy to all the confidential documentation, discussions, and strategizing that occurs during Committee meetings. Associate members do not necessarily share the goals of the Legislative Committee and may even represent clients who may be opposed to the Committee's recommendations, resulting in conflicts of interest. Associate members should not be permitted to attend meetings and/or participate in Legislative Committee business, unless their input is sought on an item and they are invited by the Chair.

Transparency and Communication:

- *Transparency:* CALAFCO must operate in a manner that is not only transparent to the Board, but to the membership. Policies affecting the membership, the advancements of LAFCos, and the operations of the organization should be developed to ensure that member LAFCos are fully informed of matters important to them and input sought on such matters.
- *Communication:* The Executive Director should be encouraged to develop relationships with the membership and not focus solely on the members of the Board. Policies should also be developed to ensure that all inquiries from the membership and Board members are responded to in a timely manner.

When the San Bernadino LAFCo was considering whether to continue as a member of CALAFCO at its November 13th meeting, the staff report prepared for the item concluded with the following:

“Recently, there has been some concern about the recent decisions made by the CALAFCO Board, including the perceived lack of transparency and membership engagement. There has also been some disagreement and disunity among the new Board. It should also be noted that, in the past, there used to be a close collaboration between the CALAFCO Executive Director, its regional officers, and LAFCO executive officers in general, which resulted in more agreement and coming up with better solutions to issues and/or concerns. Lately, there hasn't been a congenial relationship between the CALAFCO Executive Director and many of the regional officers/executive officers resulting in dissatisfaction and frustration among the membership.”

As you know, the San Bernardino LAFCo chose to not renew its membership for next year. We see the January 10th Board meeting as the last opportunity for the Board to “right the ship” before

additional LAFCoS consider terminating their membership. Absent substantive changes, such as those suggested herein, CALAFCO is at risk of fracturing, or even dissolving, as an association. We hope the Board takes our concerns seriously and embraces these suggestions, or other meaningful suggestions, in order to preserve CALAFCO and all the value that it has historically provided.

Sincerely,



Kai Luoma
Ventura LAFCo



Keene Simonds
San Diego LAFCo

Steve Lucas

Steve Lucas
Butte LAFCo



Paul Novak
LAFCo for LA County



Bill Nicholson
Merced LAFCo



Rob Fitzroy
San Luis Obispo LAFCo



Jennifer Stephenson
Lassen, Modoc, Plumas, and
San Benito LAFCos



Tyler Salcido
Imperial LAFCo



Neelima Palacherla
LAFCo of Santa Clara
County



Uma Hinman
Mendocino LAFCo



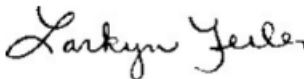
J.D. Hightower
San Joaquin LAFCo



Sara Lytle-Pinhey
Stanislaus LAFCo



Michelle McIntyre
Placer LAFCo



Larkyn Fielor
Colusa and Lake LAFCos

Jason Fried

Jason Fried
Marin LAFCo



Chuck Kinney
Kings LAFCo



SR Jones
Nevada LAFCo

CC: Rene LaRoche, CALAFCO Executive Director

Attachments - Letter to CALAFCO from San Diego LAFCo dated 10-22-24
Letter to CALAFCO from Orange LAFCo dated 11-1-24
Letter to CALAFCO from San Bernardino LAFCo dated 11-22-24
Letter to CALAFCO regarding dissolution of the Legislative Committee dated 9-27-24



San Diego County
Local Agency Formation Commission
Regional Service Planning | Subdivision of the State of California

October 22, 2024

Delivered by Electronic Mail

René LaRoche, Executive Director
California Association of LAFCOs
rlaroch@calafco.org

SUBJECT: FY26 CALAFCO Dues and Related Concerns

Dear René:

This letter serves as a courtesy to advise San Diego LAFCO will revisit its membership status with CALAFCO as part of the upcoming 2025-2026 budget process. San Diego remains committed to CALAFCO's mission **"to promote efficient and sustainable government services based on local community values through legislative advocacy and education."** San Diego - however - is respectfully concerned with CALAFCO's direction and recent decisions that seemingly deprioritize - directly and indirectly - these core mission values. Examples include the unknown scale and influence of outside parties (consultants and attorneys) in CALAFCO decision-making as well as the insulated process leading to the elimination of the Legislative Committee. The deemphasis of the CALAFCO Executive Officer position and the related dismissal of the practitioner perspective in the Board's decision-making process is equally concerning. It is our understanding the CALAFCO Board will hold a strategic planning retreat in early 2025. We hope the retreat is scheduled (location and time) and noticed to maximize all 58 LAFCOs' ability to participate - including allowance for video attendance - and the above concerns are discussed in some meaningful way.

Sincerely,

Keene Simonds
Executive Officer

cc: Commissioners
Priscilla Mumpower, Assistant Executive Officer
Steve Lucas, CALAFCO Executive Officer

| | | | | | |
|--|---|--|---|--|---|
| Administration Keene Simonds, Executive Officer 2550 Fifth Avenue, Suite 725 San Diego, California 92103 T 619.321.3380 E lafco@sdcounty.ca.gov www.sdlafco.org | Joel Anderson County of San Diego Jim Desmond County of San Diego Nora Vargas, Alt. County of San Diego | Kristi Becker City of Solana Beach Dane White City of Escondido John McCann Alt. City of Chula Vista | Chair Stephen Whitburn City of San Diego Marni von Wilpert, Alt. City of San Diego | Vice Chair Barry Willis Alpine Fire Protection Jo MacKenzie Vista Irrigation David Drake, Alt. Rincon del Diablo | Harry Mathis General Public Brigette Browning, Alt. General Public |
|--|---|--|---|--|---|

REGULAR MEMBERS

CHAIR
Donald P. Wagner
County Member

VICE CHAIR
Wendy Bucknum
City Member

IMMEDIATE PAST CHAIR
Douglass Davert
Special District Member

James Fisler
Special District Member

Derek J. McGregor
Public Member

Bruce Whitaker
City Member

VACANT
County Member

ALTERNATES

Kathryn Freshley
Special District Member

Carol Moore
City Member

Lou Penrose
Public Member

VACANT
County Member

STAFF

Carolyn Emery
Executive Officer

Scott Smith
General Counsel

November 1, 2024

Rene LaRoche, Executive Director
California Association of LAFCOs
Sent by email to: rlaroche@calafco.org

SUBJECT: Review of CALAFCO Membership Status for FY 25/26

Dear Rene:

This letter serves as a courtesy to inform that Orange County LAFCO will revisit its membership status with CALAFCO in part to our 2025-2026 budget process that begins mid-January 2025 and upcoming workshop and conference participation. As a CALAFCO member for several decades, OC LAFCO acknowledges the importance of CALAFCO's mission, particularly the value the association brings to the membership through legislative advocacy and education. As these areas are central to our Commission's interests and benefits as a member, OC LAFCO is respectfully concerned with the recent decision-making of the Board, along with the perceived organizational direction of CALAFCO. Specific examples of our concern include the lack of transparency and membership engagement involving restructuring of the legislative platform, inconsistent and potentially disadvantageous actions relative to a legislative proposal vetted and approved through the process established by CALAFCO, and the seemingly prioritization of external group interests over LAFCO practitioners. Additionally, and of equal concern for OC LAFCO, are the absence of collaboration amongst the Executive Officers and the CALAFCO Executive Director and the lack of responsiveness from the Executive Director to inquiries from OC LAFCO staff and Board Director McGregor.

It is our hope that CALAFCO receives the concerns expressed herein with deliberate attention, and we further encourage the Board to have a meaningful discussion of these concerns at your next regular board meeting, followed by actions to address the current state of affairs.

