



**NOTICE OF POLICY AND PERSONNEL
COMMITTEE MEETING MINUTES
Marin Local Agency Formation Commission**

Thursday, July 25th, 2022

CALL TO ORDER

Executive Officer Jason Fried called the meeting to order.

SELECTION OF CHAIR

Chair Coler nominated Commissioner Chu. Commissioner Chu accepted.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present:	Larry Chu Barbara Coler Eric Lucan (arrived at 3:10 and left at 3:57)
Marin LAFCo Staff Present:	Jason Fried, Executive Officer Claire Devereux Clerk/Jr. Policy Analyst
Marin LAFCo Counsel Present:	N/A
Commissioners Absent:	N/A
Alternate Members Absent:	N/A

PUBLIC OPEN TIME

Chair Chu opened the public open time. Hearing no request to speak, the Chair closed the public open time, seeing no one wishing to speak.

BUSINESS ITEMS

1. Approval of January 2022 Meeting Minutes

No Comments made regarding the meeting minutes.

Approved: M/S by Commissioners Coler and Chu to approve the 2023 P&P Minutes

Ayes: Commissioners

Nays:

Abstain:

Absent: Lucan

Motion approved unanimously.

2. Discussion of Possible Amendments to the Policy Handbook

- a. Review Section 1.2: Current Office Hour System

All members expressed that they were ok with the office hour changes/system currently in place.

Commissioner Coler commented that the organization chart for policy 1.4 needs to be updated to reflect the positions of “Clerk/Jr. Analyst” and “Deputy Executive Officer” additionally policy 2.3 needs to have the number of local government agencies updated to reflect the three that were resolved from 65 to 62.

b. Review Section 3.1: Selection of Commissioners

i. (A)(iv) – Discussion on Attendance of Public Seat Applicants During the Interview Process

Commissioner Coler suggested the policy state “Members of the public wishing to be appointed shall attend the April meeting in person for the interviews. (If a member of the public cannot attend in person due to illness that would qualify them to attend remotely in accordance with state law -they must make a request of the EO and/or Commission staff to do so)” to reflect changes in grammar.

All members expressed they were okay with the policy changes.

ii. (A)(vii)- Discussion on changing the policy to reflect that two members are appointed at the same time.

All members expressed they were okay with the removal of the policy.

c. Review Section 3.4

i. 3.4 (A) and 3.4 (B)

Commissioner Coler stipends should pay people for attending LAFCo Conference and delete “other similar items.”

Commissioner Coler stated stipends should not be in lieu of expenses transportation can be expensive as is lodging. Wording should be added that if a meal is provided one cannot seek reimbursement. Additionally suggested alignment with federal policy.

Chair Chu agreed with aligning with federal policy on this topic.

Commissioner Coler suggested consistent with federal with exception of where CALAFCO has a hotel rate that exceeds the high-cost area.

Commissioner Chu consistent with federal per diem limits.

Commissioner Lucan asked why Marin LAFCo would cover expenses and stipends to attend?

Commissioner Coler stated that commissioners get paid to sit at meetings and if we go to CALAFCo representing Marin LAFCo stipends should also be received.

Commissioner Lucan stated that a conference with people electing to go versus a mandatory meeting that needs to meet quorum.

A consensus was reached that no stipends will be received for the meeting. However, all expenses will be covered/reimbursed, and the reimbursement forms should be submitted in 60-days. In addition, follow federal regulations for reimbursement.

d. Review Section 3.5

i. (A) and (B) – Discussion of the Selection of Chair and Vice-Chair

Commissioner Coler stated that she is okay with the current process in place but is open to rotation. Additionally, a rotation may put someone who is not ready yet into the position of chair.

Chair Chu stated that he is okay with the current system.

Commissioner Lucan stated he is ok with the current system. However, having term limits will prevent someone from staying as chair for too long.

Commissioner Coler stated that at the three years mark a transition will occur.

Chair Chu stated verbiage to state “annually elected not to exceed three consecutive terms.”

The Commission reached a consensus and agreed with Chair Chu’s wording.

e. (A)(v) – Discussion on Approval Authority of Out of Service Agreements.

Commissioner Coler could state that the EO should consult the chair and make sure all necessary documents are provided.

EO Fried Stated that it is unknown as to what critical items are for different emergency OSA. EO Fried also expressed that in an emergency the chair might not be available leaving the EO without the ability to act.

Commissioner Coler suggested adding the Vice-Chair in addition to the Chair for consultation.

Commissioner Lucan stated sharing the information on emergency OSA is a good idea, but providing the EO with autonomy to grant an OSA is important.

Commissioner Coler stated adding wording saying that the EO should consult the Chair and if the chair is not available the Vice-Chair

Commissioner Lucan inquired if the chair would have the ability to prevent a connection in an emergency and if so, conceding that power to one person on may not be for the best.

A consensus was reached to have the policy state that the EO should inform the Chair or if not available the Vice-Chair of the emergency OSA prior to approval.

f. Review Section 3.9 – Discussion on Providing other Staff with the Ability to Schedule and Staff a Committee.

i. 3.9 (A)(i) – Addition of Wording to Include that the Committee Manages Updates to the Fee Schedule.

All Commissioners were okay with the change.

ii. 3.9 (A)(ii) – Discussion of Who Can Serve on the Committee

All Commissioners were okay with striking the need for chair or vice chair to be on the committee.

g. Review Section 3.12 – Review of Procurement Policy and More Specifically Signature Requirements

Chair Chu stated he is ok with the amounts. Chu asked about the risk of having making multiple purchases under the spending limit for the same service or vendor with procuring a larger cumulative amount without approval

EO Fried stated that we do not have a lot of bills and all the bills we do have are presented at every meeting.

Commissioner Coler said she was ok with the current wording.

The Commission all agreed to the change from \$3,000 to \$3,500.

h. Review Section 3.13 (B)(iii) – Review and Discuss the Secondary Operating Account

All commissioners are ok with changes.

- i. Review Section 3.13 (G) – Review Changes to wording regarding the payroll process.

All commissioners are ok with changes.

- j. Review Section 4.15 – Discussion and update to protest hearings.

All commissioners are ok with changes.

EO Fried gave a summary of a new legal reserve policy.

Commissioner Coler stated that \$50,000 was a good amount to have in the legal reserve for any smaller legal costs.

Chair Chu opened the public comment. Seeing no closed public comment.

Approved: M/S by Commissioners Coler and Chu to approve changes with revisions as discussed.

Ayes: Commissioners Chu and Coler

Nays:

Abstain:

Absent: Lucan

Motion approved unanimously.

ADJOURNMENT TO NEXT MEETING

TBD



Attest: Claire Devereux
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.

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
