



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

NOTICE OF SPECIAL MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, October 10, 2019

Novato City Hall Council Chambers | 901 Sherman Avenue | Novato, California

CALL TO ORDER

Chair McEntee called the meeting to order at 7:05 pm.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present: Sashi McEntee, Chair
Sloan Bailey
Dennis Rodoni
Lew Kious
Judy Arnold (7:45)
Larry Loder
Tod Moody

Alternate Commissioners Present: Matt Brown

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

Marin LAFCo Counsel Present: Mala Subramanian

Members Absent: Craig K. Murray, Vice-Chair
Damon Connolly

AGENDA REVIEW

Executive Officer suggested placing agenda item 5 before item 4.

Approved: M/S by Commissioners Bailey and Kious to accept the agenda as amended.

Ayes: Commissioners McEntee, Moody, Bailey, Kious, Rodoni, Loder

Nays: None

Abstain: None

Absent: Commissioners Connolly, Arnold

Motion approved unanimously.

PUBLIC OPEN TIME

Chair McEntee opened public comment, hearing none, Chair closed public open time.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for August 8, 2019, Regular Meeting Minutes
2. Commission Ratification of Payments from August 1, 2019, through September 30, 2019

Approved; M/S by Commissioners Kious and Moody to accept the consent calendar.

Ayes: Commissioners McEntee, Moody, Bailey, Kious, Rodoni, Loder

Nays: None

Abstain: Bailey (only from the Minutes)

Absent: Commissioners Connolly, Arnold

Motion approved.

PUBLIC HEARING

3. Municipal Service Review Presentation by Planwest – Novato Area Municipal Service Review (Information Item Only)

George Williamson of Planwest gave his presentation regarding the first draft of the Novato Area Municipal Service Review report.

Chair McEntee opened the public hearing.

- Bob Abeling – Requested an extension to the comment period for the report.
- Craig Knowlton, Indian Valley Association – Stressed his opposition for annexation of the unincorporated area to the City of Novato.

It was agreed by the Commission to extend the deadline for public comment to October 31, 2019.

Several Commissioners concurred that due to the uniqueness of the Novato Urban Growth Boundary, more information should be incorporated in the next draft.

5. Adoption of Resolution 19-07, Reorganization of 4576 Paradise Drive, Including Annexation to the Town of Tiburon and Corte Madera Sanitary District #2 (LAFCo file #1342) Pursuant to CEQA Exemption

Executive Officer Fried recapped his written report regarding the application and recommended the Commission's approval with the condition the applicant must complete the pre-zoning process.

The Commissioners discussed Government Code section 56668 and the pre-zoning procedure.

Chair McEntee opened the public hearing.

- Eric Crandall, Applicant – Commented on his confusion regarding the Town of Tiburon’s hesitation for approval.
- Eli Flushman, Assistant City Attorney for Town of Tiburon - Pointed out that the Town of Tiburon is under no obligation to initiate the pre-zoning process. Responsibility lies on the applicant.
- Sung Kwon, Town of Tiburon Community Development Director – When Commissioner Bailey asked about any substantive issues the Town of Tiburon has for this application, Mr. Kwon responded that any substantial issues would be discovered during the pre-zoning process.

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

Chair McEntee reopened public comment to pose a question to the Town of Tiburon staff.

Approved; M/S by Commissioners Bailey and Arnold to reopen the public hearing.

Ayes: Commissioners McEntee, Moody, Bailey, Kious, Rodoni, Loder, Arnold

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

Commissioners inquired about the timeline for a pre-zoning application to be processed.

- Sung Kwon, Town of Tiburon Community Development Director – Responded there were too many variables to give a specific timeframe.

Chair McEntee closed the public hearing.

Given the disinclination by the Town of Tiburon, Commissioners recommended to postpone action on the application to the December 12, 2019 meeting.

Approved; M/S by Commissioners Bailey and Arnold to delay any action involving this application to the December 12, 2019 Commission meeting.

Ayes: Commissioners McEntee, Moody, Bailey, Kious, Rodoni, Loder, Arnold

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

4. Final Draft - San Rafael Area Municipal Service Review

a. Approve Work Plan Resulting from Report

b. Adopt Resolution 19-06, Final Draft of the San Rafael Municipal Service Review

The Executive Officer reiterated his written report and noted the changes made to the draft report.

Chair McEntee opened the public hearing.

- Stephen Nestel, Marinwood Resident – Mr. Nestel asked the Commission to examine in-depth the Marinwood Community Services District governmental structure.
- Leyla Hill, Los Ranchitos – Ms. Hill commented on how appreciative she was with staff during the process for the San Rafael MSR.

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

Approved; M/S by Commissioners Arnold and Kious to adopt Resolution 19-06, approving the final draft of the San Rafael MSR, allowing staff to make non substantive changes and to accept the work plan.

Ayes: Commissioners McEntee, Moody, Bailey, Kious, Rodoni, Loder, Arnold

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

6. Commendation for Matt Brown

The Commissioners expressed their gratitude to Matt Brown for his dedication and insight during his time as Alternate City Member.

Approved; M/S by Commissioners Bailey and Arnold to approve the commendation.

Ayes: Commissioners McEntee, Arnold, Moody, Bailey, Kious, Rodoni, Loder, Arnold

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

7. CALAFCO Related Items

a. Voting Delegates

Approved; M/S by Commissioners Bailey and Rodoni to approve Chair McEntee as the voting delegate at the CALAFCO conference.

Ayes: Commissioners McEntee, Arnold, Moody, Bailey, Kious, Rodoni, Loder, Arnold

Nays: None

Abstain: None

Absent: None

Motion approved unanimously

b. Membership Dues Structure Changes

CALAFCO proposed a new membership dues policy, which would create a major discrepancy in fees for several other LAFCo's throughout the state. The draft policy will be presented at the general session at the CALAFCO conference for consideration.

It was discussed by the Commission and determined the Chair will vote in favor of the proposed dues structure.

EXECUTIVE OFFICER REPORT (discussion and possible action)**a) Budget Update FY FY 2019-2020**

Current budget on track.

b) Current and Pending Proposals

For File #1342, the 1-year extension deadline is soon; will be on the December agenda for action or another extension. On the horizon is the application from Murray Park Sewer Maintenance District.

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

The Peninsula MSR might be presented at the December meeting.

d) Strategic Planning Workshop

Suggested items for discussion were the implications surrounding SOIs and perhaps a brief conversation about MSRs.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

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

Chair McEntee adjourned the meeting at 9:10 pm.

ADJOURNMENT TO NEXT MEETING

Thursday, December 12, 2019 | 7:00 pm

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

Attest: Candice Bozzard
Commission Clerk

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.

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