Sincerely,



Carolyn Emery
Executive Officer

cc: Commissioners
CALAFCO Southern Region Board Members
Steve Lucas, CALAFCO Executive Officer



LAFCO

**Local Agency
Formation Commission**
for San Bernardino County

1601 East 3rd Street, Suite 102
San Bernardino, CA 92415-0490
909.388.0480 | Fax 909.388.0481
lafco@lafco.sbcounty.gov
www.sbolafco.org

COMMISSIONERS

JOE BACA, Jr.
Board of Supervisors

JIM BAGLEY
Public Member

DR. KIMBERLY COX
Special Districts

PHILL DUPPER
City Member

STEVEN FARRELL, Vice Chair
Special Districts

CURT HAGMAN
Board of Supervisors

ACQUANETTA WARREN, Chair
City Member

ALTERNATES

JESSE ARMENDAREZ
Board of Supervisors

RICK DENISON
City Member

JIM HARVEY
Public Member

KEVIN KENLEY
Special Districts

EXECUTIVE OFFICER

SAMUEL MARTINEZ

LEGAL COUNSEL

PAULA DE SOUSA

November 22, 2024

René LaRoche, Executive Director
CALAFCO
1451 River Park Drive, Suite 185
Sacramento, CA 95815-4520

Dear Ms. LaRoche:

This letter is to inform you that the Local Agency Formation Commission for San Bernardino County (San Bernardino LAFCO) is giving notice to CALAFCO that it will not be renewing its membership starting July 1, 2025.

On November 20, 2024, San Bernardino LAFCO—by unanimous vote—decided not to renew its membership to CALAFCO starting Fiscal Year 2025-26. This notice is being provided now in order to inform CALAFCO of San Bernardino LAFCO's future non-payment of its required dues.

Prior to July 1, 2025, as a current CALAFCO member in good standing, San Bernardino LAFCO intends to fully participate in CALAFCO Board of Directors meetings, its Legislative Committee meetings (if said Committee meetings will convene this fiscal year), and its upcoming 2025 Staff Workshop in Temecula.

If you have any questions concerning the information outlined above, please do not hesitate to contact me at (909) 388-0480.

Sincerely,

SAMUEL MARTINEZ
Executive Officer

cc: Gay Jones, Chair, CALAFCO Board
Southern Region LAFCOs

September 27, 2024

CALAFCO Board of Directors

Subject: Dissolution of the Legislative Committee

Dear Members of the Board,

We, the undersigned Executive Officers of LAFcos from throughout the State, wish to convey our opposition to the Board's recent action to dissolve the Legislative Committee. We believe that the process that led to the Board's action was not transparent, inclusive, or sufficient. We request that the Board reverse this action, that it conduct a meaningful outreach effort to the CALAFCO membership, and that it consider any resulting feedback before adopting any further changes to CALAFCO's legislative program.

Contrary to what has been reported to the CALAFCO Board, the CALAFCO membership was not adequately informed of the proposed dissolution of the Legislative Committee. Many executive officers—including several who serve on the Legislative Committee—were not informed that changes to the legislative process were under consideration. At no time prior to the Board's action in July did we receive from CALAFCO correspondence introducing and explaining the proposed changes or a survey asking for our position on the proposed changes. Furthermore, we were not provided an opportunity to inform our respective Commissions about the proposed change. Many of us did not understand that the changes involved the dissolution of the Legislative Committee. The alleged "lack of concern" about the changes does not reflect support for the changes; this characterization merely reflects that many LAFco executive officers were not fully apprised of the proposed change.

The failure to provide advance notice of this significant change to members of the Legislative Committee demonstrates a callous disregard for the transparency which has always been a hallmark of how CALAFCO operates. There were opportunities to inform the Legislative Committee at its meeting on June 14 or its meeting on July 12, which was cancelled by the Executive Director. Both meetings were scheduled just prior to the Board of Directors meeting on July 19 and would have been an ideal time to seek broader input from the Committee. Why this was not done remains a mystery. If CALAFCO is going to survive as a volunteer-supported organization, it is incumbent upon the Board to rectify this lack of sufficient outreach and transparency.

Every signatory to this letter sincerely values the contributions of the Legislative Committee, believing the committee to be one of the most essential benefits of CALAFCO membership. Had we been asked, we would have conveyed these sentiments to the Board. The Legislative Committee is a decades-long inclusive and efficient means by which the CALAFCO membership

can propose legislation and/or express positions on proposed legislation in a collegial environment. Aside from the review of individual legislative proposals, the Committee members share and discuss interpretations of CKH and best practices of individual LAFcos that is an education for all in attendance. The Committee, composed of and advised by over 30 LAFco professionals from all regions of the State, has been a forum where the staff of any and all LAFcos are welcome to participate and to be heard. The recommendations coming out of the Committee follow thoughtful, considered, and deliberate discussion amongst dozens of professionals who implement LAFco law every day and have practical insights on legislative topics. The Committee has provided unique learning opportunities and has exposed LAFco staff members to how the legislative process works. Many newer LAFco staff members from throughout the State have considered serving on the Committee a “rite of passage”. The Committee is a valuable resource and provides an opportunity for LAFco staff to participate in, and be a part of, CALAFCO. Its value cannot be overstated.

Again, we ask that the Board reverse its previous action regarding the Legislative Committee, and that the Committee be immediately reconstituted, given that time is of the essence. The Board should, further, conduct a meaningful outreach effort to the CALAFCO membership before moving forward with any changes to the Legislative Committee. Thank you for your attention to this matter.

Sincerely,



Kai Luoma
Ventura LAFCo



Joe Serrano
Santa Cruz LAFCo



Mark Bramfitt
Sonoma LAFCo



Paul Novak
LAFCo for LA County



Carolyn Emery
Orange County LAFCo



Steve Lucas
Butte LAFCo



Neelima Palacherla
Santa Clara LAFCo



Christine Crawford
Yolo LAFCo



Gary Thompson
Riverside LAFCo

Signatories Continued...



SR Jones
Nevada LAFCo



Sara Lytle-Pinhey
Stanislaus LAFCo



Bill Nicholson
Merced LAFCo



Mike Prater
Santa Barbara LAFCo



Rachel Jones
Alameda LAFCo



Tyler Salcido
Imperial LAFCo



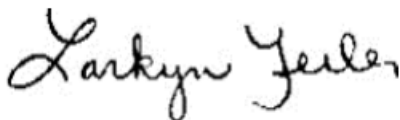
Rob Fitzroy
San Luis Obispo LAFCo



Lou Ann Texeira
Contra Costa LAFCo



Uma Hinman
Mendocino LAFCo



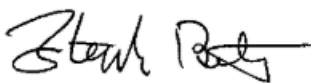
Larkyn Feller
Colusa + Lake LAFCos



Keene Simonds
San Diego LAFCo



Michelle McIntyre
Placer LAFCo



Stephen Betts
Glenn LAFCo



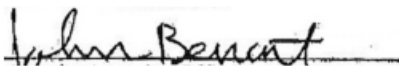
Jennifer Stephenson
Lassen, Modoc, Plumas +
San Benito LAFCos



Rich Seithel
Solano LAFCo



Humboldt & Trinity LAFCos



John Benoit
Calaveras LAFCo



Ben Giuliani
Tulare LAFCo



Paige Hensley
Yuba LAFCo



J.D. Hightower
San Joaquin LAFCo



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Item No. 13 (Business)

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Authorize the Executive Officer to Enter Into an Agreement With Citygate For a Consolidation Report on Tiburon Fire and Belvedere.

Background

At the October 2024 meeting the Commission approved a shared cost agreement between Marin LAFCo, City of Belvedere (City), and the Tiburon Fire Protection District (TFPD) to do a study on the feasibility for TFPD to annex the City into its boundary along with some other matters. Since then, LAFCo staff have worked with both the City and TFPD to draft, release, and pick a consultant to do this work. On October 23, LAFCo released a Request for Proposals to do this work with bids to be submitted by December 13. We received 5 bids to our request. The review committee decided 3 bidders would get interviewed and from that group picked Citygate as the group that offered the proposal that best fit this project's needs. Staff then used a template BBK contract with a couple of amendments at the request of Citygate. BBK does not have issue with the amendments being presented today.

The agreement has a total not to exceed the amount of \$97,884 with an expected 7-month time frame for completion. As a reminder the cost sharing agreement signed by all three agencies means LAFCo will be reimbursed by the City and TFPD for all costs charged by Citygate to LAFCo. Once completed Citygate will present to all three agencies in separate public meeting.

