



# Marin Local Agency Formation Commission

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

### MINUTES

#### REGULAR MEETING

Thursday, June 14, 2018

Marin Clean Energy | Charles McGlashan Room

1125 Tamalpais Avenue, San Rafael, California

#### CALL TO ORDER BY CHAIR

Chair Blanchfield called the meeting to order at 7:05 p.m.

#### ROLL CALL BY CLERK

**Regulars Present:** Jeff Blanchfield, Chair; Sloan Bailey, Sashi McEntee

Craig K. Murray, Damon Connolly (arriving at 7:12 p.m.)

Dennis Rodoni, Jack Baker

**Alternates Present:** Matt Brown, and Lew Kious

**Counsel Present:** Mala Subramanian

**Staff Present:** Jason Fried, Interim Executive Officer

Veda Florez, Interim Commission Clerk

#### AGENDA REVIEW

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

## OPEN TIME

### NO COMMENTS FROM THE PUBLIC

## CONSENT CALENDAR ITEMS

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

**1. Approval of Meeting Minutes | April 12, 2018 Regular Meeting and May 30, 2018 Special Meeting**

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

**2. Commission Ratification | Reconciled Payments from April 1 to May 31, 2018 (discussion and possible action)**

The Commission will consider ratifying payments made by the Executive Officer during the months from April to May. The payments cover all reconciled payroll and non-payroll expenses during the period and total \$62,064. The payments are being presented for formal ratification per adopted policies.

**3. Approval of Resolution for SDRMA Governing Body Liability (discussion and possible action)**

SDRMA is requesting the Commission to pass a resolution to continue its liability insurance through them.

**APPROVED; M/S made by Commissioner Baker and Murray to approve the Consent Calendar and recommendations therein;**

**Ayes: Commissioner Blanchfield, Bailey, McEntee, Murray, Rodoni, Baker**

**Nays: none; Abstention: none; Absent: Commissioner Connolly**

## PUBLIC HEARING ITEMS

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

**4. Commission Ratification | Adoption of Operating Budget for 2018-2019 (discussion and possible action)**

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

**APPROVED; M/S made by Commissioner Baker and Murray to adopt the final budget for 2018-19 without modifications.**

**Ayes: Commissioner Blanchfield, Bailey, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: Commissioner Connolly**

**ADJOURNED TO CLOSED SESSION (7:15 P.M.)**

**The Commission will adjourn to closed session regarding the following items:**

**PUBLIC EMPLOYMENT (Gov. Code 54957)**

Title: Executive Officer

**PUBLIC EMPLOYEE APPOINTMENT (Gov. Code 54957)**

Title: Executive Officer

**CONFERENCE WITH LABOR NEGOTIATORS (Gov. Code 54957.6)**

Agency Designated Representatives: Chair Jeff Blanchfield

Unrepresented Employee: Executive Officer

**RETURNED TO OPEN SESSION (7:50 P.M.)**

**REPORT FROM CLOSED SESSION**

**Commission decided to close the recruitment process for Marin LAFCo Executive Officer.**

**BUSINESS ITEMS**

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

**5. Authorization to Execute New Contract with Planwest Partners, Inc. - Interim Executive Officer (discussion and possible action)**

The Commission could authorize the Chair to enter into a new agreement with Planwest Partners to provide for additional time for Interim Executive Officer services in the event an Executive Officer has not been appointed. If so, Counsel would recommend using a model template provided by our firm. The current Agreement is brief and does not contain typical provisions in a professional services agreement.

**APPROVED; M/S made by Commissioner McEntee and Baker to extend the Interim Executive Officer agreement until December 31, 2018, following the general framework of the agreement. Described as Alternative One in the Agenda packet.**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**6. CALAFCo - Conference, Board Elections, and Award Nominations (discussion and possible action)**

The California Association of Local Agency Formation Commissions holds its annual conference in October. During the conference CALAFCo holds board elections, and achievement awards are given out.

**APPROVED; M/S made by Commissioner McEntee and Baker to nominate Commissioner Murray to run for the Special District open seat, in the Coastal Region, for the CALAFCo Board of Directors.**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**APPROVED; M/S made by Commissioner Murray and Blanchfield nominated Keene Simmonds former Executive Officer of Marin LAFCo, for the "Outstanding LAFCo Professional."**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**7. Election of Chair and Vice Chair (discussion and possible action)**

The Commission will consider the election of a Chair and Vice Chair. The terms are each one-year and will commence immediately.

**APPROVED; M/S made by Commissioner Connolly and Bailey to nominate Commissioner McEntee as Commission Chair.**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**Newly elected Chair, Commissioner McEntee continued with the meeting.**

**APPROVED; M/S made by Commissioner Baker and Rodoni nominated Commissioner Murray as Commission Vice Chair.**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**8. Review and Approval Contract Extension with MarinMac Tech (discussion and possible action)**

The Commission will review the current contract extension for IT support being provided for FY 18/19.

