

**DATE:** March 6, 2014  
**TO:** MarinMap Steering Committee  
**FROM:** Wayne Bush, Program Manager  
**ACTION:** Recommend to the MGSA changes to the MarinMap JEPA

**BACKGROUND AND ANALYSIS:**

For several years, MarinMap has been working with the Marin County Fire Chiefs' Association on finding ways to partner with each other in order to share data and assist one another with business activities, and thereby benefit MarinMap as well as enhance public safety. Although fire departments that are part of a MarinMap member agency already have access and use of MarinMap services, there are independent fire districts that are not members. Under the current JEPA, any public agency may join MarinMap by executing the JEPA and agreeing to the terms. Many of the fire districts are too small for a separate membership to be viable. Furthermore, they all have a similar and focused interest; that of fire related geospatial data management.

Presently, there only exist three levels of public agency membership- small, medium and large agency, for \$6,000, \$9,000 and \$10,000 annually, respectively. After working with the MGSA attorney, a means of enabling all Marin independent fire districts to join as one unit was developed, called a Joint Membership. The creation of this type of membership requires a modification to the JEPA.

According to Section 6.08 of the JEPA, amendments may be made only upon the recommendation of a two-thirds affirmative vote of the Steering Committee and subsequent approval by a majority of the MGSA Board of Directors. The MGSA attorney has opined that although other Steering Committee actions require a majority vote of a quorum in attendance, JEPA amendments require a full 2/3 affirmative vote of all members, or 10 votes, as there are presently 15 member agencies.

The MGSA attorney has drafted the below language specific to independent fire district membership, and the Steering Committee is being asked to approve it as written. In addition, a review of the JEPA finds a few other administrative items in need of revision. These revisions were reviewed by the MGSA attorney and were found acceptable. They are detailed below:

- 1) Delete references to TIGER files. These are centerline files used in the original creation of the Marinmap digital road network and have been replaced by the MarinMap road network now being maintained.
2. Allow for a City/Town Manager, or special district general manager to make appointments to the MarinMap Steering Committee. Because each agency has periodic staffing changes, the requirement for a governing body to make appointments should be modified to specifically enable the executive officer to make these appointments. In many cases, local ordinances may already empower managers to execute contracts and carry out actions such as this, but the proposed amendment specifically allows for it, without having to be subject to variations in each local ordinance. A city/town council may still make the appointment itself, if it so wishes.
3. Allow for the Executive Subcommittee to have between 7 and 9 representatives, without one having to be from a special district other than MMWD. At present there are only two special districts- LAFCO and SASM, and, although they are welcome to be considered, have not historically expressed the need to be

on the Executive Subcommittee and attend monthly meetings. The JEPA amendment would enable them to be on the Executive Subcommittee, but would not require one of them. Presently four representatives are specifically defined to be on the Subcommittee in the JEPA- Novato, San Rafael, County, and MMWD. Additionally, two other cities are required. This will not change with the amended language, only that should a special district representative be appointed to the Executive Subcommittee, it would be in addition to two other cities and could not replace either of them.

4. Change the Steering Committee meetings to be at least once per year instead of twice per year. Steering Committee attendance has been spotty, in part because it is known that the Executive Subcommittee meets monthly and is fully capable of handling almost all of MarinMap's business. The proposed language reflects historic conventions.

### **PROPOSED JEPA AMENDMENTS:**

#### New Membership Language

Section 1.01, Definitions: "Independent Fire District Member" means a Special District organized under the laws of the state of California whose primary purpose is to provide fire protection. An Independent Fire District Member possesses all the rights and obligations of Member Agencies in the Agreement except that all of the Independent Fire District members shall have only one vote on the Steering Committee and the annual fee as determined by the MGSA Board of Directors shall take this limitation in participation in the Steering Committee into account in setting the annual fee."

Section 5.01, new last sentence: "Notwithstanding the foregoing, all the Independent Fire District Members shall have cumulatively only one representative on the Steering Committee."

Section 6.12, new last sentence: " Additionally, there is a class of membership for Independent Fire Districts with limited participation on the Steering Committee."

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#### Administrative Revisions

Section 2.04, Strategic Initiatives, delete the strikeout:

(c) Centerline Data Files. Centerline Data Files aligned with digital orthophotography ~~enhancement and maintenance of the 1999 Census TIGER Files~~, by improving coordinate accuracy-using street Centerline Data Files.

Section 3.03. Specific Services, delete the strikeout:

(d) Provide access to ~~TIGER~~ Street Centerline Files, which provide address data and other data attributable to a street system.

Section 5.01 The Steering Committee, add the bold underline:

The Steering Committee shall be advisory to the MGSA Board of Directors and shall be comprised of one representative from each Member Agency. Each Steering Committee representative shall be selected by the City/Town **Manager, City/Town** Council, Board of Supervisors or **executive officer or** Board of Directors for the Member Agency, and shall be a member of the Member Agency's staff. Steering Committee Members shall serve a two-year term and may be reappointed. A majority of the members of the Steering Committee shall constitute a quorum for purposes of conducting business, and a majority of a quorum shall be authorized to act on behalf of the Steering Committee.

Section 5.02. Executive Sub-Committee, amend per below:

Routine administrative matters for the MarinMap Project may be decided by an Executive Sub-Committee. The Executive Subcommittee shall be made up of at least seven, but not more than nine, members and shall be selected by the Steering Committee. Membership shall include the Chair and Vice- Chair of the Steering Committee, one representative each of the County, City of San Rafael, City of Novato, Marin Municipal Water District, ~~special districts (other than MMWD), and two representatives of other cities and towns (other than San Rafael and Novato.)~~ **and at least two representatives of Marinmap member agencies, no less than two of which shall be from cities or towns (other than San Rafael and Novato).**

Section 5.09. Meetings and Reports, change below minimum number of Steering Committee meetings:

(a) The Steering Committee

(1) The Steering Committee shall hold at least ~~two~~ **one** regular meetings per year.