Staff Recommendation for Action

1. Staff Recommendation – Authorize the Executive Officer to sign the attached contract for services with Citygate.
2. Alternate Option 1 – Do not authorize the execution of the attached contract for service and give staff instructions on next steps.
3. Alternate Option 2 – Do not authorize the execution of the attached contract and instruct staff to no longer work on this matter.

Attachment:

1. Contract with Citygate

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, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

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

This Agreement is made and entered into as of February 13, 2025 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 Citygate Associates, LLC, a Limited Liability Company with its principal place of business at 600 Coolidge Drive, Suite 150, Folsom, CA 95630 (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:

Feasibility Study and Financial Analysis for the possible annexation of the City of Belvedere into Tiburon Fire Protection District (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 \$97,884. 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. Time of Performance.

Consultant shall perform its services in a prompt and timely manner and shall commence performance upon receipt of written notice from the Commission to proceed ("Notice to Proceed"). Consultant shall complete the services required hereunder within "Activity Schedule" as Exhibit C. The Notice to Proceed shall set forth the date of commencement of work.

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

(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 non-owned and hired vehicles, in a form and with insurance companies acceptable to the Commission.

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

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

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

c. Workers' Compensation/Employer's Liability

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

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

d. Professional Liability (Errors and Omissions)

At all times during the performance of the work under this Agreement the Consultant shall maintain professional liability or Errors and Omissions insurance appropriate to its profession, in a form and with insurance companies acceptable to the Commission and in an amount indicated herein. This insurance shall be endorsed to include contractual liability applicable to this

Agreement and shall be written on a policy form coverage specifically designed to protect against acts, errors or omissions of the Consultant. "Covered Professional Services" as designated in the policy must specifically include work performed under this Agreement. The policy must "pay on behalf of" the insured and must include a provision establishing the insurer's duty to defend.

e. Minimum Policy Limits Required

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

Combined Single Limit

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

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

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

f. Evidence Required

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

g. Policy Provisions Required

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

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

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

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

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

h. Qualifying Insurers

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

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

i. Additional Insurance Provisions

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

(ii) If at any time during the life of the Agreement, any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, Commission has the right but not the duty to obtain the insurance it deems necessary and any premium paid by Commission will be promptly reimbursed by

Consultant or Commission will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, Commission may cancel this Agreement.

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

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

j. Subconsultant Insurance Requirements. Consultant shall not allow any subcontractors or subconsultants to commence work on any subcontract until they have provided evidence satisfactory to the Commission that they have secured all insurance required under this section. Policies of commercial general liability insurance provided by such subcontractors or subconsultants shall be endorsed to name the Commission as an additional insured using ISO form CG 20 38 04 13 or an endorsement providing the exact same coverage. If requested by Consultant, Commission may approve different scopes or minimum limits of insurance for particular subcontractors or subconsultants.

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 except to the extent such loss or damages is caused by the negligence or willful misconduct of the Commission, its officials, officers, employees, volunteers, and agents. 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 Stewart Gary, Public Safety Principal, 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:

Citygate Associates, LLC
600 Coolidge Drive, Suite 150
Folsom, CA 95630
Attn: Chad Jackson

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 CITYGATE ASSOCIATES, LLC**

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

MARIN LOCAL AGENCY FORMATION
COMMISSION

CITYGATE ASSOCIATES, LLC

By: _____
Jason Fried
Executive Officer

By: _____
Chad Jackson
President

ATTEST:

By: _____
Claire Devereux
Board Clerk

EXHIBIT A

Scope of Services

Section 3—Project Approach and Scope of Work

Project Understanding

Citygate Associates, LLC (Citygate) understands that the Marin County Local Agency Formation Commission (Marin LAFCo) is seeking a Feasibility Study and Financial Analysis for the possible annexation of the City of Belvedere (City) by the Tiburon Fire Protection District (District). The study must comprehensively review the existing contractual relationship, historical costs, revenues, and services provided, and recommend the basis for an efficient and sustainable annexation. Citygate further understands that the goal of this analysis is to determine the most appropriate financial relationship between the District and the City, balancing the need to allocate costs equitably with the City's and District's ability to sustainably fund the cost of the services provided.

Per the RFP, Citygate also understands that the final scope of services will be based on the consultant's approach to the project and will be negotiated with the selected firm and included in the services agreement.

Citygate's study will be performed in accordance with the methodology outlined in *Standards of Response Coverage* (fifth and sixth editions) as published by the Commission on Fire Accreditation International (CFAI). Our study will also incorporate guidelines and best practices in the field of deployment and risk analysis from the National Fire Protection Association (NFPA), the Insurance Services Office (ISO), relevant federal and state laws and regulations, and other recognized industry best practices.

In addition to our customary techniques of reviewing agency data and documentation and conducting stakeholder listening interviews, Citygate utilizes StatsFD™ to analyze service demand and incident performance, with results plotted on graphs and charts, as well as superimposed over Google Earth images using 3D tools when applicable.

Citygate's **fiscal assessments** will conform to local government practices and California statutes for budgeting, accounting, and intergovernmental partnerships. Citygate's fiscal assessments will also conform to the LAFCo regulatory framework should a LAFCo application be required.

Project Approach and Methodology

Citygate's work will be independent, meeting the partnering agencies' unique needs, while utilizing nationally recognized guidelines and best practices, federal and state mandates, and a deep understanding of local operating practices. Our comprehensive work will provide the foundation for future planning relative to the provision of fire and EMS services and infrastructure.

Stakeholder Engagement

Citygate has significant experience working with internal and external stakeholders. This experience and recognition of value allows the establishment of building and maintaining trust, confidence, and support in policing. Citygate has also conducted hundreds of surveys, focus groups, and public forums for local government agencies since our establishment in 1990.

All of our Project Team members have the technical skills to conduct themselves as active, caring listeners along with the technical savvy to use videoconference tools like Microsoft Teams and other online collaboration methods. We have significant experience gathering multiple forms of stakeholder input and can see trends and themes develop through various forms of feedback.

Data-Driven and Fact-Based Analysis

Citygate's approach to all projects is *data driven*. We excel at mining agency incident and programs data along with analyzing the socioeconomic metrics of the communities we serve. All aspects of our feasibility study and financial analysis will incorporate **relevant, measurable agency data**, as well as provide additional information and data the partnering agencies may find useful in guiding service decisions and commitments.

A neutral, best practice-based evaluation must be grounded in data—not personal opinions or hearsay. Metrics help to focus the conversation on what is really occurring and open doors to **enhanced listening by all project stakeholders**. For analysis, we not only utilize the expertise of our core team members, but also of highly trained statisticians who, without preconception, follow the trends in data as they are presented.

Because of our commitment to meaningful analysis, Citygate understands:

1. How to **assess the accuracy and reliability of data**.
2. How to **determine the relevance of data** in correlation to decision-making processes.
3. How to best **convert insights into actionable content**.
4. How to **structure actionable content** for optimal usability without additional workload for the client.

General Project Work Plan Elements

Standards of Coverage Methodology

A core methodology used by Citygate in the scope of its fire services and master planning work will be that of the Standards of Coverage (SOC) systems approach to fire department deployment as published by the CFAI. This is a systems-based approach using local risk and demographics to determine the level of protection best fitting the needs of the communities served.

As part of our general project Work Plan, Citygate will carry out the following key scope elements.

Conduct On-Site Visit and Deployment and Operational Analysis

- ◆ Citygate will conduct an on-site visit during this phase of the project to assess deployment and operations and carry out additional command staff interviews as necessary. We will meet with key stakeholders from all of the partners in the study.

General Summary of the Community and Constituents Served

The Citygate team will review, understand, and describe the service area, to include:

- ◆ Service area population and demographics
- ◆ History, formation, and general description of partnering agencies and their fire services
- ◆ Operating budget and funding
- ◆ Description of the current services and service delivery infrastructure.

Analysis and Summary of the Services Provided

The Citygate team will review and evaluate fire and first responder emergency medical services data provided to include:

- ◆ Calls for service demographics from a historical perspective
- ◆ Operational staffing levels and distribution of resources
- ◆ Performance goals, objectives, and measures.

Outcome Expectations

Citygate will describe existing outcome expectations, if any, and how they were determined. We will also describe the time constraints associated with saving critical EMS patients and rescuing trapped occupants from building fires, as well as common outcome expectations in urban/suburban communities.

