



**2021-2022 MCC Governing Board
Special Called Meeting
September 2, 2021 7:30 p.m.**

MINUTES

Board Members present: *in-person:* Barbara Zamora-Appel; Rasheq Rahman; Lisa Mariam; Bill Glikbarg; Suzanne Le Menestrel; Max Blacksten; Maria Foderaro-Guertin; Melanie Sletten; Carla Post
virtual: Shivani Saboo (1st time virtual; McLean, VA)

Board members absent: Ivy Chen

MCC Staff present: Daniel Singh, Executive Director; Holly Novak; Ashok Karra

Guests: None.

CONVENE MEETING

Chair Zamora-Appel convened a Special Called Meeting of the Governing Board of the McLean Community Center on September 2, 2021, at 8:32 p.m. This meeting was open to the public attending in-person at the McLean Community Center.

ADOPT AGENDA No changes were requested to the proposed Agenda; it was adopted by acclamation.

REVIEW FY23 OPERATING BUDGET PROPOSAL

Programs & Outreach Committee Chair Le Menestrel confirmed the committee had reviewed and discussed several new ideas and thematic initiatives to be undertaken by the MCC staff in FY23. A Motion was affirmed by the committee to include these items as part of the proposed FY23 Budget presentation of the McLean Community Center.

REVIEW FY23 CAPITAL IMPROVEMENT PROJECTS

Capital Facilities Committee Chair Post confirmed that CFC had discussed several proposed Capital Improvement Projects to be undertaken in FY23. References were made to initiatives and new ideas that have been suggested by the Governing Board over the past two years. The goal is to continue to move forward by reflecting such initiatives in the annual budget development. A Motion was affirmed by the committee to proceed to include the FY23 CIP projects list as part of the proposed FY23 Budget presentation of the McLean Community Center.

REVIEW PUBLIC PRESENTATION OF MCC FY23 FUND STATEMENT

Treasurer Saboo explained that, with the foregoing committee review process having occurred, the board has had ample opportunity to articulate strategic priorities, address specific topics, and seek answers to questions pertaining to FY23 Budget development. MCC Governing Board is now ready to put forward the FY23 Budget proposal (“Fund Statement”) for public review and comment.

Point of order: *My question is that between September 8th and September 22nd (on Sept. 16) it goes to the public. On September 22nd the Board will approve it. Between Sept. 15 and Sept. 22 could anything be changed? I want to be sure that I will see new data. It’s my first time through this, so I’m trying to understand the process.*

Clarification by Comptroller Karra: If any change was made, we would have to give 30-day notice if we were to adjust the September 22 Public Hearing on the FY23 Budget.

Summary by Chair Zamora-Appel:

Once the budget is published, there is no going back. There is no ability to make changes. That's why we have had all the meetings tonight so that the process: Programs > CFC > Finance – was purposeful. I am quite pleased with the discussion of details that we didn't know. Lesson learned: next year, there needs to be more involvement by board members. Read the Minutes from the previous year and the clarity will be shown. On Wednesday of next week, we will have another chance to discuss it. That will be a public arena; the public may come back with questions. We have a chance to hear from the public, if there are any major issues. Nothing has ever come up in the past. This year, we will have public comments sign-up for Sept. 8 and Sept. 22. If the comments come in, we don't have to respond. The only time the public receives a response is when they vote. We don't have to respond to a question from the public.

What I see on this budget is a clear, transparent effort. On that, are there any more questions? We had a survey and Public Hearing on Programs back in March 2022. The Programs Committee Chair discussed some of those points and the new board is seeing this budget for the first time. Once we get to this point in the budget cycle, we have already received the prior feedback from the public and they are part of this budget. The budget planning cycle begins again next spring.

**Executive Director Singh has asked staff to show how they have fulfilled requests from the public.*

Opinion expressed: Chair Zamora-Appel will prepare remarks for Sept. 8 and set the parameters for public comment.

MOTION: To present the proposed FY23 Budget to the public at a Meeting-of-the-Whole on Wednesday, September 8, 2021, at 6:30 p.m. at the McLean Community Center.

Unanimously approved.

