



# Marin Local Agency Formation Commission

Regional Service Planning | Subdivision of the State of California

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## NOTICE OF REGULAR MEETING MINUTES

### Marin Local Agency Formation Commission

Thursday, August 8, 2019

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

#### CALL TO ORDER

Chair McEntee called the meeting to order at 7:03 pm.

#### ROLL CALL BY COMMISSION CLERK

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

Commissioners Present:                      Sashi McEntee, Chair  
    Craig K. Murray, Vice-Chair  
    Lew Kious  
    Damon Connolly  
    Judy Arnold  
    Larry Loder

Alternate Commissioners Present:      Tod Moody

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

Marin LAFCo Counsel Present:            Mala Subramanian

Members Absent:                              Sloan Bailey  
    Dennis Rodoni

#### AGENDA REVIEW

Chair McEntee recommended moving business item 9 above item 6 on the agenda.

Approved: M/S by Commissioners Murray and Arnold to accept the agenda as amended.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Commissioner Bailey

Motion approved unanimously

## PUBLIC OPEN TIME

Chair McEntee opened the public comment period.

- Steven Nestel, Marinwood – Mr. Nestel noted this was his first Marin LAFCo meeting and wanted to let the Commissioners know he believed in their mission.

Hearing no additional comments, Chair closed the public open time.

## CONSENT CALENDAR ITEMS

1. Approval of Minutes for June 13, 2019, Regular Meeting Minutes
2. Commission Ratification of Payments from June 1, 2019, through July 31, 2019
3. Approval of Updates to Marin LAFCo Policy Handbook
4. Accept GASB 75 Report and Approval of New Contract with MacLeod Watts to create future GASB 75 Reports
5. Approval of Annual Audit Contract for Fiscal Year End 2019 Audit with RJ Ricciardi

Commissioner Kious pulled item 3 for clarification.

Approved; M/S by Commissioners Kious and Loder to accept the consent calendar items 1, 2, 4, and 5.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Commissioner Bailey

Motion approved unanimously

Commissioner Kious had questions concerning the new policy update for the special district elections, noting the benefits to past practice.

Approved; M/S by Commissioners Kious and Arnold to accept the consent calendar item 3.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Commissioner Bailey

Motion approved unanimously

## BUSINESS ITEMS

9. Approval of Resolution 19-05 regarding the Reorganization of 400 Upper Toyon Road that amends the Sphere of Influence of the Town of Ross and City of San Rafael and making Determinations and Approving the Reorganization with Waiver of Notice, Hearing, and finding it exempt from CEQA (File #1335)

Executive Officer Fried summarized his written report regarding the reorganization of 400 Upper Toyon Road.

Approved; M/S by Commissioners Arnold and Connolly to adopt Resolution 19-05, approving the application for the reorganization of 400 Upper Toyon Road, including the Marin Municipal Water District territories with the condition of providing the revised map and legal description incorporating the additional MMWD parcels.

Ayes: Commissioners McEntee, Murray, Kiou, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Bailey

Motion approved unanimously

6. Municipal Service Review Presentation by Planwest – San Rafael Area Municipal Service Review

George Williamson of Planwest gave a brief presentation regarding the draft San Rafael Area Municipal Service Review report.

Chair McEntee requested information on whether the streetlight ownership and maintenance agreements are through Marin General Services Authority.

Hearing no other questions from the Commissioners, Chair McEntee opened the public hearing.

- Teri Shore, Greenbelt Alliance – Ms. Shore reiterated her letter submitted to Marin LAFCo on August 1, 2019.
- Leyla Hill, Los Ranchitos Homeowners Association – Ms. Hill agreed with the idea of the Los Ranchitos area being a community separator.
- Judy Schreiber, Los Ranchitos – Ms. Schreiber concurred the Los Ranchitos area be considered a community separator.
- Rick Savel – Mr. Savel stated how compartmentalized the local government agencies are, but should all work together.
- Gina Hagen, Advisory Board Chair of CSA #18 and Vice-Chair of Santa Venetia Neighborhood Association – Mrs. Hagen added to her submitted comments and stressed her concerns regarding the funding to the Santa Venetia area.
- Nanni Wurl, Santa Venetia Neighborhood Association – Ms. Wurl commented on the lack of funding from CSA #18 and assistance from the County for the median along N. San Pedro Road.