Community Risk Assessment

Citygate will conduct a high-level analysis of community risks to be protected, including:

- ◆ Identification and description of values at risk to be protected within the service area.
- ◆ Identification, description, and analysis of natural and human-caused fire and non-fire hazards with potential to adversely impact the service area relative to services provided.

Review to Understand Historical and Currently Needed Fire Service System Performance

Citygate will use the StatsFD™ incident statistics analysis tool to study the effectiveness of the existing station location to understand the existing deployment system performance and test proposed service measures by risk types in different zones for first-due, all-risk units.

- ◆ **Distribution Analysis** – Citygate will review the effectiveness of the existing station location to evaluate the deployment system’s performance by risk types in different zones for first-due, all-risk units.
- ◆ **Concentration Analysis** – Using prior incident statistics of coverage, Citygate will conduct an analysis of the capability to achieve an Effective Response Force (ERF) within best practice response times to resolve more serious/complex emergencies.
- ◆ **Reliability Study** – Citygate will utilize StatsFD™ software to provide a comprehensive statistical analysis of:
 - Current response workload of each staffed fire company, including crew unit-hour utilization
 - Concurrent service demand and operational impacts
 - Historical response performance components
 - Mutual and automatic aid provided and received
 - Review of actual or estimated failure rates of individual companies.
- ◆ **Capacity Study** – Citygate’s analysis will include a study of maximum emergency service capability of resources inclusive of automatic- and mutual-aid resources.

Performance Objectives and Measures

Citygate’s assessment will provide the partnering agencies with fire and EMS response performance goals, including those for the first-due and ERF specific to the nature and type of risks identified from which it can adjust, if needed, the fire services deployment system.

Overall Deployment Evaluation and Recommendations

Citygate will develop and evaluate various operational models for providing emergency services with the specific intent of identifying those options that can viably deliver the desired levels of service over the next three to five years.

Citygate’s overall deployment analysis summary will include:

- ◆ A description of the current deployment system.
- ◆ A summary assessment of the current deployment system’s ability to protect the assets at risk within the service area, including the location of the fire stations, quantity and types of apparatus, operational staffing levels, specialized technical capabilities, and first due and ERF response performance.
- ◆ Recommendations, as needed, of revised performance objectives by risk type, including measures and compliance methodologies in alignment with recognized

industry best practices, community expectations, and current and prospective future resources.

- ◆ Identification of areas that are underserved, inefficient, or over-covered.
- ◆ Recommendations as needed for staffing enhancements, if any.
- ◆ Recommended deployment or operational changes as appropriate to provide the desired baseline fire and EMS services.

Future Service Needs Assessment

To best position the partnering agencies for continued development, Citygate will also assess relevant future service needs metrics including projected growth, and growth-related impacts on service and non-service demand; projected facility needs; projected staffing needs; and projected fleet needs.

Scope of Work

Citygate's detailed Work Plan to conduct the requested scope of work is presented in this section. We will review the proposed Work Plan and schedule with Marin LAFCo leadership prior to initiating any work, and subject to any mutually agreed upon changes, we will finalize the Work Plan and the accompanying project schedule.

Our Work Plan is composed of the following **seven (7) tasks**.

Task 1: Initiate and Manage Project

Develop a Detailed Work Plan Schedule for the Project

- ◆ Citygate will develop a detailed Work Plan schedule for the project. This will assist both the Citygate Project Team and Marin LAFCo staff to monitor project progress.

Request and Review LAFCo/City/District Data and Documentation

- ◆ At the start of the project, Citygate will develop and submit a request for data/documentation relevant to this project, including available Strategic/General Plans; growth forecasts; any appropriate prior studies; documentation, including (as available) dispatch and incident data, fleet inventory, staffing, facilities, and response policies; and other relevant information.
- ◆ Citygate will also review available hazard- and risk-related information, travel time performance measure(s), and historical calls-for-service data from associated data systems.

- ◆ Citygate will utilize Dropbox (an online file-sharing service) to ensure convenience for staff to provide requested data/documentation.
- ◆ After receiving the requested documentation, Citygate will review materials prior to conducting the start-up meeting and stakeholder interviews in the following subtasks. Citygate has found that reviewing this information prior to interviews improves the effectiveness and value of the interviews since it results in more specific questions and more definitive information.

Meet with LAFCo Representatives to Initiate the Project

- ◆ In collaboration with Marin LAFCo, Citygate will review and finalize a detailed project Work Plan, schedule, activities, deliverables, roles and responsibilities, and project benchmarks.
- ◆ A key to a successful consulting engagement is a mutual understanding of the project’s scope and objectives. In Citygate’s experience, this early effort to clearly define expectations, roles, and lines of communications results in a better focus on substantive issues as the engagement progresses.
- ◆ To better understand the issues at stake in this project, Citygate, will meet with internal staff and council members to listen to community values regarding levels of desired emergency outcomes.

Ongoing Project Management

- ◆ Citygate will provide monthly written status reports, along with an invoice, which describe work performed in the prior month, work scheduled in the upcoming month, and any study issues or project and budget issues.
- ◆ In addition, if a serious issue is encountered at any point in the project, Citygate will immediately call and/or email Marin LAFCo’s Project Manager to work on an effective, timely resolution.

Meetings and Deliverables

For this task, Citygate will conduct virtual meetings to initiate the project and interview agency staff. Citygate will also deliver the final project schedule and data/documentation request in writing.

Task 2: Conduct Feasibility Study and Financial Analysis

For this primary task, Citygate will:

- ◆ Comprehensively review existing contractual relationship.

- ◆ Comprehensively review historical costs, revenues, and services provided.
- ◆ Based on this review, recommend the basis for an efficient and sustainable shared fire services or a divorce to independent services if viable for both agencies.

Primary Analysis Key Scope of Work Elements

As part of this core project task, **Citygate will address all key scope of services elements as detailed in the RFP:**

- A. Analyze historical household and population trends across the City and the District back to 1995 and project these forward to 2055.
- B. Analyze historical usage of services per household and per capita across the City and the District to determine the most relevant and equitable form of cost distribution.
- C. Comprehensively review the existing financial relationship between the District and the City in order to establish a base year for revenues and costs.
- D. Analyze how to effectively treat District reserve funds, pension and OPEB pre-funding, and outstanding debts.
- E. Comprehensively review the City’s revenues and costs to recommend a sustainable allocation of resources for fire protection services.
- F. Clearly define and describe the proposed annexation methodology and evaluate the cost and revenue impacts on both the City and District.
- G. Analyze and report the status of revenue neutrality relative to the City and District similar to Government Code Section 56815.
- H. Analyze the impact of the proposal on the City’s existing special assessments, including the conditions under which it can be transferred to the District, including Gann Limit considerations.
- I. Produce an administrative Draft for staff and agency review. *[For details, see Task 6]*
- J. Based on comments, prepare a Draft Report for public review. *[For details, see Task 6]*
- K. Subject to direction from the Executive Officer, produce a Final Draft report based on comments received during public review. *[For details, see Task 7]*
- L. Provide presentations to the Commission, the City’s Finance Committee, and City Council and the District’s Finance Committee.
- M. Provide any other information that is deemed to be relevant to the report.
- N. Analyze Belvedere’s share of fire prevention/mitigation work—what programs/services are provided currently by TPFD and if anything would change following annexation.

Meetings and Deliverables

Citygate anticipates the potential for multiple follow-up videoconference meetings with staff, as needed.

Task 3: Conduct Additional [City] Analysis

In the event that the City cannot financially sustain the equitable distribution of the District's costs, Citygate will develop:

- ◆ A plan for providing fire protection and emergency medical services.
- ◆ An outline of potential partners and/or service providers for the City's consideration.
- ◆ A model of financial forecasting to guide the City's decisions and ensure the most fiscally responsible options are understood.

Additional Analysis Key Scope of Work Elements

To conduct this high-level analysis, Citygate will complete the following subtasks—maintaining a focus on legal constraints and financial impacts.