ANNOUNCE FUTURE OPPORTUNITIES FOR PUBLIC COMMENT

Chair Zamora-Appel reiterated that public accountability is very important in developing MCC's budget priorities. To support the public's role to contribute feedback about the proposed FY23 Budget, comments will be welcome in-person at two upcoming meetings to be held at MCC:

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| 1. Meeting-of-the-Whole | Wednesday, September 8 | 6:30 p.m. |
| 2. Public Hearing on FY23 Budget | Wednesday, September 22 | 6:30 p.m. |

OLD / NEW BUSINESS

Chair Zamora-Appel opened the floor to any topics of old or new business to be considered.

1. Recent FOIA requests:

Clarification by Executive Director Singh: Two FOIA requests have come in (900 pages; 2,450 pages). Once the requestor pays, we must meet the required timeframe for producing documents.

Question: Do we as board members have a right to know who the FOIA requestors are? I would like to know in case one of those individuals comes up to me in a public place. I want to know why they are doing this.

Opinion expressed: Be aware of the 'meeting' that shouldn't have been in the meeting – that conversation shouldn't have been in there.

Comment by Secretary Foderaro-Guertin: As secretary, I'm going to put that as a separate document. The in-between comments took place between one meeting and the other meeting on September 2. We will try to get something published.

Clarification by Executive Director Singh: PIO Sabrina Anwah is putting out a news release about a mistake having been made and what we are doing differently now. We should always assume there is a microphone on and everything is being recorded. Three people constitutes a 'meeting.' We would be charged a fine for breaking FOIA rules.

Comment by Chair Zamora-Appel: Lessons learned. I didn't know any of this. There was no announcement made. Everything we have said as a board has always been on behalf of the community for MCC. Sometimes we have side conversations and they will be recorded. I have nothing to hide. I am only here as a volunteer.



Comment by Executive Director Singh: It's good that we are transparent. Virginia is one state that has a one-party consent. It is permissible that someone from the public comes and wants to record it; we are checking with the lawyers about it. Let me figure out how to get you all a copy of the transcript.

Question: Do we want to specify that comments from Small District 1A-Dranesville residents are welcome?

ACTION ITEM: If a person wishes to speak – we will first ask for their residential address to verify if they are Small District 1A-Dranesville residents.

Regarding new County e-mail addresses: SharePoint

Rasheq Rahman will work with Holly Novak and Vivian Brown in IT to trouble-shoot problems and have a smooth roll-out to the board.

Audio recordings: Vice-Chair Post requested to have a discussion about recording MCC Governing Board meetings... and potentially not recording these meetings. The board needs to address it because she is now very uncomfortable about what has transpired in terms of the FOIA requests.

ACTION ITEM: Check with Fairfax Co. about whether MCC Board meetings have to be recorded.

Opinion expressed: These meetings are valuable for those who are new, because we have this limitation of not being able to discuss over e-mail. My concern is that we are talking amongst ourselves one-on-one and not sharing information until the last moment. There has to be some middle ground here.

Clarification by Executive Director Singh: The way I understand it is that we cannot make voting decisions electronically. Three or more people constitutes a “meeting.” Even if it is not three or more, that record is FOIA-able. One-on-one conversation is FOIA-able; it's a record. Texts, phone calls, hand-written notes... all FOIA-able.

Opinion expressed: Either way, we should accept that it is FOIA-able.

Clarification by Executive Director Singh: The other option is to have “Executive Session” for personnel reasons, or a business transaction where a competitor would gain an unfair advantage, or a land rights issue.

How the board can be more prepared:

Comment by Chair Zamora-Appel: If you look at your binder on Tab 4, it speaks to importance of pre-reads. We will need to read the documents ahead to understand what is being conveyed. That way we can be more productive and not have to spend three hours in each meeting (because of restrictions about not being able to communicate outside of meetings).

Opinion expressed: If you can, please give more time. I was up until 2 a.m. going through this. Executive Director Singh has to deliver it by 8 a.m. to redact material. Send things to the board in advance. Give us that information well in advance.

Clarification by Executive Director Singh: The reality is that I must do things for the county executive and Supervisor Foust [in their required timelines for deliverables].

Comment by Chair Zamora-Appel: We need information. Coming to meetings without prior information is unproductive.

ACTION ITEM: Have the pre-reads well in advance, then you can reference and help all of us to be better stewards of our positions.

ADJOURNMENT

Chair Zamora-Appel thanked everyone for attending and adjourned the meeting at 9:12 p.m.

Respectfully submitted – Holly Novak, Executive Assistant to the Governing Board