- Stephen Nestel, Marinwood – Mr. Nestel added to his letter regarding Marinwood CSD needing better capital planning and for LAFCo to consider a reorganization of the District.
- Eric Dreikosen, District Manager of Marinwood Community Services District – Mr. Dreikosen stated that the District submitted comments in writing and would encourage LAFCo to consider those viewpoints.

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

Commissioner Connolly acknowledged his support for the community of Los Ranchitos. Commissioner Murray offered suggestions for additional information to add value to future MSRs.

Chair McEntee asked about the San Rafael General Plan and whether the most current information was included in this report. The Chair also requested a listing of agencies who televise their meetings and bring to the forefront pensions/OPEB financial obligations. Mr. Williamson addressed the questions and/or requests from the Commissioners.

At 8:30 p.m. a brief recess was called. The meeting reconvened at 8:45 p.m.

7. Request for Time Extension to Complete Approval Terms – Annexation of 276 Mesa Road to Bolinas Community Public Utility District (File #1337)

Executive Officer Fried conveyed the circumstances behind the applicant's request for the additional extension.

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

Approved; M/S by Commissioners Arnold and Kious to authorize the time extension for the annexation of 276 Mesa Road to Bolinas Community Public Utility District.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Bailey

Motion approved unanimously

8. Approval of Resolution 19-04 Approving the Annexation of 2260 Vineyard Road to Novato Sanitary District (File #1343) and finding the Annexation exempt for CEQA

Executive Officer Fried recapped his written report concerning the approval of this application.

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

Approved; M/S by Commissioners Murray and Arnold to adopt Resolution 19-04 to approve the annexation of 2260 Vineyard Road to the Novato Sanitary District.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Bailey

Motion approved unanimously

#### 10. Approvals on Items Related to CALAFCO Conference in October 2019

The Executive Officer mentioned that the period for nomination for CALAFCO Board member and for the annual awards are currently open and will be closed prior to the next meeting. He noted that Marin LAFCO would be in a better position for nominations at the next CALAFCO Annual Conference. The Executive Officer also brought to the Commission's attention that the venue for the CALAFCO Conference was being held at a union boycotted facility and staff was not willing to attend. The Commissioners took the information under advisement but made no action at this meeting.

#### 11. Policy and Personnel Committee Update [Verbal Report Only]

The Executive Officer informed the Commissioners the Personnel Policy update was still in development.

#### 12. Ad Hoc DUC Committee Update

Ad Hoc DUC Committee Chair Murray gave a status report on the Disadvantaged Unincorporated Communities Committee meeting. Policy Analyst Seibel added to the Chair's report that staff would continue to review the "lower income" pockets in the communities throughout the MSR process.

Approved; M/S by Commissioners Murray and Kious to approve the Disadvantaged Unincorporated Community policy update and the dissolution of the ad hoc committee.

Ayes: Commissioners McEntee, Murray, Kious, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Bailey

Motion approved unanimously

#### 13. Approval of Second Amendment to Executive Officer Employment Agreement

Legal Counsel reported, in keeping with the County of Marin's payroll system, the Executive Officer's annual salary had to be evenly divided into the 26 pay periods, therefore requiring an adjustment of an additional \$9.60 per year.

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

Approved; M/S by Commissioners Arnold and Murray to approve the second amendment to the employment agreement with Executive Officer Fried.

Ayes: Commissioners McEntee, Murray, Kiou, Connolly, Arnold, Loder

Nays: None

Abstain: None

Absent: Bailey

Motion approved unanimously

#### **EXECUTIVE OFFICER REPORT** (discussion and possible action)

a) Budget Update FY 2018-2019 and FY 2019-2020

Staff presented that budget is on track.

b) Current and Pending Proposals

Few new applications possibly on the way.

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

Novato MSR tentatively set for public review in October. East Peninsula is the next MSR after Novato.

d) Correspondences

Thank you from CALAFCo for attending the workshop.

e) Strategic Planning Workshop [Verbal Report Only]

Working to schedule for January 2020 with facilitator Bill Chiat.

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

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

Chair McEntee adjourned the meeting at 9:13 pm.

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

Thursday, October 10, 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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