- A. Analyze the possibility of the City annexing into an alternative fire district.
- B. Analyze the possibility of the City contracting for fire protection and emergency medical services with an alternative provider or fire district.
- C. Analyze the possibility of the City contracting for emergency medical services with an alternative provider while maintaining its contract for fire protection services within the District.
- D. Recommend other financially viable models for securing fire protection and emergency medical services, including the possibility of a stand-alone firehouse within the City of Belvedere.

Meetings and Deliverables

Citygate anticipates the potential for multiple follow-up videoconference meetings with key City stakeholders, as needed.

Task 4: Conduct Additional [District] Analysis

For this additional analysis, Citygate will evaluate:

- ◆ Current response times
- ◆ Current staffing levels
- ◆ Any impediments to response times—including vegetation management, parking enforcement, and various encroachments.

Additional Analysis Key Scope of Work Elements

To conduct this analysis, Citygate will complete the following subtasks.

- A. Minimum staffing levels to maintain operational readiness for current and anticipated future needs related to All-Risk responses.
- B. Evaluation of current response times and impediments to same.
- C. Adequate vegetation management of access and egress routes in the City and maintenance of same.
- D. Parking and various encroachment enforcement to facilitate a timely response.
- E. Allocation of existing infrastructure necessary for service delivery. (e.g., Hydrants).

Meetings and Deliverables

Citygate anticipates the potential for multiple follow-up videoconference meetings with key District stakeholders, as needed.

Task 5: Mid-Project Review

Prepare and Conduct a Mid-Project Review

- ◆ Upon completion of tasks 2–4, Citygate will utilize a Microsoft PowerPoint presentation to review the preliminary findings and proposed recommendations of the study. This briefing will provide an opportunity for Marin LAFCo representatives and consultants to perform fact-checks, discuss any anomalies in the data, and resolve any remaining issues before Citygate’s recommendations are finalized. Citygate values transparency and maintains an ethic of “no surprises” where our reports are concerned. This is another reason we place a high value on performing a Mid-Project Review.

- ◆ Pursuant to input received from Marin LAFCo, Citygate will make any data-driven changes and then refinements, if needed, to be incorporated into our Draft Report.

Meetings and Deliverables

Citygate anticipates one videoconference meeting with members of Citygate’s Project Team and key partner agency stakeholders.

Task 6: Prepare and Review Draft Report

Prepare and Submit Draft Report with Exhibits

The entire Citygate team will prepare a Draft Report, including appropriate visual exhibits. This Draft Report will include:

- ◆ An Executive Summary describing the nature of the report, the methods of analysis, the primary findings, and critical recommendations.
- ◆ Detailed narrative analysis of each report component structured in easy-to-read sections, accompanied by explanatory support to encourage understanding by both staff and civilian readers.
- ◆ Clearly designated recommendations highlighted for easy reference.
- ◆ Supportive charts, graphs, and diagrams, where appropriate.
- ◆ Appendices, exhibits, and attachments, as necessary.

Draft Report – Agency Review

Upon completion of the Draft Report, an electronic version in Microsoft Word will be sent to Marin LAFCo’s project representative for comments using the “track changes” and “insert comments” tools in Word.

Citygate’s normal practice is to review the Draft Report with management personnel to ensure that the factual basis for the recommendations is correct and to allow time for a thorough review. In addition, Citygate takes time to discuss any areas that require further clarification or amplification. It is during this time that understandings beyond the written text can be communicated.

Citygate will facilitate a videoconference review of the Draft Report with Marin LAFCo staff as identified by Marin LAFCo.

Draft Report – Public Review

Upon completion of the *agency* review of the Draft Report, an updated Draft Report will be sent to Marin LAFCo for review by public stakeholders. Citygate will defer to Marin LAFCo for targeted public notification of the review period via the proper channels.

Meetings and Deliverables

Citygate will conduct two videoconference meetings to review each version of the Draft Report with Marin LAFCo staff.

Deliverables for this task include the comprehensive Draft Report.

Task 7: Prepare and Deliver Final Report

The process of Final Report preparation is an important one. Implicit in this process is the need for a sound understanding of how the review was conducted, what issues were identified, why the recommendations were made, and how implementation should be accomplished.

Based on results of the review process, Citygate will prepare and submit an Executive Summary and comprehensive Final Report, including appropriate statistical, mapping, and other exhibits as needed.

The final work product will include but not be limited to:

- ◆ A summary of the approach and analyses conducted.
- ◆ A summary of the current fire services model and response performance, including any opportunities for improvement.
- ◆ Identification of service delivery outcome expectations.
- ◆ Recommendations for deployment of existing resources, including probable growth, within the service area to optimize service delivery.
- ◆ Recommendations for deployment of new staffing and response resources, if any, to meet current and future service delivery needs.
- ◆ Provision of supporting data and rationale for all recommendations.
- ◆ Provision of supporting statistics and other visual data to fully illustrate the current situation and recommendations.
- ◆ Fiscal and policy analysis as to the form of shared or independent fire services moving into the future, sustainably.

Final Report Presentation

Citygate will present key elements of the Final Report *on-site* using Microsoft PowerPoint to an audience as determined by the project representative(s) of the partnering agencies. The presentation will include the following:

- ◆ A summary of the nature of the report, the methods of analysis, the primary findings, and critical recommendations, with supportive audio-visual presentation.
- ◆ Review and explanation of primary supportive charts, graphs, diagrams, and maps, where appropriate.

- ◆ Opportunity for questions and answers.
- ◆ All presentation materials, files, graphics, and written materials will be provided to Marin LAFCo at the conclusion of the presentation(s).

Meetings and Deliverables

Citygate anticipates one on-site trip for this task to present key elements of the Final Report to various stakeholder groups as directed.

Deliverables for this task include the comprehensive Final Report, including statistical and mapping exhibits, and a Microsoft PowerPoint presentation of key elements of the Final Report to an audience as determined by Marin LAFCo, the City, and the District.

Study Components with Which Marin LAFCo, the City, and the District Must Assist

Staff have the best capability to collect much of the required data that can assist the Citygate study. Therefore, Citygate asks the agencies to assist with:

- ◆ Providing data and documents describing the organization, services, budgets, expenses and performance measures, and other information as requested by Citygate, as available.
- ◆ Identifying a single point of contact (per agency) for this project.

EXHIBIT B

Schedule of Charges/Payments

Combined Project Total Cost

| Project Team Consulting Fees | Reimbursable Expenses | Administration (7.5% of Hourly Fees) | Total Citygate Project Amount |
|------------------------------|-----------------------|--------------------------------------|-------------------------------|
| \$89,910 | \$1,230 | \$6,744 | \$97,884 |

Feasibility Study and Financial Analysis – 238 Consultant Hours

| Project Team Consulting Fees | Reimbursable Expenses | Administration (7.5% of Hourly Fees) | Total Citygate Project Amount |
|------------------------------|-----------------------|--------------------------------------|-------------------------------|
| \$47,695 | \$1,230 | \$3,577 | \$52,502 |

City – Additional Analysis – 109 Consultant Hours

| Project Team Consulting Fees | Reimbursable Expenses | Administration (7.5% of Hourly Fees) | Total Citygate Project Amount |
|------------------------------|-----------------------|--------------------------------------|-------------------------------|
| \$21,620 | \$0 | \$1,622 | \$23,242 |

