



NOTICE OF REGULAR MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, April 14, 2022

CALL TO ORDER

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

ROLL CALL BY COMMISSION CLERK

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

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

Alternate Commissioners Present: James Campbell
Tod Moody
Richard Savel

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

Marin LAFCo Counsel Present: Mala Subramanian

Commissioners Absent: Judy Arnold

Alternate Members Absent: Damon Connolly

AGENDA REVIEW

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

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

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

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

PUBLIC OPEN TIME

Chair McEntee opened the public open time period. Seeing no comment, Chair closed public open time.

CONSENT CALENDAR ITEMS

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

EO Fried mentioned a proposed amendment to the minutes.

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

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

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

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

PUBLIC HEARING ITEMS

5. Presentation of the West Marin Region Municipal Service Review Public Draft [Information Only]

Deputy Executive Officer Seibel gave the staff report, presenting highlights of the MSR's content and conclusion in a powerpoint presentation, focusing particularly on the determinations that may or will require additional efforts moving forward. He also noted that no public comment had been received yet, but unofficial comments had been positive thus far.

Alternate Commissioner Moody, Commissioner Coler, Alternate Commissioner Savel, Commissioner Murray, and Vice Chair Kious asked some questions about the MSR. EO Fried replied to Alternate Commissioner Moody's question, Deputy Executive Officer Seibel replied to Commissioner Murray's and Vice Chair Kious's questions.

Chair McEntee opened public comment, seeing no hands raised and with no emails received, she closed public comment.

Commissioners Rodoni and Savel made comments on the MSR.

EO Fried responded to Commissioner Coler's earlier comment and Chair McEntee contributed to the topic as well. There was a small discussion between EO Fried, Chair McEntee, and Commissioner Coler on her comments.

Chair McEntee asked a question, there was a discussion between EO Fried, DEO Seibel, and Chair McEntee on that topic.

Approved: M/S by Commissioners Coler and Rodoni to continue this item to the June meeting.

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

6. Adoption of Proposed Operating Draft Budget for Fiscal Year 2022-23

Vice Chair Kious made some introductory comments, highlighting the COLA item specifically for possible discussion amongst the Commission. EO Fried made follow-up introductory comments, making comments about the tables and charts included in the packet, highlighting some line items that had notable changes, and echoing what Vice Chair Kious had said about COLA, asking the Commission to discuss COLA, particularly in the context of unusually high inflation.

Commissioner Rodoni clarified the County's approach to COLA and highlighted the COLAs that would be paid by some other agencies in Marin County for the upcoming year.

Commissioner Murray asked a handful of questions to which EO Fried responded. Commissioner Murray also made a comment on County/MCERA funding of GASB requirements to which EO Fried added information.

Chair McEntee opened public hearing, seeing no request to comment, she closed public hearing and brought the item back to the Commission for deliberation.

Commissioner Coler spoke in favor of the 3.5% COLA. No objections were heard.

Commissioner Rodoni wanted to make sure that the separate approval for the COLA was covered within the agenda item, Legal Counsel Subramanian confirmed that the agenda item did support the approval of the specific COLA rate.

Approved: M/S by Commissioners Coler and Rodoni to approve the draft budget with support for the 3.5% COLA.

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

BUSINESS ITEMS

7. Review and Approval of LAFCo Workplan for Fiscal Year 2022-23

Vice Chair Kious deferred introductory comments to Committee members or EO Fried. EO Fried introduced the workplan, highlighting items that had seen strong progress or been completed and noting that some workplan items didn't seem to have any resolution to them and would be sunsetted.

Commissioner Murray made comments on an adjacent issue regarding tax exchange that concerned him, EO Fried responded to Commissioner Murray's comments, clarifying the difference between the workplan item Commissioner Murray had mentioned and the master tax exchange agreement between County and Cities or County and SDs. There was a small discussion between the two about this topic.

Chair McEntee opened public hearing, seeing no request to comment, she closed public hearing and brought the item back to the Commission for deliberation.

There were no deliberative comments from the Commission.

Approved: M/S by Commissioners Murray and Coler to approve the LAFCo Workplan for FY 2022-23

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

8. Creation of a Disadvantage Unincorporated Community Ad Hoc Committee to review DUCs in Marin County

Deputy Executive Officer presented the item, giving context on previous Ad Hoc DUC Committees and noting that after the most recent census was released, the Commission was surveyed and enough interest was expressed in a DUC committee that the item was agendaized for discussion and possible approval of the creation of the DUC committee by the Commission.

