



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

Thursday, January 6th, 2022

CALL TO ORDER

Chair James Campbell called the meeting to order.

ROLL CALL BY COMMISSION CLERK

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

Commissioners Present:	James Campbell Sashi McEntee Damon Connolly
Marin LAFCo Staff Present:	Jason Fried, Executive Officer Olivia Gingold, Clerk/Jr. Policy Analyst
Marin LAFCo Counsel Present:	N/A
Commissioners Absent:	N/A
Alternate Members Absent:	N/A

PUBLIC OPEN TIME

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

BUSINESS ITEMS

1. Approval of Minutes for November 13, 2020 Regular Meeting

No Comments made regarding the meeting minutes

Approved: M/S by Commissioners Connolly and McEntee to approve the 2020 P&P Minutes

Ayes: Commissioners Campbell, Connolly, and McEntee

Nays:

Abstain:

Absent:

Motion approved unanimously

2. Approval of Resolution 22-01 Allowing for Video and Teleconference Meetings during COVID-19 State of Emergency Under AB 361

No Comments made regarding the resolution

Approved: M/S by Commissioners Connolly and McEntee to approve the 2020 P&P Minutes

Ayes: Commissioners Campbell, Connolly and McEntee

Nays:

Abstain:

Absent:

Motion approved unanimously

3. Discussion and Possible Amendments to Policy Handbook

EO Fried gave the staff report. Stating that there is one new policy and 4 amendments. Finishing that they will run through the changes and vote on them at the end.

a. Review of and Possible Change to LAFCo Policy 3.4 B's Reimbursement Language

EO Fried gave a report

Chair Cambell asked for questions or comments. Seeing none the commission moved on to the next

b. Review of and Possible Change to LAFCo Policy 3.10(B) Regarding Reserves

EO Fried gave a report.

Commissioner McEntee stated the current policy in place. She suggested adding that we don't need a litigation fund per se but adding a sentence about unanticipated legal fees.

Commissioner Connolly stated that the language is confusing and we could allocate funds on an ad-hoc basis.

EO Fried stated if McEntee does not want to reserve funds specifically for litigation then we can ignore changes to this part and potentially add a section that indicates the discussion.

Commissioner McEntee stated that having a way of telegraphing use of funds for legal purposes is good.

EO Fried summarized leaving it as is and indicating that the fund can be used for litigation purposes.

Chair Campbell asked how many months the 25% reserve policy covers.

EO Fried stated that is 3 months.

Commissioner McEntee stated that although no one may read this each LAFCO has its own policy but it is important to put out our own interpretation of the law.

Commissioner Campbell stated he did not believe it warrants having a separate legal fund but expanding on the use of the general fund for legal funds would be sufficient. He asked if adding wording that anticipated legal funds includes enforcement.

EO Fried stated the consensus is that there is no need to add any new language but to have a discussion with legal counsel on wording.

Commissioner McEntee suggested bringing it to the full commission as a regular item.

c. Review of and Possible Change to LAFCo Policy 3.13(B) Regarding County Account

EO Fried presented a staff report.

McEntee stated using Executive Officer over staff

The committee agreed.

d. Review of and Possible Change to LAFCo Policy 4.9 Regarding Outside Service Agreements

EO Fried presented the staff report.

Commissioner McEntee asked if saying "findings" may have an implication of something bigger.

EO Fried stated that there may be a legal definition in there that he is not thinking about. He suggested that it could say “ The EO at the next meeting shall report as to the information behind the decision and inform the commission of any approvals”

Commissioner McEntee suggested shorter wording.

EO Fried suggested “approvals and justifications”.

Commissioner Connolly asked for clarification on if this was for expediency or for an emergency.

EO Fried stated for expediency.

Chair Campbell asked if there was anything that could get the commission in trouble by adopting a policy like this.

EO Fried stated that it could backfire if a future EO is not paying attention to the politics or what is going on, causing an uproar in the public.

Commissioner Campbell asked if it needs chair approval, continuing that having chair approval may be necessary.

EO Fried stated no it would not need chair approval. Continuing on to state that the only place where chair sign-off is needed and getting removed is for Emergency OSA’s which need immediate attention.

Chair Campbell stated if an EO has the ability to bypass the commission it should at least have chair sign-off to have checks and balances.

EO Fried stated that should be done for non-emergency OSA’s

Chair Campbell agreed that not needing chair sign-off for emergencies but requiring them for non-emergency OSA’s

A consensus was reached on what needed chair consultation and what did not, and correct wording was discussed to reflect that.

e. Possible Addition of Electronic Signature Requirements

EO Fried gave a staff report.

Chair Campbell asked for questions or comments, there were none.

Chair Campbell opened the meeting for public comment. Seeing none public comment was closed.

Approved: M/S by Commissioners McEntee and Connolly to approve changes to the policy handbook with suggested amendments.

Ayes: Commissioner McEntee, Connolly and Campbell

Nays:

Abstain:

Absent:

Motion approved unanimously

4. Discussion and Possible Amendments to Fee Schedule

EO Fried presented the staff report.

Commissioner McEntee asked if we are relying on agencies to self-report.

EO Fried stated that letting the agency self-report. EO Fried that San 2 has expressed interest in doing this.

Commissioner McEntee asked to state this more explicitly

EO Fried stated that would be stated in the Staff Memo, but stated more shortly in the fee schedule.

Commissioner Campbell stated that it appears he is incentivizing this, and asked how the agency can tell who they are and aren't receiving money from.

EO Fried summarized that it would be by looking at tax rolls and who they are and aren't receiving money from.

Chair Campbell asked how this would play out on Paradise Dr. and if parcels are receiving service but Tiburon will not take them in despite servicing them.

EO Fried stated that the cities would not really get use out of this, because city lines are well known and established.

Chair Campbell opened public comment. Seeing none public comment was closed.

Approved: M/S by Commissioners McEntee and Connolly to approve amendments to the Fee Schedule.

Ayes: Commissioners McEntee, Connolly and Campbell

Nays:

Abstain:

Absent:

Motion approved unanimously

ADJOURNMENT TO NEXT MEETING

TBD



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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