



Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

NOTICE OF REGULAR MEETING MINUTES

Marin Local Agency Formation Commission

Thursday, February 14, 2019

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

CALL TO ORDER

Chair McEntee called the meeting order at 7:11 pm.

ROLL CALL BY COMMISSION CLERK

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

Regular Members Present: Sashi McEntee, Chair
 Craig K. Murray, Vice Chair
 Jack Baker
 Matt Brown (seated for Bailey)
 Damon Connolly
 Dennis Rodoni
 Chris Skelton (seated due to vacant seat)

Alternate(s) Present: Lew Kious

Regular Members Absent: Sloan Bailey

Staff Present: Jason Fried, Executive Officer
 Candice Bozzard, Commission Clerk

Counsel Present: Mala Subramanian

AGENDA REVIEW

Chair McEntee asked for any changes to the agenda.

Approved: M/S by Commissioners Murray and Baker to accept the agenda as is.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None

Abstain: None

Motion approved unanimously.

PUBLIC OPEN TIME

Chair McEntee opened the public comment and, hearing none, closed the public comment.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for October 11, 2018 and December 13, 2018 Regular Meeting Minutes
2. Commission Ratification of Payments from December 1, 2018 through January 31, 2019.

Commissioner Murray requested the minutes be pulled from the consent calendar for corrections.

Approved; M/S by Commissioners Brown and Skelton to accept Item #2 on the consent calendar.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None

Abstain: None

Motion approved unanimously.

Commissioner Murray noted there were a few clerical errors on the October minutes. Commissioner Skelton also pointed out that on the October 11, 2018 minutes he had recused himself on agenda item #5, however, he was marked as a voting member.

Approved; M/S by Commissioners Skelton and Baker to accept consent calendar Item #1 – the meeting minutes of October 11 and December 13, 2018 - including the modifications previously noted.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None

Abstain: None

Motion approved unanimously.

BUSINESS ITEMS

3. Public Hearing on Application Approval 1339 – Annexation of Hamilton Hospital to Novato Sanitary District

Executive Officer Fried presented an overview of LAFCo file #1339 for consideration of approval.

Commissioner Skelton inquired whether the Novato Sanitary District had been contacted with regards to capacity in annexing the property. The applicant's representative, James Svanda of Robertson Engineering, responded that the District offered no issue with capacity.

Chair McEntee opened public comment and, hearing none, closed the public comment.

Approved; M/S by Commissioners Brown and Murray to follow staff's recommendation to approve Resolution 18-06, annexing 516 E. Hospital Drive to the Novato Sanitary District (LAFCo File #1339).

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None

Abstain: None

Motion passed unanimously.

4. Public Hearing on Application #1340 - 28 Teaberry Lane Annexation into Sanitary District #5

Executive Officer Fried informed the Commission that Marin LAFCo received an application for annexation of 28 Teaberry Lane to the Sanitary District #5 and supported approval.

Chair McEntee opened public comment.

Commissioners inquired about different aspects of the annexation such as location of parcel, CEQA determinations, capacity of the District, and the Dual Annexation policy.

Hearing no additional comments, the chair closed the public hearing.

Approved; M/S by Commissioners Skelton and Rodoni to follow staff's recommendation to approve Resolution 18-07, including the added condition of agreement to not protest future annexation to the Town of Tiburon.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None:

Abstain: None

Motion passed unanimously.

5. Interview for Public Member and Possible Appointment

Commissioner Skelton recused himself to participate in the process.

The Commission interviewed three (3) candidates – Lawrence Loder, Chris Skelton, and Cliff Waldeck - for the regular public member position with a four-year term ending in May 2023.

Chair McEntee opened public comment, and hearing none, closed the public comment period.

Failed; M/S by Commissioners Connolly and McEntee to appoint Cliff Waldeck as the regular public member for the continuation of the current term and the ensuing term ending May 2023.

Ayes: Commissioners McEntee, Connolly, Rodoni

Nays: Commissioners Murray, Baker, Brown

Abstain: None

Failed; M/S by Commissioners Brown and Murray to appoint Chris Skelton as the regular public member for the continuation of the current term and the ensuing term ending May 2023.