District – Additional Analysis – 104 Consultant Hours

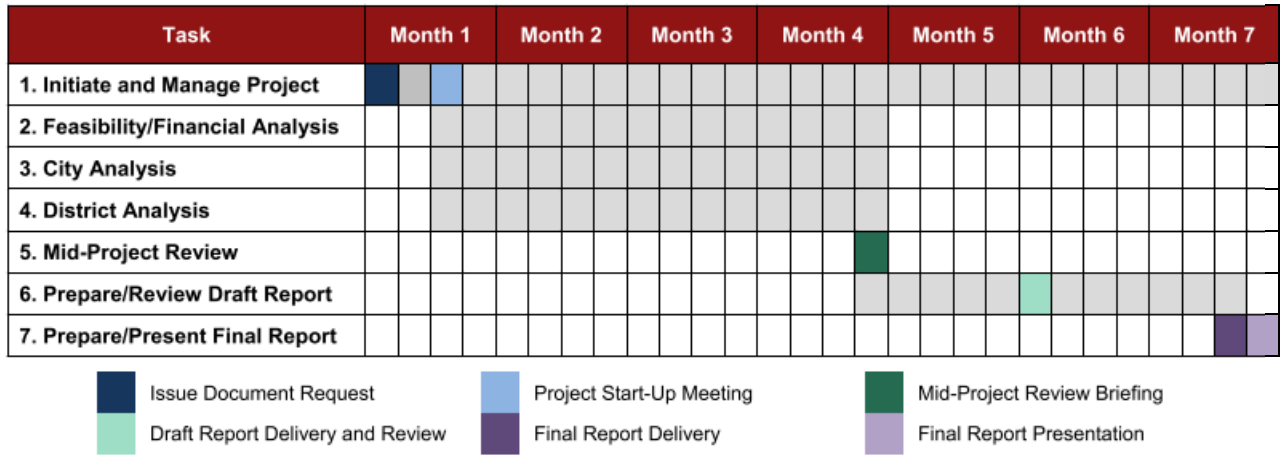
| Project Team Consulting Fees | Reimbursable Expenses | Administration (7.5% of Hourly Fees) | Total Citygate Project Amount |
|------------------------------|-----------------------|--------------------------------------|-------------------------------|
| \$20,595 | \$0 | \$1,545 | \$22,140 |

Hourly Rates

| Classification | Rate | Consultant |
|--|----------------|------------------|
| Citygate President | \$260 per hour | Chad Jackson |
| Public Safety Principal and Project Director | \$260 per hour | Stewart Gary |
| Local Government Fiscal Specialist | \$225 per hour | Andrew Green |
| Local Government Fiscal Specialist | \$205 per hour | Andy Okoro |
| Senior Fire and EMS Services Specialist | \$205 per hour | Landon Stallings |
| Local Government and Policy Specialist | \$195 per hour | Lisa Shaffer |
| Report Project Administrator | \$140 per hour | Various |
| Administrative Support | \$100 per hour | Various |

EXHIBIT C
Activity Schedule

Proposed Project Schedule





Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT

February 13, 2024

Executive Officer Report – Section A

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer

SUBJECT: Budget Update for FY 2024-2025

Background

Marin Local Agency Formation Commission (LAFCo) adopted a budget for FY 2024-2025 totaling \$668,227.00. From July 1, 2024, through January 31, 2025, LAFCo has spent \$340,147.62. This report covers 7 months, which is about 58% of the year. At this point we have already spent 50.9% of our budget this year. You will note two line items are higher than the expected amount for where we are for being three months into the new FY. Two line items, Membership and Dues (30) and General Insurance (15), consist of bills that have large sums that get paid at the start of the fiscal year in the case of line item 15 and are mostly paid for in the case of line item 30.

All agency contributions have now been collected by the County.

Attachment:

1. FY 2024-2025 Budget Reports

Marin Local Agency Formation Commission

FY25 BUDGET REPORT

02/03/25

July 2024 through June 2025

Accrual Basis

| | Jul '24 - Jun 25 | Budget | \$ Over Budget | % of Budget |
|---------------------------------------|-------------------|-------------|-------------------|---------------|
| Ordinary Income/Expense | | | | |
| Income | | | | |
| 410 · Prior Year Carryover | 0.00 | 80,500.00 | -80,500.00 | 0.0% |
| 400 · Agency Contributions | 587,727.01 | 587,727.00 | 0.01 | 100.0% |
| Total Income | 587,727.01 | 668,227.00 | -80,499.99 | 88.0% |
| Expense | | | | |
| Services and Supplies | | | | |
| 05 · Commissioner Per Diems | 3,844.94 | 10,000.00 | -6,155.06 | 38.4% |
| 10 · Conferences | 2,281.29 | 11,000.00 | -8,718.71 | 20.7% |
| 15 · General Insurance | 6,118.24 | 6,500.00 | -381.76 | 94.1% |
| 20 · IT & Communications Services | 13,194.74 | 23,000.00 | -9,805.26 | 57.4% |
| 25 · Legal Services | 9,913.20 | 37,500.00 | -27,586.80 | 26.4% |
| 30 · Memberships & Dues | 7,168.00 | 8,500.00 | -1,332.00 | 84.3% |
| 35 · Misc Services | 1,939.29 | 3,000.00 | -1,060.71 | 64.6% |
| 40 · Office Equipment Purchases | 902.13 | 4,139.00 | -3,236.87 | 21.8% |
| 45 · Office Lease/Rent | 21,518.00 | 36,888.00 | -15,370.00 | 58.3% |
| 50 · Office Supplies & Postage | 978.67 | 4,000.00 | -3,021.33 | 24.5% |
| 55 · Professional Services | 11,714.50 | 32,000.00 | -20,285.50 | 36.6% |
| 60 · Publications/Notices | 90.71 | 2,000.00 | -1,909.29 | 4.5% |
| 70 · Training | 0.00 | 1,700.00 | -1,700.00 | 0.0% |
| 75 · Travel - Mileage | 0.00 | 3,500.00 | -3,500.00 | 0.0% |
| Total Services and Supplies | 79,663.71 | 183,727.00 | -104,063.29 | 43.4% |
| Salary and Benefit Costs | | | | |
| 100 · Salaries | | | | |
| 105 · Sal - Regular Staff | 208,773.25 | 387,000.00 | -178,226.75 | 53.9% |
| 110 · Payroll Tax | 3,843.73 | | | |
| Total 100 · Salaries | 212,616.98 | 387,000.00 | -174,383.02 | 54.9% |
| 120 · County of Marin - Group Health | 18,422.45 | 38,000.00 | -19,577.55 | 48.5% |
| 130 · MCERA / Pension | 29,444.48 | 53,500.00 | -24,055.52 | 55.0% |
| 140 · Retiree Health | 0.00 | 6,000.00 | -6,000.00 | 0.0% |
| Total Salary and Benefit Costs | 260,483.91 | 484,500.00 | -224,016.09 | 53.8% |
| Total Expense | 340,147.62 | 668,227.00 | -328,079.38 | 50.9% |
| Net Ordinary Income | 247,579.39 | 0.00 | 247,579.39 | 100.0% |
| Other Income/Expense | | | | |
| Other Income | | | | |
| 900 · Interest Earnings | 5,990.65 | | | |
| 910 · Fees for Services | 13,015.21 | | | |
| Total Other Income | 19,005.86 | | | |
| Net Other Income | 19,005.86 | | | |
| Net Income | 266,585.25 | 0.00 | 266,585.25 | 100.0% |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
EO Item B (EO Report)

TO: Local Agency Formation Commission
FROM: Claire Devereux, Clerk/Jr. Policy 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.

File #1378 -1382: These applications are a part of the Sanitary District #2 of Marin County and Ross Valley Sanitary District boundary cleanup to ensure parcels are within the district they receive services from. They are on today's agenda and will occur after the approval of the MSR that amends the jurisdictions' spheres of influence.

File #1388: We are still awaiting an updated map and legal description reflecting the parcels' total acreages. This was on today's agenda (item 11), with a staff recommendation to extend the application to the following meeting.

File #1389: This application was submitted by North Marin Water District to detach Inverness Public Utility District and the Marshal Services Area from its boundaries as it does not provide services in this area nor see itself as capable of providing services in the future.