Commissioner Coler asked a question about specific communities identified as DUCs and Commissioner Murray asked questions about communities identified as low-income by other measures low-income or features. EO Fried replied to Commissioner Coler's question and DEO Seibel replied to Commissioner Murray's question. There was a small discussion between EO Fried and Chair McEntee related to Commissioner Murray's question regarding why DUCs were a LAFCo focus.

There was also a short discussion between Chair McEntee, Commissioner Rodoni, and EO Fried on communities that had been considered as DUCs but hadn't been added to the official list and why that was.

Approved: M/S by Commissioners Kious and Loder to create the Ad Hoc DUC Committee with Commissioners Rodoni and Kious as members.

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

9. Authorize the Executive Officer to Enter Into an Agreement With Fort Point for IT Support Services

EO Fried introduced the item, another three-year agreement with Fort Point, the sister company of Marin Mac Tech. The basic cost of Fort Point had not changed, and Fort Point takes care of the bills for other third-party IT services that support staff. There is a small increase in overall cost that is largely related to upgrades to IT security support.

Chair McEntee opened public comment, hearing no comment she closed public comment.

There were no questions or deliberative comments from the Commission.

Approved: M/S by Commissioners Murray and Kious to authorize the EO to enter into an agreement with Fort Point for IT Support Services

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

10. Discussion of June LAFCo Meeting Including Whether to Meet in Person and Possible Meeting Locations

EO Fried introduced the item, noting that the Commission was able to go back to in-person, but was also still authorized for virtual meetings. He noted the window for virtual meetings was likely closing.

Chairman McEntee opened public comment, seeing no requests to comment, the item was brought back to the Commission for deliberation.

Commissioner Rodoni highlighted having the Zoom option available in June for the final West Marin review, whether it be fully virtual or a hybrid meeting.

Chair McEntee wanted to know if the option to remain virtual in June would be available in June, Legal Counsel Subramanian confirmed that she expected this would be the case. There was a subsequent discussion between Chair McEntee, Legal Counsel Subramanian, and EO Fried about the logistics of the virtual meeting permissions and scenarios where that provision, and virtual meeting capabilities by proxy, would no longer exist.

Commissioner Coler spoke in favor of virtual meetings. Commissioner Murray concurred with Commissioner Coler's position. Chair McEntee identified consensus amongst Commissioners in favor of meeting virtually in June.

There was verbal consensus among the Commission to meet virtually for the June meeting.

There was a brief interim discussion by the Commission about a numbering error in the agenda materials.

11. Approval of Legislative Committee Recommendations

Alternate Commissioner Moody introduced the item, reporting that the Committee had chosen to align with CALAFCO's recommendations. Deputy Executive Officer added some additional background comments about the specific bills. The committee decided to align with CALAFCO's suggestion of alignment with a priority 3 level.

Chair McEntee opened public comment, hearing no comment she closed public comment.

There were no questions or deliberative comments from the Commission.

Approved: M/S by Commissioners Kious and Coler to approve the Legislative Committee's recommendations.

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

Nays: None

Abstain: None

Absent: Arnold

Motion approved unanimously.

EXECUTIVE OFFICER REPORT (verbal report only)

a) Budget Update FY 2021-22

Commission is under budget at 63.9% of total budget spent which remains under the expected 75% for 9 months into the year. EO Fried acknowledged that some line items impacted by COVID such as travel and conferences would likely bring the Commission closer to 75% but since those did not take place we are well under budget.

b) Current and Pending Proposals

No applications were heard at the evening's meeting. No proposals are currently in the queue although some are anticipated.

EO Fried made some extra announcements about his upcoming vacation time, the new Sharepoint system that was piloted prior to this meeting to share meeting materials with the Commission, and he asked the Commission to connect any key community members or groups they may be aware of within the Golden Gate area to discuss the upcoming MSR.

Chair McEntee opened public comment, hearing no comment she closed public comment.

No comments from the public on the EO Report, no comments from the Commission.

The Commission adjourned to closed session.

CLOSED SESSION

Legal Counsel Subramanian announced that Chair McEntee and Commissioner Rodoni were the designated Labor Negotiators for the Executive Officer's evaluation and they would follow up with the Executive Officer.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

Chair McEntee adjourned the meeting at 9:29 P.M.

ADJOURNMENT TO NEXT MEETING

Thursday, June 9, 2022 | Zoom

Attest: Olivia Gingold
 Clerk/Junior Analyst

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

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