Ayes: Commissioners Murray, Brown, Baker

Nays: Commissioners McEntee, Connolly, Rodoni

Abstain: None

Failed; M/S by Commissioners Rodoni and Murray to appoint Larry Loder as the regular public member for the continuation of the current term and the ensuing term ending May 2023.

Ayes: Commissioners Murray, Baker, Rodoni, Connolly,

Nays: Commissioners McEntee, Brown

Abstain: None

Failed; Moved by Commissioner Rodoni, but was not seconded, to appoint Chris Skelton as the regular public member for the continuation of the current term and postpone the appointment of the ensuing term until the April 2019 meeting.

After much discussion the Commission agreed to continue the interviews of the regular public member seat to the April 11, 2019 meeting, allowing more people to apply.

6. Budget and Work Plan Committee Report

Chair Rodoni remarked that the Committee met and discussed the budget, including condensing line item classifications. Executive Officer Fried presented information on the budget and the new process being used for the budget starting with FY 19-20. Executive Officer Fried reminded the Commission this was an informational only item.

7. Legislative Committee Report

- a) Vice Chair Kious reported that the Committee reviewed and discussed the proposed new legislative policy. Executive Officer Fried expanded on the terms used for the different positions Marin LAFCo may take on each bill.

Approved; M/S by Commissioners Skelton and Rodoni to approve the new legislative policy to be included in the revised Policy Handbook.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni

Nays: None

Abstain: None

Motion approved unanimously.

- b) Executive Officer explained the reasoning behind Marin LAFCo's stance on AB 213 and SB 99.

Approved; M/S by Commissioners Baker and Murray to align with CALAFCO, taking a Priority 3, on both bills.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni

Nays: None

Abstain: None

Motion approved unanimously.

8. Policy and Personnel Committee Report

Chair McEntee reported that the Committee cleaned up and condensed the Policy Handbook, including the separation of the personnel policy, and removal of reiterated sections of government codes.

9. Public/Technical Information Committee Report [Verbal Report Only]

The Committee worked on and sent out an RFQ for a new vendor to host the Marin LAFCo website. Executive Officer Fried noted that the bidders conference was held earlier in the day and the Committee should be returning at the April meeting with suggested plans for the future of the website.

EXECUTIVE OFFICER REPORT (discussion and possible action)

A. Budget Update FY 2018-2019

Budget appears to be on track.

B. Current and Pending Proposals

In addition to the proposals noted in the staff report, the Executive Officer stated that Murray Park Sewer District and Ross Valley Sanitary District will be meeting with LAFCo staff to discuss possible consolidation. Also, staff is working with San Rafael Sanitation District in regards to the unresponsive property owner(s) at 255 Margarita Drive who have failed to comply with LAFCo conditions (LAFCo File #1328). The Executive Officer added that earlier in the day Marin LAFCo received notice that a septic system in San Rafael had failed. This health and safety issue required an emergency Outside Service Agreement (OSA) for the property to connect to the San Rafael Sanitation District. As per protocol, this OSA was authorized by the Commission Chair. Application for permanent annexation is forthcoming.

C. Update on MSR(s) [Verbal Report Only]

Planwest is slightly behind schedule, however, should be on track for draft release.

D. New Staff Hire Update [Verbal Report Only]

Announcement has been published. Position is open until filled, however the first-round deadline is scheduled for February 20, 2019, with interviews being conducted the week of February 25, 2019.

E. Special Districts Election to LAFCo Seats Update [Verbal Report Only]

Received three (3) nominations – Lew Kious, Jack Baker, and Tod Moody for the regular seat and only Tod Moody accepted a nomination for the alternate seat. Ballot forms will be sent certified mail to all the special districts on February 20, 2019.

F. Correspondence and Marin LAFCo News

An article in the Marin IJ newspaper that referenced Marin LAFCo was included in the agenda packet. No other correspondences were received.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

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

Approved; M/S by Commissioners Brown and Rodoni to adjourn the meeting.

Ayes: Commissioners McEntee, Murray, Baker, Brown, Connolly, Rodoni, Skelton

Nays: None

Abstain: None

Motion passed unanimously.

Chair McEntee adjourned the meeting at 9:25 pm.

ADJOURNMENT TO NEXT MEETING

Thursday, April 11, 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.

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