Attachment

1. Chart of Current and Pending Proposals

Current and Pending Proposals

| LAFCo File # | Status | Proposal | Description | Government Agency | Latest Update |
|--------------|------------|--|---|--|---|
| 1382 | Processing | Reorganization of Redwood Highschool and Adjacent Parcels | Sanitary District 2 requesting approval to reorganize parcels including Redwood Highschool and several adjacent parcels, so they can be placed into the correct district boundaries. | Sanitary District 2 and Ross Valley Sanitary District | On Today's Agenda |
| 1381 | Processing | Reorganization of 7 Sunrise, Larkspur from Ross Valley Sanitary District and into Sanitary District 2. | Sanitary District 2 requesting approval to reorganize one parcel of approximately .26 acres, so they can be placed into the correct district boundaries. The application has a situs address of 7 Sunrise Ln and APN 021-154-08. | Sanitary District 2 and Ross Valley Sanitary District | On Today's Agenda |
| 1380 | Processing | Annexation of 5124 Paradise Dr, Corte Madera, 5044 Paradise Dr. and 4985 Ranch Rd, Tiburon into Sanitary District 2. | Sanitary District 2 requesting approval to annex three parcels of approximately 3.09 acres, so they can be placed into the correct district boundaries. The application has a situs address of 5124 Paradise Dr, 5124 Paradise Dr. and 4985 Ranch Rd. with APN's 026-231-53, 038-022-63, 038-022-67, 038-022-68, 038-022-69, 038-022-70, 038-052-02 | Sanitary District 2 | On Today's Agenda |
| 1379 | Processing | Reorganization of 90 Edison 127 Pepper Ave from Sanitary District 2 to Ross Valley SD and Annexation of 100 Edison into Ross Valley SD | Sanitary District 2 requesting approval to reorganize three parcels of approximately 2.94 acres, so they can be placed into the correct district boundaries. The application has situs addresses of 90 & 100 Edison and 127 Pepper Ave with APN's 025-011-33, 021-142-50, and 021-231-21 | Sanitary District 2 and Ross Valley Sanitary District. | On Today's Agenda |
| 1378 | Processing | Reorganization of 115,119,121 & 123 Elm Ave, Larkspur from Sanitary District 2 into Ross Valley Sanitary District. | Sanitary District 2 requesting approval to reorganize three parcels of approximately 1.967 acres, so they can be placed into the correct district boundaries. The application has situs addresses of 115,119,121 & 123 Elm Ave, Larkspur with APN's 024-062-47, 024-062-51, 024-062-53, 024-062-52. | Sanitary District 2 and Ross Valley Sanitary District. | On Today's Agenda |
| 1389 | Pending | Dettachment of Inverness and Marshall "Service" Area From North Marin Water District | North Marin Water District is requesting the dettachment of Inverness Public Utility District and the Marshall "Service" Area from the Districts Boundaries, to refelect that they do not provide services in those areas nor are they capable of doing so. | North Marin Water District and Inverness Public Utility District | In the 30-day Review Period |
| 1388 | Pending | Annexation of the State of California Firing Range into Ross Valley Sanitary District | The State of California is request approval to annex one parcel, approximately ____ acres, so they can get off septic and onto the sewer. The parcel has no situs address but on APN of 018-152-12 | Ross Valley Sanitary District | On today's agenda for continuation awaiting updates to map and legal |
| 1383 | Approved | Out of Service Agreement between Tamalpais CSD, Homestead Valley SD and Almonte SD. | Tamalpais CSD is requesting approval of an Out of Service Agreement between Homestead Valley SD and Almonte SD to allow them to provide sanitary services to several parcels within Tam CSD's boundaries. | Tamalpais CSD, Homestead Valley SD and Almonte SD | Approved by EO based on Government Code section 56133(e) (1). Approved on 8/5/2024 |
| 1384 | Approved | Annexation of 2 Hansen Rd. to Novato Sanitary District | Landowner (Annie Ernst) requesting approval to annex one parcel, approximately .403 acres, so they can obtain permanent connection after receiving an emergency OSA earlier this year. The parcel has a situs address of 2 Hansen Rd. and APN: 146-061-14. | Novato Sanitary District | Approved on 8/8/24 |
| 1385 | Approved | Out of Service Agreement between Inverness Public Utility District (IPUD) and North Marin Water District (NMWD) | On September 11th, 2024, NMWD and IPUD jointly submitted an OSA in which water services will be provided by IPUD within the boundaries of NMWD, | Inverness Public Utility District and North Marin Water District | Approved by EO based on Government Code section 56133(e) (1). Approved on 9/24/2024 |
| 1386 | Approved | Annexation of 335 Highland Ave. into San Rafael Sanitary District | Landowner (Ronald Lamson) requesting approval to annex one parcel, approximately .97 acres, so they can get off septic and onto the sewer. The parcel has a situs address of 335 Highland Ave. and APN: 15-241-12 | San Rafael Sanitary | Approved on 12/12/2024 |
| 1387 | Approved | Annexation of 260 Highland Ave. into San Rafael Sanitary District | Landowner (Margreat Piersol) requesting approval to annex one parcel, approximately 1.49 acres, so they can get off septic and onto the sewer. The parcel has a situs address of 260 Highland Ave. and APN: 016- 021-64 | San Rafael Sanitary | Approved on 12/12/2025 |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
Executive Officer Report C

TO: Local Agency Formation Commission

FROM: Jason Fried, Executive Officer
Jeren Batchelder-Seibel, Deputy Executive Officer
Claire Devereux, Clerk/Jr. Policy Analyst

SUBJECT: Marin LAFCo Work Plan

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.

Updates from the last meeting are highlighted in Orange.

The following significant changes were made to the chart:

1. NMWD has formally submitted an application, which has been accepted and submitted to interested and impacted agencies for review.
2. Staff has separated two items on the chart, Marin RCD and Stinson Beach Fire Boundary issues. They were on the chart as one item but in reality, are two separate items that both came from the West Marin MSR. Staff in January met with MRCD about its boundary and they expressed some interest in exploring an expansion of its boundaries. They wanted to do a little research on a couple of the items we discussed and plan to reach back to us to follow up in the next couple of months.
3. Staff has met with Strawberry Recreation District staff and members of the Zone 4 group. Zone 4 is the area where dredging occurs to review setting up a new independent district since the County has indicated they do not wish to set up a CSA to provide these services. Staff has provided a few different options for them to review and they will reach out to staff once that review is complete.
4. In a comment letter submitted by RVSD to the Central Marin Wastewater MSR, they have indicated that they are now willing to work on annexing the San Quentin Village area along with the remaining area around the village into its district.
5. As noted within the Central Marin Wastewater MSR, LGVSD is currently serving parcels outside of its jurisdictional boundary. The District claims to have outside service agreements with the landowners, but LAFCo has no record on hand at this time. Staff has reached out to the District's staff to request additional information/documentation and is awaiting a response.

Attachment

1. Marin LAFCo Work Plan

Administrative Office
Jason Fried, Executive Officer
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San Rafael, California 94903
T: 415-448-5877 E: staff@marinlafco.org
www.marinlafco.org

Dennis Rodoni, Vice-Chair
County of Marin

Eric Lucan, Regular
County of Marin

Stephanie Moulton-Peters, Alternate
County of Marin

Barbara Coler, Chair
Town of Fairfax

Steve Burdo, Regular
Town of San Anselmo

Rachel Farac, Alternate
City of Novato

Lew Kiou, Regular
Almonte Sanitary District

Craig Murray, Regular
Las Gallinas Valley Sanitary District

Cathryn Hilliard, Alternate
Southern Marin Fire Protection District

Larry Chu, Regular
Public Member

Roger Smith, Alternate
Public Member

Staff currently working on

| | | | |
|---|--------------|---|--|
| Central Marin Wastewater Study | Jeran | MSR for agencies of CMSA, LGVSD, and SQVSMD. | Final Draft being reviewed for possible adoption at Thursday, February 13 Commission meeting. |
| San Rafael Area MSR | Jeran | MSR for the City of San Rafael and the Marin Community Services District. | Initial meetings with agency staff members are being conducted in January and early February, as well as the early research phase of the study. |
| Countywide Fire Study | Jeran/Claire | Perform a phased review of fire services in Marin County. | Based on commission approval staff has now started researching and writing the report. Claire has rough drafts for approximately 10 fire agencies and an additional overview section in the works. |
| Large Scale GIS Topology Fix | Jeran/Claire | Over the course of the past couple of decades, adjustments to GIS mapping layers for multiple jurisdictional boundaries has created thousands of topological inconsistencies within those mapping layers. These inconsistencies have led to some ambiguities on jurisdictional boundaries throughout the county and with the upcoming election, correcting these inconsistencies has become a priority for Marin County. Staff is working collaboratively with with County of Marin GIS specialists to correct approximately 16,000 topological issues within 19 jurisdictions and, in the process, ensuring that both Marin LAFCo and Marin County present the same data sets to the public upon completion. | As County staff continues to make topology edits, those edits are submitted to Marin LAFCo staff and reviewed by staff and Marin LAFCo's GIS consultant. To date, 5 of the total 13 feature class layers have been updated and are live within our GIS portal. |
| Property Tax Review For Special Districts | Jason/Claire | 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. | Staff has started some early research on this, based on other items this may get completed in 2025. |
| Marin RCD boundary | Jason | As noted in West Marin MSR LAFCo suggested to look at their current boundaries and make some adjustments. | Staff meet with MRCD in January to discuss changes to boundary. They expressed interest in exploring an expansion. |
| Stinson Beach Fire boundary | Jason | As noted in West Marin MSR LAFCo suggested to look at their current boundaries and make some adjustments. | Staff will work with agency in helping them with any changes they look to do. |
| Boundary Fixes | Jason/Claire | Staff has been working with SD2 around fixing issues with its boundary where parcels that are receiving services from them but not currently in the district. As that process wraps up staff will be reaching out to other agencies to work with them on seeing if they have boundary issues as well. | The SD 2 applications are on today agenda. Staff has also been working on a memo to send out to member agencies to work with other agencies on working to fix boundaries of other agencies in a similar manner. |