**Interim Executive Director (I.E.O.) recommended all contracts expire at the end of the fiscal year to avoid any mid-year budget updates. He further recommended to maintain the current contract with MarinMac Tech, with the closure date to reflect the end of the fiscal year.**

**I.E.O. recommended the need for a server upgrade due compatibility issues with the current software system siting that it may cause security. He will return to the Commission in August with recommendations.**

**The Commission requested information on a cloud-based system, best practices to maximize security, pricing options, as well as, the cost of doing nothing.**

**APPROVED; Commissioner Murray and Baker moved to accept the contract from MarinMac Tech.**

**Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

## **EXECUTIVE OFFICER REPORT**

### **A. Budget Update for 2017-2018 and Year End Projections**

The Commission will review a report comparing budgeted and actual transactions for 2017-2018 through May 31, 2018 and its projection. Marin LAFCo is on pace to finish with an operating net of \$191,924 or 36.0%. This projection marks a significant improvement over the budgeted operating net of (\$10,000.) and is largely tied to anticipated savings in payroll costs for reasons detailed. The report is being presented to the Commission to accept and file and to provide direction as needed.

**The I.E.O. reported the budget is fiscally sufficient, and would like to begin paying bills beyond this fiscal year.**

**Commissioner Rodoni noted the Commission voted to maintain a reserve balance of \$180,000. I.E.O. will confirm the action and amount.**

### **B. Progress Report on 2017-2018 Work Plan**

The Commission will receive a progress report on accomplishing specific projects established as part of the adopted work plan for 2017-2018. This includes nine projects completed to date while highlighting the dozen-plus activities substantively underway. The report notes ongoing reductions in staffing levels and related matters have slowed agency efficiencies in addressing certain projects, and most notably as it relates to scheduled municipal services reviews. The report is being presented to the Commission to formally receive and file as well as provide direction to staff as needed.

### **C. Current and Pending Proposals**

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

**File 1337 – Applicant is working on getting a costal permit from Marin County Community Development Agency, and will likely run out of their one year time previously approved by the Commission. I.E.O. likely to come back to the August meeting for review.**

**File 1336 – Working with Annexation of four properties into Ross Valley Sanitary District and Sanitary District 2. LAFCo has treated this as one application however upon review by the I.E.O. it was noticed that the State Board of Equalization considers this two separate applications, therefore a need for two checks of \$350 from each application is required.**

**File 1322** –Annexation of 700 and 726 Sequoia Road. The applicants filing of completion have been sent to County, completion estimated in 2-3-weeks.

**File 1338** – We met with the applications, who commented that the City of Novato staff indicated to them they are O.K. with the annexation. We have reached out to the City of Novato staff and have not heard back. We will plan a meeting with Marin LAFCo office, City of Novato staff, and the applicant of 610 Calle De La Mesa, regarding de-annexation.

Commissioner Baker requested a follow-up property map.

**D. Commission Workshop**

On Wednesday, September 12<sup>th</sup> the Commission is scheduled to have a workshop to plan for the upcoming year. Mr. Bill Chait will be facilitating this workshop. This is a chance for the Commission to discuss what they would like to get out of the workshop and instruct staff to work with Mr. Chait to prepare for the workshop. No staff memo was prepared for this item.

I.E.O. received direction from Commissioners to continue to compile a list to include:

- Does the Commission need Counsel at every regular meeting
- Style of staff reports, and MSR's
- Work Program, how do we proceed with MSR and what happens afterwards and/or need for action; Expectations and how Aggressive we are with MSR's
- Clarifying our policy around island annexation
- Subcommittee policy: Sphere of Influence
- The need to develop Goals & Objectives as a directive for the Commission
- Work plan and how that effect study schedule
- Strategy & structure in priorities
- Responsiveness to mutual water companies (statewide precedence or recommendation)
- Mutual water companies not being responsive (recommendations)
- Clarification of the budget increase, providing the scope of change.
- Discussion on new legislation: example legislation on 50-gallons of water per day

Other Housekeeping items:

- In July, a response is due to the Civil Grand Jury report. I.E.O. will work with Chairman McEntee to response

- **Hard copies of the end of the year financial report for 2017 are available. We will send electronic copies next week.**
- **Corte Madera Town Council is planning a recognition ceremony for retiring Councilmember Carla Condon. Marin LAFCo has been asked to present Ms. Condon with a Certificate of Recognition or Resolution. Commissioner Rodoni volunteered to make the presentation.**

#### **COMMISSIONER ANNOUNCEMENTS AND REQUESTS**

Commissioner Blanchfield noted that the August meeting will be his last

#### **ADJOURNMENT TO NEXT MEETING**

**APPROVED; M/S made by Commissioner Murray and Blanchfield approve the Consent Calendar and recommendations therein; Ayes: Commissioner Blanchfield, Bailey, Connolly, McEntee, Murray, Rodoni, Baker; Nays: none; Abstention: none; Absent: none**

**Commissioner Murray adjourned the meeting at 8:40 p.m.**



Attest:            Jason Fried  
  
                         Interim Executive Officer

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



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