



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, August 11, 2022, 7:00 PM

CALL TO ORDER

Vice-Chair Kious called the meeting to order at 7:03 P.M. as Chair McEntee will be stepping down.

ROLL CALL BY EXECUTIVE OFFICER

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

Commissioners Present:

Lew Kious, Vice-Chair

Judy Arnold

Barbara Coler

Craig Murray

Larry Loder

Alternate Commissioners Present:

James Campbell

Tod Moody

Damon Connolly - Joined 7:07 pm

Richard Savel

Marin LAFCo Staff Present:

Jason Fried, Executive Officer

Jeren Seibel, Deputy Executive Officer

Marin LAFCo Counsel Present:

Mala Subramanian

Commissioners Absent:

Larry Loder, Dennis Rodoni

Alternate Members Absent:

None

AGENDA REVIEW

EO suggested to move original Agenda Item 7 to the top of the agenda and Vice-Chair Kious agreed.

Approved: M/S by Commissioners Coler and Murray to approve the move of the item.

Ayes: Commissioners Campbell, Kious, Coler, Murray, Savel, Connolly

Nays: None

Abstain: None

Absent: Arnold (stepped away from meeting momentarily),

Motion approved unanimously.

PUBLIC OPEN TIME

Vice Chair Kious opened the public open time period. Seeing no comment, the Vice-Chair closed public open time.

7. Approval of Commendation for Former Commissioner Sashi McEntee

Vice-Chair Kious thanked Ms. McEntee for her service and dedication. Commissioner Coler read the commendation aloud praising her for her knowledge and exemplary service. Ms. McEntee thanked the commission for the opportunity to serve and for taking the time to make the commendation.

Vice-Chair Kious requested to approve the commendation after confirming proper procedure with Legal Counsel Subramanian.

Vice Chair Kious opened public comment on this item; hearing none, he closed public comment.

Approved: M/S by Commissioners Arnold and Campbell to approve the commendation to a roll call vote.

Ayes: Commissioners Campbell, Arnold, Kious, Connolly, Coler, Murray, Savel
Nays: None
Abstain: None
Absent: None
Motion approved unanimously.

CONSENT CALENDAR ITEMS

1. Approval of Minutes for June 9, 2022, Regular Meeting
2. Commission Ratification of Payments from June 1, 2022, to July 31, 2022
3. Approval of Resolution 22-27 Allowing for Video and Teleconference Meetings during COVID-19 State of Emergency Under AB 361
4. Approval of Resolution 22-28 on the Biannual Review and Amendment of Marin LAFCo Conflict of Interest Code

Vice-Chair Kious opened public comment on this item; hearing none, he closed public comment.

Approved M/S by Commissioners Campbell and Coler to approve the Consent

Ayes: Commissioners Kious, Campbell, Arnold, Connolly, Coler, Murray, Savel
Nays: None
Abstain: None
Absent: None
Motion approved unanimously.

BUSINESS ITEMS

5. Election of Chair and Vice Chair

EO Fried gave a staff report for the election process as there is no current chair with Ms. McEntee's departure. Vice-Chair Kious was nominated for Chair by Commissioners Campbell and Arnold.

Vice Chair Kious opened public comment on this item; hearing none, he closed public comment.

Approved M/S by Commissioners Campbell and Arnold to elect Vice-Chair Kious as new Chairman

Ayes: Commissioners Campbell, Kious, Arnold, Connolly, Coler, Murray, Savel
Nays: None
Abstain: None
Absent: None
Motion approved unanimously.

EO Fried gave a staff report for the process to elect the now vacant Vice-Chair seat. Commissioner Coler was nominated by Commissioners Campbell with Commissioner Murray seconding the motion. Commissioner Connolly noted that as he was filling in for Commissioner Rodoni, Commissioner Rodoni had expressed interest in being considered for the Vice-Chair role. A second Motion was made by Commissioner Connolly with a second by Commissioner Arnold to nominate Commissioner Rodoni. EO Fried conferred with Counsel Subramanian on proper process for voting. Counsel Subramanian suggested to proceed with motions in the order made. If the first motion is approved, then no vote would be taken on the second motion.

Vice Chair Kious opened public comment on this item; hearing none, he closed public comment.

Commissioner Connolly said he would support the board with either direction they vote to go in, stating both candidates are well qualified. Commissioner Arnold initially voted no for Commissioner Coler with the stipulation that if that is the direction the commission goes, she fully supports Commissioner Coler. Commissioner Connolly stated that if the Commissioner Coler had the majority at this point then perhaps he would vote for Commissioner Coler and give Commissioner Arnold the opportunity to change her vote. With Chair Kious confirming that Commissioner Coler did indeed have the majority, Commissioner

Connolly voted for Commissioner Coler for Vice-Chair and Commissioner Arnold changed her vote to support Commissioner Coler as well.

Approved: M/S by Commissioners Campbell and Murray for Commissioner Coler for Vice-Chair.

Ayes: Commissioners Campbell, Coler, Murray, Savel, Kious, Connolly, Arnold

Nays: None

Abstain: None

Absent: None

6. Approval on items Related to CALAFCO Conference in October 2022

a) Approval of Voting Delegates to CALAFCO Conference

b) Nominations to CALAFCO Board of Directors

c) Nominations for CALAFCO Awards

Chair Kious opened public comment on this item; hearing none, he closed public comment.

Approved: M/S by Commissioner Murray and Campbell to approve the staff recommendation to nominate Vice-Chair Coler as a CALAFCo voting delegate and EO Fried as the alternate and give the chair the authority to make changes if warranted.

Ayes: Commissioners Campbell, Kious, Arnold, Connolly, Coler, Murray, Savel

Nays: None

Abstain: None

Absent: None

Motion approved unanimously.

EXECUTIVE OFFICER REPORT (verbal report only)

a) Budget Update FY 2021-2022 and FY 2022-2023

EO Fried confirmed books will be closed out within the next few months. FY 21-22 came in under budget. Payroll budget is slightly over due to Olivia resigning and cashing out vacation days most likely.

b) Current and Pending Proposals –

EO Fried had nothing new to report.

c) Survey of Other LAFCos Chair/Vice Chair Election Process

EO Fried survey other LAFCos. Half are like us and the other half have a scheduled rotation process. Which process does the commission like. Both Chair Kious and Vice Chair Coler recused themselves from this discussion. After discussion it was decided that the commission policy would continue as is.

d) LAFCo Staff Update

EO Fried introduced Stephanie Pratt as Marin LAFCo's new Clerk/Jr. Analyst and will be starting next week. The new intern from SJSU will also be starting next week and will focus on the remediation project.

e) Update on State Legislation

DEO Seibel reports that both the Omnibus Bill which comes around annually, and SB 938 have now been written into law.

There were no other comments or questions from the Commission.

ADJOURN TO CLOSED SESSION

Legal Counsel Subramanian reported that there was no reportable action from closed session.

COMMISSIONER ANNOUNCEMENTS AND REQUESTS

None to report.

Chair Kious adjourned the meeting at 8:07pm

ADJOURNMENT TO NEXT MEETING

October 13th, 2022 | 7:00 P.M.

Attest: Stephanie Pratt
 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](#)

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