| | | | |
|--|--------------|---|---|
| Digital Library | Claire | 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. | Working on as time permits. Currently working on remediating documents already posted on the website (i.e. minutes, agendas and packets). Between the June and August meeting streamline has introduced a remediation checking feature, this brought to light many small errors within remediated documents and un-remediated documents. With this new feature Claire has been going back fixing remediated documents to ensure they are fully compliant. |
| Strawberry Recreation District Reorganization of Dredging Services | Jason | 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. | Staff has meet with the district and volunteer leaders who work on the dredging issue. Since the County has said they have no interest in creating a new CSA they are looking at various independent district options. Staff has provided them a couple of options to look at and teh volunteers are reviewing those opitions to see what makes the most sense for them. |
| Tiburon Fire Protection District OSA with Belvedere | Jason | 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. | Today's agenda has the apporval of a contract with Citygate to study the matter. |
| LGVSD OSA Review | Jason/Jeren | As identified in the Central Marin Wastewater MSR, LGVSD staff has informed LAFCo staff of service being provided to parcels outside of the District's boundary. The District claims to have outside service agreements with the parcel owners, however, at this time LAFCo has no official record of the agreements and needs to collect further information and documentation before proceeding. | Staff has contacted LGVSD staff regarding the necessitated information/documentation and is waiting on a response. |
| NMWD Boundary Changes | Jason/Claire | In the Multiple Region MSR it was identified that IPUD customers were never removed from NMWD jurisdiction when IPUD took over water service from a private water company. The goal is to remove IPUD from the boundary of NMWD. In addition there are several parcels in the Marshal area that are within NMWD boundary but have no connections into the NMWD boundary. NMWD is asking to remove those parcels from it boundary. | NMWD has submitted an application to claire, she has reviewed and assisted in fixing any issues and has now submitted the application for it's 30-day review. |

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|---|--------------|---|--|
| NMWD OSA Review | Jason | NMWD back in the late 1970's through the 1980's requested and received approval for Out of Service Agreements for several parcels in Sonoma County that were too far removed from NMWD boundary to be annexed into the district so LAFCo gave approval for OSAs to NMWD to service the properties since the main water line that brings water to the district passed by these parcels. Since then the City of Petaluma water system has expanded and is now near some of these parcels. NMWD and Marin LAFCo want to see if given the expansion of the Petaluma system since these approvals were given if it makes more sense now for the City to take on some of these customers. | Staff and NMWD has met last year with the City of Petaluma staff. In January staff reached back out to the City who request more time to review the Urban Growth Boundary issues and if they can serve any of the parcels in question. |
| SQVSMD consolidation with RVSD | Jason/Claire | Based on the Central Marin Wastewater MSR, work with district staff on the possibility of consolidating services with RVSD. | This item has been on the staff working on list. Based on communication received by staff RVSD has said they are now willing to work on moving this item forward so staff is setting up meeting to start this process. |
| SD2 Boundary Changes | Jason/Claire | For the past few years Marin LAFCo has been working with Sanitary District 2 in clearing up boundary discrepancies throughout the district and along it's shared boarder with Ross Valley Sanitary District. The goals is to update the two districts Sphere's of Influences to properly reflect who is providing services to the respective parcels. | After the approval of the Central Marin Wastewater Study on Today's Agenda the sphere of influences will properly reflect the needed changes and the commission will be asked to review and make a motion on the boundary changes. If, approved this item will be completed and moved farther down the chart to the completed section. |
| Items being monitored by LAFCo staff but not currently working on or Items waiting for something else to occur first | | | |
| Ross Valley Fire | Jason | 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. | Staff is ready and able to assist if requested by them. |
| Flood Zone 10 | Jason | When doing the West Marin MSR it was noted that FZ10 was created to deal with an event that occurred in the area. It was given a pot of funds that are mostly spent. As noted in the MSR the zone does not have a funding source so the Flood District, with help form its CAB, should determine if there is work that the local community is willing to fund. | Staff has been asked to attend meeting and help advise on best practices for changing boundaries. |
| Flood Zone 3 | Jason | As noted in Golden Gate MSR there are some issues within the FZ. While not directly LAFCo related staff may be needed to help be a neutral advisor on dealing with these issues. | Staff will monitor this issue as it moves through review process and will assist as requested. |
| Countywide Police Study | TBD | TBD | Once fire study is complete this will be revisited |
| Dillon Beach Sewer | Jason | Staff has been invited by both the County and NMWD to advise on the possible creation of a new sewer system for the residents of Dillon Beach Village which would require annexation of the area into NMWD | Early planning meetings are occurring and staff is attending as needed. Receiving additional analysis during multi-regional MSR. |

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|---|--------------|---|--|
| San Rafael Sanitary District | Jason | SRSD is currently looking at other staffing models that would have them possibly lead to another agency overseeing its day to day operations with a possible long term goal of consolidation of itself with another agency. | Staff attended the July CMSA meeting to address an interest by one of its members agency on LAFCo ability to do review of staffing issues. Staff will attend any future meeting as requested by our member agencies. |
| Items that had been worked on where staff has stopped work because they are not likely to happen at this time. | | | |
| Paradise Drive | n/a | 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. | Not currently working on |
| San Rafael Area Fire Working group | n/a | 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. | Not currently working on |
| Angel Island Fire Service | n/a | 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. | Not currently working on |
| Unincorporated Islands | n/a | Work to remove unincorporated islands throughout Marin County | Not currently working on |
| Future Shared Staffing between the 4 single-service SASM districts | n/a | Facilitate shared services discussions amongst the 4 single-service SASM special districts in preparation for possible future opportunities when current management level staff members depart. | Not currently working on |
| Items Completed | | | |
| OSA Confirmation between TCSD, HVSD, and ASD | Jerren/Jason | Work with Tamalpais CSD to retrieve necessary documentation on parcels within its district receiving service from HVSD and Almonte showing the needed criteria for exemption from an outside service agreement. | Tamalpais CSD has submitted the needed information and based on LAFCo Policy 4.9 (B) the Executive Officer has determined this item falls under 56133(e) which allows for this OSA to occur. |



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

AGENDA REPORT
February 13th, 2025
EO Item D (EO Report)

TO: Local Agency Formation Commission
FROM: Jason Fried, Executive Officer
SUBJECT: 2025 Committee Assignments

Background

The Marin Local Agency Formation Commission (LAFCo) Policy Handbook section 3.5 (A)(iii) (Selection and Duties of the Chair) gives the LAFCo Chair the ability to, “Make appointments to committees as needed.”

In addition, LAFCo Policy Handbook section 3.9 (A) states “Marin LAFCo shall maintain the following three standing committees on an annual basis with appointments and/or reappointments made at the beginning of each calendar year.”

Chair Coler has made the following 2025 committee assignments:

Budget and Work Plan Committee:

Commissioner Barbara Coler
Commissioner Lew Kious
Commissioner Dennis Rodoni

Legislative Committee:

Commissioner Rachel Farac
Commissioner Eric Lucan
Commissioner Cathryn Hilliard

Policy and Personnel Committee:

Commissioner Steve Burdo
Commissioner Larry Chu
Commissioner Roger Smith